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# Statutes at Large,

From the First Year of

KING *JAMES* the FIRST

To the Tenth Year of the Reign of

KING *WILLIAM* the THIRD.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

VOLUME the THIRD.

LONDON:

Printed for MARK BASKET, Printer to the King's Most Excellent Majesty, and by the Assigns of ROBERT BASKET;

And by HENRY WOODFALL and WILLIAM STRAHAN, Law Printers to the King's Most Excellent Majesty.

MDCCLXIII.

ADAMS 93.1
v.3

A

# TABLE

OF THE

# Publick and Private Statutes,

CONTAINING

## The TITLES of the ACTS from the Firſt Year of the Reign of JAMES I. to the Tenth Year of the Reign of WILLIAM III.

### PUBLICK ACTS.

*Anno ſecundo* [vulgo] *primo* JACOBI *Regis.*

1. A Moſt joyful and juſt Recognition of the immediate, lawful and undoubted Succeſſion, Deſcent and Right of the Crown.
2. An Act authorizing certain Commiſſioners of *England*, to treat with Commiſſioners of *Scotland*, for the Weal of both Kingdoms.
3. An Act againſt the Diminution of the Poſſeſſions of Archbiſhoprics and Biſhopricks, and avoiding of Dilapidations of the ſame.
4. An Act for the due Execution of the Statutes againſt Jeſuits, Seminary Prieſts, Recuſants.
5. An Act to prevent the Over-charge of the People by Stewards of Court-Leets and Court-Barons.
6. An Act made for the Explanation of the Statute made in the fifth Year of the late Queen *Elizabeth*'s Reign, concerning Labourers.
7. An Act for the Continuation and Explanation of the Statute made in the thirty-ninth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act for Puniſhment of Rogues, Vagabonds, and ſturdy Beggars.*
8. An Act to take away the Benefit of Clergy from ſome Kind of Manſlaughter.
9. An Act to reſtrain the inordinate Haunting and Tippling in Inns, Alehouſes, and of Victualling-Houſes.
10. An Act for the better Execution of Juſtice.
11. An Act to reſtrain all Perſons from Marriage, until their former Wives and former Huſbands be dead.
12. An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits.
13. An Act for new Executions to be ſued againſt any which ſhall hereafter be delivered out of Execution by Privilege of Parliament, and for Diſcharge of them out of whoſe Cuſtody ſuch Perſons ſhall be delivered.
14. A Remedy for a Freeman of *London* to recover a Debt not exceeding forty Shillings owing to him by another inhabiting within the ſaid City or the Liberties: A Penalty if the Debtor do not appear before the Commiſſioners upon Warning; or if the Creditor or Debtor do not perform their Order; or if the Creditor, being a Freeman of *London*, do ſue any other Freemen out of the ſame City, for a Debt under forty Shillings.
15. An Act for the better Relief of the Creditors againſt ſuch as ſhall become Bankrupts.
16. An Act concerning Wherrymen and Watermen.
17. An Act for the better Execution of former Laws touching the making of Hats and Felts, and for the more Reſtraint of unſkilful and deceivable Workmanſhip therein uſed, to the Wrong of all Sorts of the People of this Realm.
18. An Act for avoiding of Deceitful ſelling, buying or ſpending corrupt and unwholeſome Hops.
19. An Act for the well Garbling of Spices.
20. An Act for Redreſs of certain Abuſes and Deceits uſed in Painting.
21. An Act againſt Brokers.
22. An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the Cutting of Leather.
23. An Act for the better Preſervation of the Fiſhing in the Counties of *Somerſet*, *Devon*, and *Cornwall*, and for the Relief of Balkers, Condors and Fiſhermen, againſt malicious Suits.
24. An Act againſt the deceitful and falſe making of *Mildernix* and *Powle Davies*, whereof Sail-Cloths for the Navy and other Shipping are made.
25. An Act for continuing and reviving of divers Statutes, and for repealing of ſome others.
26. An Act for the Continuance and due Obſervation of certain Orders for the Exchequer, firſt ſet down and eſtabliſhed by Virtue of a Privy Seal from the late Queen *Elizabeth.*
27. An Act for the better Execution of the Intent and Meaning of former Statutes, made againſt ſhooting in Guns, and for the Preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow.
28. A Confirmation of the King's Letters Patents, bearing Date at *Weſtminſter* 30 *Die Aprilis*, *Anno* 2 *Regis Jacobi*, granted to the Mayor, Bailiffs, and Burgeſſes of the Borough of *Berwick upon Tweed*, and of the Franchiſes, Liberties and Cuſtoms of the ſaid Borough.

29. To what Sorts of Fleſh, Licences to eat Fleſh in *Lent* ſhall not extend: What Sort of Fleſh ſhall not be killed in *Lent* to be put to Sale.
30. The Inhabitants of *Melcomb-Regis*, in the County of *Dorſet*, within the Dioceſe of *Briſtol*, may at their own Coſts build a Church upon the Ground where the Chapel now ſtandeth, and the Grounds adjoining, convenient to receive the Inhabitants of *Radipol*, and incloſe the waſte Grounds adjoining, to make a Church-yard for a Place of Burial; after which Church is builded, it ſhall be called the Parochial Church of *Radipol*; and the new Parſon of *Radipol*, and his Succeſſors, ſhall be Parſons thereof; and the old Pariſh-Church of *Radipol* ſhall be but a Chapel of Eaſe: And the Patron of the old Pariſh-Church of *Radipol* ſhall be Patron of the New. And a new Manſion-Houſe in *Melcomb-Regis* aſſigned to the ſaid Parſon and his Succeſſors for ever.
31. An Act for the charitable Relief and ordering of Perſons infected with the Plague.
32. From the End of this Seſſion of Parliament, during ſeven Years, and no longer, there ſhall be paid by the Maſter or Owner of every Ship, Veſſel or Crayer (ſaving of *Lime Regis* in the County of *Dorſet*) whereof any of the King's Subjects ſhall be Owners or Part-Owners of the Burden of twenty Tons or upwards, for every Voyage Loading or Diſcharging within this Realm, or to or from any Foreign Country beyond the Seas, and paſſing to or from *London*, or from to or by *Dover*, or coming into the Harbour there, (not having a Cocquet teſtifying his Payment before) three Pence for every Ton of the Burden of every ſuch Veſſel, *&c.* except Veſſels loaden with Sea Coals or Grind-ſtones; and for every Chaldron of Sea-Coals or Grind-ſtones, 1 *d. ob.* which ſhall be paid to the Cuſtomer, Collector of Cuſtoms or Subſidies, or their Deputies, *&c.*
33. An Act of a Subſidy of Tonnage and Poundage.

## PRIVATE ACTS.

*Anno ſecundo* [vulgo] *primo Jacobi Regis.*

1. AN Act of Confirmation of the Jointure of the moſt High and Mighty Princeſs *Anne*, Queen of *England*, *Scotland*, *France* and *Ireland*.
2. An Act for an Aſſignment of certain Sums of Money for defraying of the Charges of the King's moſt Honourable Houſhold.
3. An Act for Reſtitution of *Henry* Earl of *Southampton*.
4. An Act for the Reſtitution of the Son and two Daughters of *Robert* late Earl of *Eſſex*.
5. An Act for the Reſtitution of *Thomas*, only Son of *Philip* late Earl of *Arundel*.
6. An Act for the Reſtitution in Blood of *William Howard*, youngeſt Son of *Thomas* late Duke of *Norfolk*, and of the Children of the Lady *Margaret Sackvile*, Daughter of the ſaid Duke.
7. An Act for the Reſtitution of *William Pagett*, only Son of *Thomas* late Lord *Pagett*.
8. An Act for the Reſtitution of *Thomas Lucas*, Gentleman, in Blood.
9. An Act to ſecure *Simpſon*'s Debt, and ſave harmleſs the Warden of the Fleet in Sir *Thomas Sherley*'s Caſe.
10. An Act for the Naturalizing of *Lodovick* Duke of *Lenox*, *Henry* Lord of *Obigney*, his Brother, and their Children.
11. An Act for the Naturalizing of the Right Honourable *Margaret* Counteſs of *Nottingham*.
12. An Act for the Naturalizing of *John* Earl of *Marre*, his Wife and Children.
13. An Act for the Naturalizing of Sir *George Howme*, Knight, Lord Treaſurer of *Scotland*, his Wife and Children.
14. An Act for Confirmation of certain Letters Patents made to Sir *George Howme*, Knight, Lord Treaſurer of *Scotland*.
15. An Act for the Naturalizing of Sir *Edward Bruce*, Knight, Lord of *Kinloſſe*, his Wife and Children, and for Confirmation of Letters Patents made to him.
16. An Act for the Naturalizing of Sir *Thomas Areſkyn*, Knight, and *Alexander Areſkyn* his Son, and all other the Children of the ſaid Sir *Thomas*, born in the Kingdom of *Scotland*, or whereſoever within the King's Majeſty's Dominions.
17. An Act for Confirmation of Letters Patents made to the Right Honourable *Charles* Earl of *Nottingham*, Lord Admiral of *England*, *Thomas* Earl of *Suffolk*, Lord Chamberlain of the King's Houſhold, Sir *John Leveſon*, and Sir *John Trevor*, Knights, for the Uſe and Benefit of the Lady *Frances* Dowager of *Kildare*, and now Wife of *Henry* late Lord *Cobham*, attainted.
18. An Act for the Naturalizing of Dame *Mary Aſton*, Wife to Sir *Roger Aſton*, Knight, and their Children.
19. An Act for the Naturalizing of Sir *John Ramſey*, Knight.
20. An Act for the Naturalizing of Sir *James Hay*, Knight.
21. An Act for the Naturalizing of *John Gordon*, Dean of *Sarum*, his Wife and Children.
22. An Act for the Naturalizing of Sir *John Kennedy*, Knight.
23. An Act for the Naturalizing of Sir *John Drumonde*, Knight.
24. An Act for the Naturalizing of *Adam Newton*, Eſquire.
25. An Act for Reſtitution in Blood of *Thomas Littleton*, eldeſt Son of *John Littleton*, late of *Frankley* in the County of *Worceſter*, Eſquire, deceaſed, *John Littleton*, ſecond Son of the ſaid *John Littleton* deceaſed, and *Edward Littleton*, third Son of the ſaid *John Littleton* deceaſed, *Bridget Littleton*, eldeſt Daughter of the ſaid *John Littleton* deceaſed, *Anne Littleton*, ſecond Daughter of the ſaid *John Littleton* deceaſed, and *Jane Littleton*, third Daughter of the ſaid *John Littleton* deceaſed.
26. An Act for the Naturalizing of *William Browne*, *Anne Browne*, and *Barbara Browne*, Children of Sir *William Browne*, Knight, Lieutenant-Governor of his Majeſty's Cautionarie Town of *Uliſhinge*.
27. An Act for the Enabling of *Thomas Throgmorton*, Eſquire, to make Sale of certain Lands for Payment of his Debts.
28. An Act for the Naturalizing of *Thomas Glover*, *Margaret Mordant*, *Francis Collimore*, *Alexander Daniell*, *Nicholas Gilpine*, and *Mary Copcote*.
29. An Act for the Sale of certain Lands of Sir *Thomas Rowſe*, Knight, for the Payment of his Debts.
30. An Act for the quiet Eſtabliſhing and Settling of the Lands and Poſſeſſions late of Sir *George Rodney*, Knight, deceaſed.
31. An Act for the Aſſuring of certain Lands and Tenements to the Dean and Canons of *Windſor*, and of Aſſuring a Leaſe of the Prebend of *Bedwin* in the County of *Wilts* to *Edward* Earl of *Hertford*.
32. An Act for *Henry Jernegan* the Younger, for the Sale of the Manor of *Dagas* in *Raveningham* and *Heringfleete alias St. Olaves* in the Counties of *Norfolk* and *Suffolk*, for the Payment of his Debts.
33. An Act for the Jointure of the Wife of *Martin Calthrope*, Gentleman.
34. An Act for the Relief of *Thomas Lovell*, Eſquire.
35. An Act for Explanation of a former Act made in the 43d Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act for the Enabling of* Edward Nevile *of* Birling

ling *in the County of* Kent, *and Sir* Henry Nevile, *Knight, his Son and Heir apparent, to diſpoſe of certain Copyhold Lands, Parcel of the Manor of* Rotherfield *in the County of* Suſſex, *and of the Manors of* Alleſley *and* Filonley *in the County of* Warwick.

36. An Act to enable *John Tebols*, Gentleman, to make his Wife a Jointure of certain of his Lands, and to ſell ſome Part for Preferment of his younger Children.

37. An Act for the Naturalizing of *Katherine Vincent*, *Elizabeth Vincent*, *Suſanna Vincent*, *Heſter Vincent*, and *Mary Vincent*.

38. An Act for the Naturalizing of *Victor Chauntrel*, *Peter Martin*, *Mentia Van Urzell*, Wife of *George Aldriche*, Eſquire, *Sabina Aldriche*, *Edward*, and *Peregrine Aldriche*, her Children.

## PUBLICK ACTS.

*Anno tertio Jacobi Regis.*

1. AN Act for a Publick Thankſgiving to Almighty God every Year on the fifth Day of *November*.

2. An Act for the Attainder of divers Offenders in the late moſt barbarous, monſtrous, deteſtable and damnable Treaſons.

3. An Act declaratory, explaining the Branch of an Act made in the firſt Seſſion of this Parliament, intituled, *An Act authorizing certain Commiſſioners of the Realm of* England, *to treat with the Commiſſioners of* Scotland, *for the Weal of both Kingdoms*.

4. An Act for the better Diſcovering and Repreſſing of Popiſh Recuſants.

5. An Act to prevent and avoid Dangers which may grow by Popiſh Recuſants.

6. An Act to enable all his Majeſty's loving Subjects of *England* and *Wales*, to Trade freely into the Dominions of *Spain*, *Portugal* and *France*.

7. An Act to reform the Multitudes and Miſdemeanors of Attornies and Sollicitors at Law, and to avoid unneceſſary Suits and Charges in Law.

8. An Act to avoid unneceſſary Delays of Executions.

9. An Act for the Relief of ſuch as lawfully uſe the Trade and Handicraft of *Skinners*.

10. An Act for the Rating and Levying of the Charges for conveying Malefactors and Offenders to the Gaol.

11. An Act for Tranſportation of Beer over the Seas.

12. An Act for the better Preſervation of Sea-Fiſh.

13. An Act againſt unlawful Hunting, ſtealing of Deer and Conies.

14. An Act for Explanation of the Statute of Sewers.

15. An Act for the Recovering of ſmall Debts, and for the Relieving of poor Debtors in *London*.

16. An Act for the Repeal of one Act made in the fourteenth Year of Queen *Elizabeth*'s Reign, concerning the Length of Kerſies.

17. An Act concerning *Welſh* Cottons.

18. An Act for the bringing in of a freſh Stream of running Water to the North Part of the City of *London*.

19. An Act for the Repairing and Maintaining of the Highway leading from *Kingſton* to *Nonſuch*.

20. An Act for making Paſſage from *London* to *Oxford* by Water.

21. An Act to reſtrain the Abuſes of Players.

22. An Act for the Paving of *Drury-Lane*, and the Town of *St. Giles's in the Fields*, in the County of *Middleſex*.

23. An Act for the making up and keeping in Reparation of *Chepſtow-Bridge*.

24. An Act for making a Bridge over the River of *Severn*, in the County of *Worceſter*.

25. An Act for a Confirmation of four Subſidies, of four Shillings in the Pound, granted to the King by the Clergy.

26. An Act for Three intire Subſidies, and Six Fifteens, granted to the King by the Temporalty.

27. An Act for a Confirmation of the King's General and Free Pardon.

## PRIVATE ACTS.

*Anno tertio Jacobi Regis.*

1. AN Act for the Aſſuring of certain ſmall Parcels of Ground to *Robert* Earl of *Saliſbury* and his Heirs, for the Inlargement and Commodious Uſe of his Manſion Houſe in the *Strond*, now called *Saliſbury Houſe*, and for Recompence to be given for the ſame.

2. An Act for the Aſſurance of the Jointure of the Right Honourable *Frances* Counteſs of *Eſſex*, Wife of the Right Honourable *Robert* Earl of *Eſſex*.

3. An Act for the Preſident and Scholars of *Corpus Chriſti* College in the Univerſity of *Oxford*.

4. An Act for the better Sale of certain Lands of *Henry* late Lord *Windſor* deceaſed, for Payment of his Debts, and better Performance of his Laſt Will and Teſtament.

5. An Act for the Eſtabliſhing of the Poſſeſſions and Inheritance of *Edmund* late Lord *Chandos* of *Sudeley* deceaſed.

6. An Act to eſtabliſh in the Crown the Lands and Poſſeſſions of *Henry* late Lord *Cobham*, and *George Brooke*, Eſquire, attainted of High Treaſon, with a Confirmation of Grants made by his Majeſty.

7. An Act for the Confirmation of certain Leaſes and Eſtates made by the Right Honourable *Robert* Lord *Spencer*, and by his late Father deceaſed, and his Mother now living.

8. An Act for the Reſtoring and Enabling of *Henry* Lord *Danvers*, as Son and Heir to Sir *John Danvers*, Knight, deceaſed, notwithſtanding the Attainder and Corruption of Blood of Sir *Charles Danvers*, Knight, deceaſed, elder Brother of the ſaid Lord *Danvers*.

9. An Act for the Confirmation of the King's Majeſty's Letters Patents made to the Provoſt and Scholars of *Oriel* College in *Oxford*.

10. An Act for Confirmation of Letters Patents made to the Governors of the Free Grammar School at *Saint Bees*, in the County of *Cumberland*.

11. An Act to enable Sir *Chriſtopher Hatton*, Knight, to diſpoſe of certain Lands, Tenements and Hereditaments, notwithſtanding a Limitation or Clauſe of Perpetuity annexed to his Eſtate.

12. An Act to aſſure and confirm the Sale of certain Lands, lying within the County of *Middleſex*, to *Thomas Lake*, Knight, and Dame *Mary*, his Wife.

13. An Act for Sale of certain Lands of Sir *Jonathan Trelowny*, Knight, deceaſed, for Payment of his Debts.

14. An Act for Aſſuring of the Jointure of Dame *Elionor Cave*, Wife of Sir *Thomas Cave* of *Standforde*, in the County of *Northampton*, Knight.

15. An Act for enabling of *John Hotham*, Eſquire, the Father, and *John Hotham* his Son, to convey certain Lands for a Jointure of ſuch Wife as *John* the Son ſhall marry.

16. An Act for the ſettling of the Manor of *Rye* in the Counties of *Glouceſter* and *Worceſter*, upon *William Throckmorton*, Eſquire, and his Heirs, according to a Feoffment thereof made by *Charles* late Earl of *Devonſhire*.

17. An Act for the more ſpeedy Sale of certain Lands of Sir *Thomas Rouſe*, Knight, for Payment of his Debts.

18. An Act for Aſſurance of certain Lands late Sir *John Skinner*'s, Knight, to Sir *William Smith* and Sir *Michael Hickes*, Knights.

19. An Act for the Relief of *John Roger*, Gentleman, againſt *Robert Taylor*, *Paul Taylor*, and *William Taylor*, for defrauding of a Truſt repoſed in *Thomas Taylor* their Father, and decreed againſt them in the High Court of Chancery.
20. An Act for the Aſſurance of the Lands of *Walter Welſh*, Eſquire.
21. An Act for Sale of certain Lands of *Edward Downes*, Eſquire, for Payment of his Debts.
22. An Act for the Naturalizing of Sir *David Foulis*, Knight, and for Confirmation of Letters Patents by his moſt Excellent Majeſty to him made.
23. An Act for the Naturalizing of the Children of Sir *Edward Conway*, Knight, Lieutenant Governor of the King's Majeſty's Cautionary Town of the *Brill*.
24. An Act for the Naturalizing of Sir *James Areſkyn*, Knight, his Wife and Children.
25. An Act for the Naturalizing of Sir *David Murray*, Knight, Gentleman of the Prince his Bedchamber, and *Thomas Murray*, Eſquire, Schoolmaſter to the Duke of *York*.
26. An Act for the Naturalizing of *Daniel Godfrey* of the Pariſh of Saint *Buttolphes* without *Aldgate*, Gentleman.
27. An Act for the Reſtitution in Blood of *John Holland* Son of *Brian Holland*, and *Thomas Holland* Son of the ſaid *John Holland*.
28. An Act for Reſtitution of *Rowlande Mericke*, Son of Sir *Gelley Mericke*, Knight, and Dame *Margaret*, Wife of Sir *John Vaughan*, Knight, Daughter of the ſaid Sir *Gelley*, in Blood.
29. An Act for the Performance and Execution of a Decree in the Chancery, made between *William le Gris*, Plaintiff, and *Robert Cottrel*, Defendant.

## PUBLICK ACTS.

*Anno quarto Jacobi Regis.*

1. AN Act for the utter Abolition of all Memory of Hoſtility, and the Dependance thereof, between *England* and *Scotland*, and for the Repreſſing of Occaſions of Diſorders, and Diſorders in Time to come.
2. An Act for the true making of Woollen Cloth.
3. An Act to give Coſts to the Defendant upon a Nonſuit of the Plaintiff, or Verdict againſt him.
4. An Act to reſtrain the Utterance of Beer and Ale to Alehouſe-keepers and Tiplers not licenced.
5. An Act for Repreſſing the odious and loathſom Sin of Drunkenneſs.
6. An Act for Repealing ſo much of one Branch of a Statute made in the firſt Year of his Majeſty's Reign, intituled, *An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather*, as concerneth the ſealing of Sheep-Skins, and to avoid ſelling of tanned Leather by Weight.
7. An Act for the Founding and Incorporating of a Free Grammar-School in the Town of *Northleech* in the County of *Glouceſter*.
8. An Act touching the drowned Marſhes of *Leſnes* and *Fants* in the County of *Kent*.
9. An Act to explain a former Act made in the laſt Seſſion of this Parliament, intituled, *An Act to enable all his Majeſty's loving Subjects of* England *and* Wales, *to Trade freely into the Dominions of* Spain, Portugal *and* France.
10. An Act for Confirmation of ſome Part of a Charter granted by King *Henry* the Sixth to the Mayor, Bailiffs and Burgeſſes of the Town of *Southampton*, and for the Relief of the ſaid Town.
11. An Act for the better Proviſion of Meadow and Paſture, for neceſſary Maintenance of Huſbandry and Tillage in the Manors, Lordſhips and Pariſhes of *Marden*, alias *Mawarden*, *Bodenham*, *Wellington*, *Sutton St. Michael*, *Sutton St. Nicholas*, *Murton upon Lug*, and the Pariſh of *Pipe*, and every of them, in the County of *Hereford*.
12. An Act for Explanation of a Statute made in the third Year of the Reign of King *James*, intituled, *An Act for the bringing in of a freſh Stream of running Water to the North Parts of the City of* London.
13. An Act for the Draining of certain Fens and Low Grounds in the Iſle of *Ely*, ſubject to Hurt by ſurrounding, containing about ſix thouſand Acres, compaſſed about with certain Banks, commonly called and named the Ring of *Walderſey* and *Cooldham*.

## PRIVATE ACTS.

*Anno quarto Jacobi Regis.*

1. AN Act for the Aſſurance of the Houſe of *Theobalds*, and divers Manors and other Lands, to the Queen's Majeſty for Term of her Life, and of the ſame Houſe, Manors and Lands, with other Manors and Lands, to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and for the Aſſurance of other Manors and Lands to the Earl of *Saliſbury* and his Heirs.
2. An Act for the Enabling of *John Goode*, Eſquire, to convey unto his Majeſty a ſmall Portion of Land during a Term of Years.
3. An Act for the Eſtabliſhment and Aſſurance of divers of the Poſſeſſions and Hereditaments of *Ferdinando* late Earl of *Derby*.
4. An Act whereby *Richard Sackvile*, Eſquire, is enabled to make a Surrender unto the King's Majeſty of the Offices of Chiefe Butler of *England* and *Wales*, notwithſtanding his Minority of Years.
5. An Act for the Aſſuring of the Advowſon of the Vicarage of *Cheſthunt* to *Robert* Earl of *Saliſbury* and his Heirs, and of the Advowſon of the Rectory of *Orſet* to *Richard Biſhop* of *London* and his Succeſſors.
6. An Act for Confirmation of an Agreement betwixt *Edward* Lord *Bruce* and *Michael Doyly* and others, for the Lands late of *William Ibgrave* deceaſed.
7. An Act for Confirmation of the King's Majeſty's Letters Patents made to *Robert Bathurſt*, Eſquire, of the Manor and Borough of *Lachlad* in the County of *Glouceſter*.
8. An Act for the Confirmation of the King's Majeſty's Letters Patents made to *William Bourcher*, Eſquire, of the Manor of *Bardiſley* in the County of *Glouceſter*.
9. An Act for Confirmation of certain Lands to the Warden and College of the *Souls of all faithful People deceaſed* of *Oxon*, and of other Lands to Sir *William Smith*, Knight.
10. An Act for Securing and Confirming of the Lands, Tenements and Rents heretofore granted, deviſed or conveyed to ſeveral Companies within the City of *London*, and to the Mayor and Commonalty and Citizens of the City of *London*.
11. An Act for further Aſſurance to the Purchaſers of certain Lands late Sir *Jonathan Trelawny*'s Knight, deceaſed, appointed by Act of Parliament to be ſold for Payment of his Debts.
12. An Act for Reſtitution in Blood of the Sons and Daughters of *Edward Windſor*.
13. An Act for the better Enabling of *John Evelyn*, Eſquire, to make Sale of certain Lands for the Payment of his Debts.
14. An Act for the Aſſignment of a Jointure to ſuch Wife as *John Thompſon*, Son and Heir of *Robert Thompſon* a Lunatick,

Lunatick, ſhall marry, and for preſent Maintenance of the ſaid *John*.

15. An Act for the Sale of the Lands of *William Waller*, Eſquire, to perform a Decree in Chancery, for the Payment of 505 *l.* 10 *s.* 6 *d.*

16. An Act for the Naturalizing of *John Steward*, Eſquire, Brother and Heir apparent to *Patricke* Earl of *Orkney*.

17. An Act for the Naturalizing of *Peter Baro*, *alias Barow*, Doctor of Phyſick, and *Mary* his Wife.

18. An Act for the Naturalizing of *James Deſmaiſtres* of the Pariſh of St. *Buttolphes* without *Aldgate*, and *Mary* his Wife.

19. An Act for the Naturalizing of *Fabian Smith*.

20. An Act for the Naturalizing of *John Ramſden*.

## PUBLICK ACTS.

*Anno ſeptimo Jacobi Regis.*

1. AN Act for the better Execution of Juſtice, and ſuppreſſing of criminal Offenders, in the North Parts of the Kingdom of *England*.

2. An Act that all ſuch as are to be naturalized or reſtored in Blood, ſhall firſt receive the Sacrament of the Lord's Supper, and the Oath of Allegiance and the Oath of Supremacy.

3. An Act for the Continuing and better Maintenance of Huſbandry and other Manual Occupations, by the true Imployment of Monies given and to be given for the Binding out of Apprentices.

4. An Act for the due Execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds, and ſturdy Beggars, and other lewd and idle Perſons.

5. An Act for Eaſe in pleading troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſty's Officers, for the lawful Execution of their Office.

6. An Act for adminiſtring the Oath of Allegiance, and Reformation of married Women Recuſants.

7. An Act for the Puniſhing and Correcting of Deceit and Frauds committed by Sorters, Kembers, and Spinſters of Wool, and Weavers of Woollen Yarn.

8. An Act to inlarge an Act of Parliament made in the Second and Third Year of King *Philip* and Queen *Mary*, intituled, *An Act for keeping of milch Kine, or breeding and rearing of Calves*.

9. An Act for the bringing of freſh Streams of Water by Engine from *Hackney Marſh* to the City of *London*, for the Benefit of the King's College at *Chelſea*.

10. An Act for Reformation of Alehouſe-keepers.

11. An Act to prevent the Spoil of Corn and Grain by untimely Hawking, and for the better Preſervation of Pheaſants and Partridges.

12. An Act to avoid the double Payment of Debts.

13. An Act for the Explanation of one Statute made in the ſecond Seſſion of this preſent Parliament, intituled, *An Act againſt unlawful Hunting and Stealing of Deer and Conies*.

14. An Act for reviving of Part of a former Act made in the fourth Year of King *Edward* the Fourth, That no Stranger or Alien ſhall buy *Engliſh* Horns unwrought, and that the Wardens of the Horners of the City of *London* for the Time being, ſhould have Power to ſearch all Manner of Wares appertaining to their Myſtery in *London* and twenty-four Miles on every Side of it.

15. An Act concerning ſome Manner of Aſſignment of Debts to his Majeſty.

16. An Act for the Encouragement of many poor People in *Cumberland* and *Weſtmorland*, and in the Towns and Pariſhes of *Carpimell*, *Oxhead* and *Broughton*, in the County of *Lancaſter*, to continue a Trade of making Cog-ware, Kendals, Carptmeals and coarſe Cottons.

17. An Act to prevent burning of Ling, Heath, &c. in certain Counties in Summer.

18. An Act for the Taking, Landing, and Carrying of Sea-Sand for the bettering of Ground, and for the Increaſe of Corn and Tillage, within the Counties of *Devon* and *Cornwall*.

19. An Act for the Continuance and Reparation of a new built Wear upon the River of *Exe*, near unto the City of *Exeter*.

20. An Act for the ſpeedy Recovery of many Thouſand Acres of Marſh Ground and other Ground within the Counties of *Norfolk* and *Suffolk*, lately ſurrounded by the Rage of the Sea in divers Parts of the ſaid Counties, and for the Prevention of the Danger of the like Surrounding hereafter.

21. An Act for Confirmation of Decrees hereafter to be made in the Exchequer-Chamber and Duchy-Court, concerning Copyhold Lands and Tenements.

22. An Act for Confirmation of a Subſidy granted by the Clergy to the King.

23. An Act for One Subſidy and One Fifteen granted to the King by the Temporalty.

24. An Act for a Confirmation of the King's General and Free Pardon.

## PRIVATE ACTS.

*Anno ſeptimo Jacobi Regis.*

1. AN Act for Confirmation of ſeveral Decrees made in the Court of Exchequer Chamber, and Duchy Chamber, between the King's Majeſty and divers Copyholders of his Majeſty's Manor of *Wakefield* in the County of *York*.

2. An Act for Confirmation of a Decree made in the Court of Exchequer Chamber, between the King's Majeſty and the Copyholders of his Majeſty's Manor of *Edelmeton*, alias *Edmonton*, in the County of *Middleſex*.

3. An Act for the perfect Creation and Confirmation of certain Copyhold Lands in the Honour, Caſtle, Manor or Lordſhip of *Clitherowe*, or in the ſeveral Manors or Lordſhips of *Derby*, *Accarington*, *Colne* and *Ightenhill*, in the County of *Lancaſter*.

4. An Act for the Aſſuring and Eſtabliſhing of the Iſle of *Man*.

5. An Act for the Explanation of a Proviſo or Branch of a Statute contained in an Act of Parliament made in the Years of the Reign of our Sovereign Lord King *James*, of *England*, *France* and *Ireland* the Fourth, and of *Scotland* the Fortieth, intituled, *An Act for the Eſtabliſhment and Aſſurance of divers of the Poſſeſſions and Hereditaments of* Ferdinando *late Earl of* Derby.

6. An Act for the Aſſurance of certain Lands and Rent to the Biſhop of *Durceſme* and his Succeſſors, and of certain other Lands to *Robert* Earl of *Saliſbury* and his Heirs.

7. An Act for the Naturalizing of Sir *Robert Karre*, Knight.

8. An Act for the Naturalizing of Miſtreſs *Jane Drummond*, Gentlewoman of the Queen's Majeſty's Bedchamber.

9. An Act for the Sale of the Manor of *Bretts* and Farm of *Plaſtowe* in the County of *Eſſex*, Parcel of the Poſſeſſions of *Henry* Earl of *Oxonford*, towards the Repurchaſing of the Caſtle, Manor and Parks of *Henningham* in the ſame County, being the antient Inheritance and Chief Manſion Houſe of the Earls of *Oxonford*.

10. An Act for the Aſſuring of the Farm and Demeſnes of *Damerham* and other Lands in *Wiltſhire*, according to his Majeſty's Grant, and a former Grant made by King *Edward* the Sixth.

11. An

11. An Act for the Foundation of an Hospital, a Grammar School, and Maintenance of a Preacher, in the Town of *Thetford*, for ever, according to the Last Will and Testament of *Richard Fulmarston*, Knight.

12. An Act for the Naturalizing of *John Murray*, *John Levingston*, and *John Auchmothy*, Grooms of his Majesty's Bedchamber, and *Richard Murray*, Warden of *Manchester*.

13. An Act for the Naturalizing of *Levinus Munke*, one of the Clerks of his Majesty's Signet.

14. An Act for the Confirming and Establishing of a Decree made in the High Court of Chancery, for and on the Behalf of nine poor Children and Orphans of *William Elrington* and *Edward Elrington*, against *Edward Cage*, Executor of the last Will and Testament of *Rowland Elrington*, Brother of the said *Edward* and *William Elrington*, and Uncle of the said Children, and for the Extending of the Lands and Goods of the said *Edward Cage*, for the speedy Execution and Performance of the said Decree, and the Payment and Satisfaction of the Sums of Money thereby decreed to the said Children.

15. An Act for the Naturalizing of *Robert Browne*, his Majesty's Servant in Ordinary.

16. An Act for Confirmation of certain Fines levied by *John Arundell* of *Guarnack*, Esquire, to *John Arundell* of *Trerise*, Esquire, deceased, and for settling of the Manors, Lands, Tenements and Hereditaments comprised in the said Fines, upon *John Arundell*, Esquire, and his Heirs, Son of the said *John Arundell* deceased.

17. An Act to enable *Edward Nevill*, Lord *Bergavenny*, and Sir *Henry Nevill*, Knight, his eldest Son, to alien certain Lands, for Payment of their Debts, and Advancement of their Daughters and younger Sons, and for better Assurance of other Lands lately purchased by the said Lord from his Majesty.

18. An Act for the Restitution in Blood of the Son and two Daughters of *George Brooke*, late attainted of High Treason.

19. An Act for the disuniting of the Parsonages of *Ashe* and *Deane*, within the County of *Southampton*, being Presentative and with the Cure of Souls.

20. An Act for the Naturalizing of *Henry Gibb*, Groom of the Bed-chamber to the most Excellent Prince *Henry* Prince of *Wales*.

21. An Act for Sale of Part of the Lands of *William Essex* of *Lamborne* in the County of *Berks*, Esquire, for the Payment of his Debts, and settling the Residue upon himself and his Posterity.

22. An Act for the Relief of *John Holdich*, Gentleman, disinherited by the extraordinary Amending of the Errors of a Fine.

23. An Act for the Naturalizing of Sir *George Ramsey*, Knight, Equerry of the most Excellent Prince *Henry*, *Walter Alexander*, Gentleman Usher of the said Prince *Henry*, and *John Sandilandis*, Groom of the said Prince his Bedchamber.

24. An Act for the Naturalizing of *Peter Venloore* of *Fanchurch-street*, *London*, Merchant.

25. An Act for the Securing and Confirming of certain Lands and Tenements, heretofore granted, devised or conveyed to the Companies of Salters and Brewers of *London*.

26. An Act for the Uniting and Annexing of the Parsonage and decayed Parish of *Froom Whitfield*, in the County of *Dorset*, to the Parsonage and Parish of the *Holy Trinity* in *Dorchester*, in the said County.

27. An Act to confirm and enable the Erection and Establishment of an Hospital, a Free Grammar School, and sundry other godly and charitable Acts and Uses, done and intended to be done and performed by *Thomas Sutton*, Esquire.

28. An Act for making void of certain Conveyances, and the Estates limited thereby, unduly gotten from Sir *Henry Crispe*, Knight, whereby he is defrauded of the Inheritance of divers Manors, Lands, Tenements and Hereditaments lying in the County of *Kent*, and for the Establishing of the Inheritance of the same in the said Sir *Henry Crispe* and his Heirs.

29. An Act for the Enabling of the Assurance of certain Lands conveyed for the Portions of three of the Daughters of *John Wentworth*, Esquire, and for the Confirmation of certain other Estates for Life in other Lands, and to enable Sir *John Wentworth*, Knight, to sell certain Lands for the Payment of his Debts.

30. An Act for the Enabling of *Reginald Rous* of *Badlingham* in the County of *Suffolk*, Gentleman, to make Sale of the third Part of the Manor of *Badingham Hall* with the Appurtenances, and of the third Part of certain other Lands and Tenements with the Appurtenances in *Badingham*, *Tymington*, and *Little Glemham*, in the said County of *Suffolk*, to *Reginald Rous* of the *Inner Temple*, *London*, Esquire, Nephew to the said *Reginald Rous* of *Badingham*.

31. An Act for the Naturalizing of *Edward Palmer* and *Henry Palmer*, Sons of *William Palmer* of *Ulisbing*, and of *Michael Boyle*, the Son of *James Boyle*, Citizen and Mercer of *London*.

32. An Act for the Enabling of *Charles Waldgrave*, Esquire, to make Sale of certain Lands for the Payment of his Debts, and the Advancement of his younger Sons and Daughters.

33. An Act for the Naturalizing of *Richard Bladwell*, *John Bladwell*, and *Robert Bladwell*, the Sons of *John Bladwell* an *Englishman*, *George Hasden* and *John Hasden* the Sons, and *Martin Hasden* the Wife of *John Hasden* an *Englishman*, *Elizabeth Cradock* and *Anne Cradock*, the Daughters of *William Cradock* an *Englishman*, *Jane alias Janekyn Carstens*, and *Elizabeth Van Buechton*.

34. An Act for the Confirmation of the Sale and Conveyance of divers Manors, Lordships, Liberties, and other Hereditaments, late *Henry Farnegan*'s, Esquire, made by Sir *Thomas Hirne*, Knight, *Christopher Hirne*, Gentleman, and *Clement Hirne*, Esquire, unto Sir *John Heveningham*, Knight, and Dame *Bridget* his Wife.

35. An Act for the Naturalizing of *John Mounsy*.

36. An Act for the Naturalizing of *Johannekyn alias Joane Greenesmith*, Daughter of *Mathew Greenesmith*, Citizen and Grocer of *London*.

37. An Act for Confirmation of three several Writings indented, purporting and setting forth the Revocations of three several Conveyances or Assurances made by Sir *Robert Drury*, Knight, unto divers Persons, upon Natural Considerations only.

38. An Act for the Naturalizing of *Margaret Clark*, Wife of *Robert Clark*, Gentleman.

39. An Act for the Amending of a Writ of Entry whereupon a Common Recovery was had of the Inheritance of Sir *John Byron*, Knight, within the County Palatine of *Lancaster*.

40. An Act for the Naturalizing the Right Reverend Father in God *George Montgomery*, Lord Bishop of *Derry* in *Ireland*, Sir *James Fullarton*, and Sir *Hugh Montgomery*, Knight, and *Hugh* and *James Montgomery*, Children of the said Sir *Hugh Montgomery*.

41. An Act for the Naturalizing of *Martinus Schonerus*, Ordinary Physician to the Queen's Majesty, *Dorothy Seelkyn*, and *Engella Seelkyn*, two Maids of the Queen's Majesty's Bed-chamber, *Katherine Benneken*, Servant to the Queen's

Queen's Majesty, *John Wolfang Rumbler*, Apothecary in Ordinary to the King and Queen's Majesty, and *Anna de Lobell alias Wolfang Rumbler*, his Wife.

42. An Act to make one Writing indented, bearing Date the ninth Day of *March* in the first Year of his Majesty's Reign of *England*, made by *Christopher Smith*, Esquire, and *Millicent Smith* his Son and Heir apparent, purporting a Revocation of the Uses and Estates of the Manor of *Water Newton* in the County of *Huntington*, and of divers Lands, Tenements and Hereditaments in the said Writing of Revocation mentioned, to have the full Force and Power of a perfect Deed of Revocation, according to the Purport of the said Writing, and according to the true Intent and Meaning of the Parties thereunto, whereby the said *Millicent Smith* may be enabled to make Sale for the Payment of his Debts.

## PUBLICK ACTS.

*Anno decimo octavo Jacobi Regis.*

1. AN Act for three intire Subsidies granted by the Spiritualty.
2. An Act for two intire Subsidies granted by the Temporalty.

## PRIVATE ACT.

*Anno decimo octavo Jacobi Regis.*

1. AN Act containing the Censure given in Parliament against Sir *Gyles Mompesson*, Sir *Francis Mitchell*, *Francis* Viscount *Saint Albane*, Lord Chancellor of *England*, and *Edward Flood*.

## PUBLICK ACTS.

*Anno vicesimo primo Jacobi Regis.*

1. AN Act for the Reviving and making perpetual of one Act made in the nine and thirtieth Year of the late Queen *Elizabeth*, intituled, *An Act for the erecting of Hospitals, and Abiding and Working-houses for the Poor.*
2. An Act for the general Quiet of the Subjects against all Pretence of Concealment whatsoever.
3. An Act concerning Monopolies and Dispensations with Penal Laws, and the Forfeitures thereof.
4. An Act for the Ease of the Subject, concerning Informations upon Penal Statutes.
5. An Act that Sheriffs, their Heirs, Executors and Administrators, having a *Quietus est*, shall be absolutely discharged of their Accounts.
6. An Act concerning Women convicted of small Felonies.
7. An Act for the better Repressing of Drunkenness, and Restraining the inordinate haunting of Inns, Alehouses, and other Victualling-houses.
8. An Act to prevent the Abuses in procuring Process and *Supersedeas* of the Peace and good Behaviour, out of his Majesty's Courts at *Westminster*, and to prevent the Abuses in procuring Writs of *Certiorari* out of the said Courts, for the Removing of Indictments found before Justices of the Peace in their General Sessions.
9. An Act for the free Trade and Traffick of *Welsh* Cloths, Cottons, Frizes, Linings and Plains, in and through the Kingdom of *England* and Dominion of *Wales*.
10. An Act of Repeal of one Branch of the Statute made in the Session of Parliament holden by Prorogation at *Westminster* the 22d Day of *January* in the 34th Year of the Reign of King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of* Wales.
11. An Act upon a Judgment given in Chancery for the Revoking and Annuling of certain Letters Patents (granted to *Henry Heron*, for the sole Privilege of Salting, Drying, and Packing of Fish within the Counties of *Devon* and *Cornwal*) confirmed.
12. An Act to enlarge and make perpetual the Act made for Ease in Pleading, against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other his Majesty's Officers, for the lawful Execution of their Office, made in the Seventh Year of his Majesty's most happy Reign.
13. An Act for the further Reformation of Jeofails.
14. An Act to admit the Subject to plead the General Issue in Informations of Intrusions brought on the Behalf of the King's Majesty, and retain his Possession till Trial.
15. An Act to enable Judges and Justices of the Peace, to give Restitution of Possession in certain Cases.
16. An Act for Limitation of Actions, and for avoiding of Suits in Law.
17. An Act against Usury.
18. An Act for Continuance of a former Act made in the Fourth Year of his Majesty's Reign, intituled, *An Act for the true making of Woollen Cloths*, and for some Additions and Alterations in and to the same.
19. An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting Corporal Punishment upon the Bankrupts in some Special Cases.
20. An Act to prevent and reform profane Swearing and Cursing.
21. An Act concerning Hostlers and Inn-holders.
22. An Act for the Explanation of the Statutes made in the 3d, 4th, and 5th Years of King *Edward* the Sixth, concerning the Traders of Butter and Cheese.
23. An Act for avoiding of vexatious Delays, caused by removing Actions and Suits out of Inferior Courts.
24. An Act for the Relief of Creditors against such Persons as die in Execution.
25. An Act for the Relief of Patentees, Tenants and Farmers of Crown-Lands and Duchy-Lands, or of Lands within the Survey of the Court of Wards and Liveries, in Cases of Forfeiture for not Payment of their Rents, or other Service or Duty.
26. An Act against such as shall levy any Fine, suffer any Recovery, knowledge any Statute, Recognizance, Bail or Judgment, in the Name of any other Person or Persons not being privy and consenting thereto.
27. An Act to prevent the Destroying and Murthering of Bastard Children.
28. An Act for continuing and reviving of divers Statutes, and Repeal of divers others.
29. An Act to enable the most excellent Prince *Charles*, to make Leases of Lands, Parcel of his Highness Duchy of *Cornwall*, or annexed to the same.
30. An Act for a Messuage, called *York-House*, and other Tenements belonging to the Archbishop of *York*, assured to the King's Majesty and his Successors, in Exchange of several Manors, &c. in the County of *York*, given to *Toby*, Archbishop of *York*, and his Successors.
31. An Act for Incorporating the Makers of Knives and other Cutlery Wares in *Hallamshire* in the County of *York*.
32. An Act for making the River of *Thames* navigable for Barges, Boats and Lighters, from the Village of *Bercot*, in the County of *Oxon*, unto the University and City of *Oxon*.

33. An

33. An Act for four intire Subsidies granted by the Spiritualty.
34. An Act for three intire Subsidies, and three Fifteens and Tenths granted by the Temporalty.
35. A Confirmation of the King's General and Free Pardon.

## PRIVATE ACTS.

*Anno vicesimo primo Jacobi Regis.*

1. AN Act for the Confirmation of *Wadham* College in *Oxford*, and the Possessions thereof.
2. An Act for the Naturalizing of *Philip Burlemacchi* of *London*, Merchant.
3. An Act for the Naturalizing of *Giles Vandeput* of *London*, Merchant.
4. An Act to enable *William* Earl of *Hertford*, and Sir *Francis Seymour*, Knight, Brother of the said Earl, to convey certain Lands for Payment of his Debts, and for establishing of other Lands in Lieu thereof, and of better Value.
5. An Act for the Naturalizing Sir *Robert Anstrother*, Knight, one of the Gentlemen of his Majesty's Privy-Chamber, Sir *George Abercromy*, Knight, late Gentleman of the Robes to the late Queen *Anne* of worthy Memory, and *John Cragge*, Doctor of Physick, Physician to the High and Mighty Prince *Charles*, your Majesty's dearest Son.
6. An Act for Confirmation of the Copyhold Estates and Customs of divers Copyholders of the Manors of *Stepney* and *Hackney*, according to certain Indentures of Agreement, and a Decree in the High Court of Chancery, made between the Lord of the said Manors and the Copyholders.
7. An Act for Confirmation of the Assurance of certain Lands sold by Sir *Thomas Beamond*, Knight and Baronet, Lord Viscount *Beaumond* of *Swoords* in the Kingdom of *Ireland*, and Dame *Elizabeth* his Wife, unto Sir *Thomas Cheeke*, Knight.
8. An Act for Erecting a Free School, an Almshhouse, and an House of Correction within the County of *Lincoln*.
9. An Act to Enable *Martin Calthorpe*, Esquire, to make Sale of certain Lands for Preferment of his younger Children, and Payment of his Debts.
10. An Act for the the Settling and Assuring of the Manor of *Goodneston*, and other Lands of Sir *Edward Engham*, Knight.
11. An Act for the Naturalizing of *Elizabeth Veere* and *Mary Veere*, Daughters of Sir *Horace Veere*, Knight.
12. An Act to Enable Dame *Alice Dudley* Wife of Sir *Robert Dudley*, Knight, to assure her Estate in the Manor of *Killingworth*, and other Lands in the County of *Warwick*, for valuable Consideration, to the Prince's Highness and his Heirs.
13. An Act for Confirmation of an Exchange of Lands between the most Excellent Prince *Charles* and Sir *Lewis Watson*, Knight and Baronet.
14. An Act for the Settling of certain Manors and Lands of the Right Honourable *Anthony* Viscount *Montague*, towards the Payment of his Debts and raising of his Daughters Portions.
15. An Act to Enable Sir *Richard Lumley*, Knight, to sell divers Manors and Lands for the Payment of his Debts, and Preferment of his younger Children.
16. An Act for the Confirmation of a Decree in Chancery, made by the Consent of the Lord of the Manor of *Painswick* in the County of *Gloucester*, and the Customary Tenants of the same Manor.
17. An Act for the Naturalizing of Sir *Francis Stewart*, Knight, *Walter Stewart*, *James Maxwell*, *William Carr*, and *James Levingston*, Esquires.
18. An Act for the Naturalizing of *John Younge* Doctor of Divinity, and Dean of the Cathedral Church of *Winchester*.
19. An Act to enable and make good a Conveyance and Assurance made of the Manor of *Little Munden* in the County of *Hertford* by Sir *Peter Vanlore*, Knight, Sir *Charles Cæsar*, Knight, and Dame *Anne* his Wife, to *Edmund Woodhall*, Esquire, and his Heirs; and to establish the said Manor upon the said *Edmund Woodhall* and his Heirs, according to the said Conveyance.
20. An Act for the Naturalizing of *Jane Murrey* Widow, and *William Murrey*, Esquire.
21. An Act to enable *Vincent Lowe* of *Derby* in the County of *Derby*, Esquire, to sell Part of his Lands for the Payment of his Debts. 3 *Car.* 1. *c.* 13. *pr.*
22. An Act to enable *Tobie Pallivicine*, Esquire, to sell certain Lands for the Payment of his Debts and Preferment of his younger Children.
23 An Act for Naturalizing of Sir *Robert Carre*, Knight.
24. An Act for the Confirming and Assuring of the Manor of *Newlangport* and *Sevans alias Sephans* with their Appurtenances, and divers other Lands, Tenements and Hereditaments in the County of *Kent*, late being the Inheritance of Sir *Henry James*, Knight, in a *Præmunire* convicted, unto *Martin Lumley*, now the Mayor of the City of *London*, *Alice Woodroofe*, Widow, and *Edward Cropley*, and their Heirs and Assigns forever.
25. An Act for the Naturalizing of Sir *Stephen Leisure*, Knight.
26. An Act for the Naturalizing of *James* Marquis of *Hamilton*.
27. An Act for the Naturalizing of Sir *William Anstrother*, Knight, Doctor *Bellcanquall*, and *Patrick Abercromy*.
28. An Act for the Confirming the Sale of certain Land sold by Sir *Edward Heron*, Knight, unto *Bevell Mouleſworth*, Esquire, and enabling the said Sir *Edward Heron* to make Sale of other Lands for Payment of Debts, and settling of certain Manors, Salt Marshes and other Lands upon *Robert Heron* and *Edward Heron*, in Recompence of the same.
29. An Act for the Naturalizing of *Abigall Little* Wife of *Jeoffrey Little*, and of *William Little* Son of the said *Abigall* by the said *Jeoffrey Little* her Husband.
30. An Act for Establishing of some Manors and other Lands in the several Counties of *Cornwall*, *Devon* and *Dorsett*, on *John Mohun*, Esquire, Son and Heir apparent of Sir *Reynold Mohun*, Knight and Baronet, according to the true Intent and Meaning of certain Agreements between them had and made.
31. An Act for the Enabling of the Sale of the Manor of *Rampton* in the County of *Cambridge*, and of divers Lands and Tenements in *Rampton*, *Wivellingham* and *Cottingham* in the same County, now or late the Freehold or Inheritance of *Edward Alcocke*, Esquire.
32. An Act of Explanation of a former Act made in the three and twentieth Year of the Reign of the late Queen of famous Memory *Elizabeth*, intituled, *An Act for Assurance of the yearly Rent of eighty-two Pounds and ten Shillings to the Bishop of* Coventry *and* Litchfield *and his Successors forever, out of certain Manors, Lands, Tenements and Hereditaments thereby assured to* Edward Fisher, *Esquire, and his Heirs.*
33. An Act for the Establishing of three Lectures in Divinity, according to the last Will and Testament of *Thomas Whetenhall*, Esquire.

34. An

34. An Act for the Repairing and maintaining of the Haven, River and Channel running unto the Borough and Town of *Colcheſter* in the County of *Eſſex*, and alſo for the Paving of the ſaid Town.
35. An Act to enable Sir *Francis Clerke*, Knight, to make Sale of certain Lands Tenements and Hereditaments, for the Payment of his Debts, and providing of Portions for his younger Children.
36. An Act for the altering of the Tenure and Cuſtom of the Lands late of *Thomas Potter*, Eſquire, and the Lands of Sir *George Rivers*, Knight, and Sir *John Rivers*, Baronet, lying all in the County of *Kent*, and being now of the Nature of Gavelkind, and to make them deſcendible according to the Courſe of the Common Law, and to ſettle the Inheritance of them upon the ſaid Sir *John Rivers*, and the Heirs of the ſaid Sir *John Rivers* and Dame *Dorothy* his Wife.
37. An Act to make the Lands of *Lionell* Earl of *Middleſex* ſubject to the Payment of his Debts, &c.
38. An Act for the Sale of the Manor of *Abbots-Hall* in the County of *Eſſex*, late Part of the Poſſeſſions of Sir *James Pointz*, Knight, deceaſed, to the Intent that the Money raiſed thereby may be diſtributed among the Creditors of the ſaid Sir *James Pointz*, according to the Direction and Intention of the ſaid Sir *James Pointz* by his laſt Will and Teſtament.

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## PUBLICK ACTS.

### *Anno primo* CAROLI *Regis.*

1. AN Act for puniſhing divers Abuſes committed on the Lord's Day, called *Sunday*.
2. An Act to enable the King's Majeſty to make Leaſes of Lands, Parcel of his Highneſs Duchy of *Cornwall*, or annexed to the ſame.
3. An Act for the Eaſe in obtaining of Licences of Alienation.
4. An Act for the further Reſtraint of Tipling in Inns, Alehouſes, and other Victualling-houſes.
5. An Act for three intire Subſidies granted by the Spiritualty.
6. An Act for two intire Subſidies granted by the Temporalty.
7. This Seſſion of Parliament (by reaſon of the Increaſe of the Sickneſs, and other Inconveniencies of the Seaſon requiring a ſpeedy Adjournment, nevertheleſs) ſhall not determine by his Majeſty's Royal Aſſent to this and ſome other Acts.

## PRIVATE ACTS.

### *Anno primo Caroli Regis.*

1. AN Act for the Settling and Confirmation of Copyhold Eſtates and Cuſtoms of the Tenants in baſe Tenure of the Manor of *Cheltenham* in the County of *Glouceſter*, and of the Manor of *Aſhley*, otherwiſe called *Charleton Kings* in the ſaid County, being holden of the ſaid Manor of *Cheltenham*, according to an Agreement thereof made between the King's moſt Excellent Majeſty, being then Prince of *Wales*, Duke of *Cornwal* and of *York*, and Earl of *Cheſter*, Lord of the ſaid Manor of *Cheltenham*, and *Giles Grevill* Eſquire, Lord of the ſaid Manor of *Aſhley*, and the ſaid Copyholders of the ſaid ſeveral Manors.
2. An Act for the Enabling and Confirmation of an Agreement or Compoſition made between the King's Majeſty's Commiſſioners of Revenue, his Majeſty being then Prince of *Wales*, Duke of *Cornwal* and Earl of *Cheſter*, on his Majeſty's Behalf, and his Majeſty's Copyholders of his Highneſs Manor of *Macclesfield* in the County of *Cheſter*, and of a Decree made in the Court of Exchequer at *Cheſter*, for the perfect Creation and Confirmation of certain Lands and Tenements, Parcel of the ſaid Manor, to be Copyhold and Cuſtomary Lands, acccording to the Tenor of the ſame Decree.

## PUBLICK ACTS.

### *Anno tertio Caroli Regis.*

The Petition exhibited to his Majeſty by the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, concerning divers Rights and Liberties of the Subjects.

1. AN Act for the further Reformation of ſundry Abuſes committed on the Lord's Day, commonly called *Sunday*.
2. An Act to reſtrain the Paſſing or Sending of any to be popiſhly bred beyond the Seas.
3. An Act for the better ſuppreſſing of unlicenced Alehouſe-keepers.
4. An Act for Repeal and Continuance of divers Statutes.
5. An Act confirming a late Compoſition made with the Tenants of *Bromfield* and *Yale* in the County of *Denbigh*.
6. An Act for five Subſidies granted by the Spiritualty.
7. An Act for five Subſidies granted by the Temporalty.

## PRIVATE ACTS.

### *Anno tertio Caroli Regis.*

1. AN Act for the Eſtabliſhing and Confirming of the Foundation of the Hoſpital of King *James*, founded in *Charterhouſe* in the County of *Middleſex*, at the humble Petition and only Coſts and Charges of *Thomas Sutton*, Eſquire, and of the Poſſeſſions thereof.
2. An Act for Aſſurance of a Jointure to Dame *Frances* Wife of Sir *Thomas Nevill*, Knight, Son and Heir apparent of Sir *Henry Nevill*, Knight, Lord *Abergavenny*; and to enable the ſame Lord and Sir *Thomas* to ſell certain Lands for Payment of their Debts, and Preferment of their younger Children.
3. An Act concerning the Inheritance, Freehold and Poſſeſſions of *William* Earl of *Devon*.
4. An Act concerning the Title, Name and Dignity of Earl of *Arundell*, and for the annexing of the Caſtle, Honour, Manor and Lordſhip of *Arundell* in the County of *Suſſex*, with the Titles and Dignities of the Baronies of *Fitzallen Clun* and *Oſwaldeſtre* and *Matravers*, and with divers other Lands, Tenements and Hereditaments hereafter in this Act mentioned, being now Parcel of the Poſſeſſions of *Thomas* Earl of *Arundell* and *Surry* Earl Marſhall of *England*, to the ſame Title, Name and Dignity of Earl of *Arundell*.
5. An Act for the Enabling of the Right Honourable *Dutton* Lord *Gerard* Baron of *Gerards Bromley*, to make a Jointure to any Wife which he ſhall hereafter marry, and to make Proviſion for any his younger Children, and for the better ſecuring of Portions and Limitation of Maintenance for *Alice Gerard*, *Frances Gerard* and *Elizabeth Gerard*, Siſters of the ſaid *Dutton* Lord *Gerard*, and Daughters of the late Right Honourable *Gilbert* Lord *Gerard* deceaſed.
6. An Act for the Confirmation of Letters Patents made by

our late Sovereign Lord King *James* to *John* Earl of *Briſtol*, by the Name of *John Digby*, Knight.

7. An Act for Re-eſtating certain Manors, Lands and Tenements in the County of *Somerſet*, late of *William Morgan* of *Penroſe* in the County of *Monmouth*, Eſquire, and diſcharging the Truſt concerning them.

8. An Act for the Naturalizing of Sir *Robert Dyell*, Knight, one of the Gentlemen of his Majeſty's Privy Chamber, and *George Kirke*, Eſquire, one of the Grooms of his Majeſty's Bedchamber.

9. An Act for the Naturalizing of Sir *Daniell Deligne* of *Harluxton* in the County of *Lincoln*, Knight.

10. An Act for the Naturalizing of *Iſaac Aſteley*, *Henry Aſteley*, *Thomas Aſteley*, and *Bernard Aſteley*, Children and Sons of Sir *Jacob Aſteley*, Knight, one of the younger Sons of *Iſaac Aſteley*, late of *Melton Conſtable* in the County of *Norfolk*, Eſquire, deceaſed.

11. An Act for the Naturalizing of Sir *Robert Ayton*, Knight.

12. An Act for the Naturalizing of *Samuel Powell*, born at *Hanborough* in the Parts beyond the Seas of *Engliſh* Parents.

13. An Act for the Amendment of a Word caſually miſtaken and miſwritten in an Act of Parliament made in the Seſſion of Parliament holden at *Weſtminſter* the nineteenth Day of *February* in the one and twentieth Year of the Reign of our late Sovereign Lord King *James* of *England*, intituled, *An Act to enable* Vincent Lowe *of* Denbigh *in the County of* Derby, *Eſquire, to ſell Part of his Lands for Payment of his Debts. cap.* 21.

14. An Act for the Naturalizing of *Alexander Levingſton*, Gentleman.

15. An Act for the Naturalizing of *James Freeſe* born in *Ruſſia*.

16. An Act for Reſtitution in Blood of *Carew Raleigh*, Son of Sir *Walter Raleigh* late attainted of High Treaſon; and for Confirmation of certain Letters Patents made by our late Sovereign Lord King *James* to *John* Earl of *Briſtol*, by the Name of *John Digby*, Knight.

17. An Act for the Naturalizing of *John Alderſey*, *Mary Alderſey*, now the Wife of *Robert Crane*, *Anne Alderſey*, *Elizabeth Alderſey* and *Margaret Alderſey*, Children of *Samuel Alderſey* of the City of *London*, Eſquire.

18. An Act for the perfect Settling and Confirmation of the Eſtates and Cuſtoms of the Cuſtomary Tenants of the Right Honourable *Henry* now Lord *Morley* and Lord *Mountegle*, Baron of *Rye*, within the Manor of *Horneby* and elſewhere within the Townſhips of *Tatham*, *Groſſingham* and *Eſkrigg* in the County Palatine of *Lancaſter*.

19. An Act for the Naturalizing of *John Trumball* and *Ann Trumball*, Children of *William Trumball*, Eſquire, and of *William Bere*, *Edward Bere* and *Sidney Bere*, Sons of *John Bere*, Eſquire, and of *Samuel Wentworth* Son of *William Wentworth* of *Dover*, Merchant.

## PUBLICK ACTS.

*Anno decimo ſexto Caroli Regis.*

1. AN Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliament.

2. An Act for Relief of his Majeſty's Army, and the Northern Parts of the Kingdom.

3. An Act for the Reforming of ſome Things miſtaken in the late Act made this preſent Parliament, for the granting of four Subſidies, intituled, *An Act for the Relief of his Majeſty's Army*.

4. An Act for the further Relief of his Majeſty's Army, and the Northern Parts of the Kingdom.

5. An Act for the better raiſing and levying of Mariners, Sailors, and others, for the preſent Guarding of the Seas, and neceſſary Defence of the Realm.

6. An Act concerning the Limitation and Abbreviation of *Michaelmas* Term.

7. An Act to prevent Inconveniencies by the untimely Adjournment of Parliaments.

8. A Subſidy granted to the King of Tonnage, Poundage, and other Sums of Money payable upon Merchandize exported and imported.

9. An Act for the ſpeedy Proviſion of Money for diſbanding the Armies, and ſettling the Peace of the two Kingdoms of *England* and *Scotland*.

10. An Act for the Regulating of the Privy Council, and for taking away the Court commonly called the *Star-Chamber*.

11. A Repeal of the Branch of a Statute *primo Elizabethæ* concerning Commiſſioners for Cauſes Eccleſiaſtical.

12. A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported.

13. An Act for the ſecuring ſuch Monies as are or ſhall be due to the Inhabitants of the County of *York*, and the other adjoining Counties, wherein his Majeſty's Army is or hath been billeted.

14. An Act for the declaring unlawful and void the late Proceedings touching Ship-Money, and for the vacating all Records and Proceſs concerning the ſame.

15. An Act againſt divers Incroachments and Oppreſſions in the Stannary Courts.

16. An Act for the Certainty of Foreſts, and of the Meets, Meers, Limits and Bounds of the Foreſts.

17. An Act for the Pacification between *England* and *Scotland*.

18. An Act for ſecuring by publick Faith, the Remainder of the Friendly Aſſiſtance and Relief promiſed to our Brethren of *Scotland*.

19. An Act for the better ordering and regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute, and for the Reformation of falſe Weights and Meaſures.

20. An Act for the Prevention of vexatious Proceedings touching the Order of Knighthood.

21. An Act for the free bringing in of Gunpowder and Saltpetre from Foreign Parts, and for the free making of Gunpowder in this Realm.

22. A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported.

23. An Act for the raiſing of Mariners and Sailors for the Guarding of the Seas and his Majeſty's Dominions.

24. An Act to relieve Captives taken by the Turks, and to prevent the taking of others hereafter.

25. A Subſidy granted to the King of Tonnage and Poundage, *&c.* from the laſt of *November* 1641. to the firſt of *Feb.* next, and the like until the 2d of *July* 1642.

26. An Act for the raiſing of Mariners and Sailors for the Guarding the Seas and his Majeſty's Kingdoms.

27. An Act for the diſenabling all Perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority.

28. An Act for the raiſing of Soldiers for the Defence of *England* and *Ireland*.

29. A Subſidy granted to the King of Tonnage and Poundage and other Sums of Money payable upon Merchandize exported and imported.

30. An Act for a Contribution and Loan for the diſtreſſed People of *Ireland*.

31. A Subſidy granted to the King of Tonnage and Poundage and other Sums of Money payable upon Merchandize exported and imported.

32. An Act for the raiſing and levying of Monies for the neceſſary Defence, and great Affairs of the Kingdoms of *England* and *Ireland*, and for the Payment of Debts undertaken by Parliament.
33. An Act for the reducing the Rebels in *Ireland* to their Obedience to his Majeſty and the Crown of *England*.
34. An Act for the Explanation of a former Act for the Reducing the Rebels in *Ireland*.
35. An Act to enable Corporations to adventure in *Ireland*.
36. A Subſidy granted to the King of Tonnage, Poundage, and other Sums of Money payable upon Merchandize exported and imported.
37. An Act for the further Reducing of the Rebels in *Ireland* to their Obedience to the King and Crown of *England*.

## PRIVATE ACTS.

*Anno decimo ſexto Caroli Regis.*

1. AN Act for the Attainder of *Thomas* Earl of *Strafford* of High Treaſon.
2. An Act to enable the Marquis of *Wincheſter* to grant Eſtates for three Lives or one and twenty Years, *&c.* of Lands in the County of *Southampton*, *&c.* reſerving the old Rents.
3. An Act for Naturalizing of *Dorothy Spencer*, Daughter of *Henry* Lord *Spencer* Baron *Spencer* of *Wormleighton*.
4. An Act for the Enabling of the Sale and Leaſing of Lands for Payment of the Debts of *Thomas* late Earl of *Winchelſea*.
5. An Act for the Settling and Eſtating upon the Right Honourable the Lady *Elizabeth* Counteſs Dowager of *Exeter*, her Heirs and Aſſigns forever, the Scite of the Hoſpital of *Saint Leonards* without the Town of *Newarke* upon *Trent* in the County of *Nottingham*, with the Dwelling-houſe and other Buildings thereupon built, and of certain Cloſes and Grounds Parcel of the Poſſeſſions of the ſaid Hoſpital, and for the annexing of divers Lands and Tenements of better Value, being the Inheritance of the ſaid Counteſs, unto the Poſſeſſions of the ſaid Hoſpital forever, in Lieu of the ſame.
6. An Act for the making of the Chapel of *Hoole* in the County of *Lancaſter* a Pariſh Church, and no Part of the Pariſh of *Croſton*.
7. An Act for *John Eggar*'s Free School within the Pariſh of *Aiton* in the County of *Southampton*.
8. An Act for the Settling of certain Manors, Lands, Tenements and Hereditaments on *Katharine* Counteſs Dowager of *Bedford*, *William* now Earl of *Bedford*, *John Ruſſell* and *Edward Ruſſell*, Eſquires, Sons of *Francis* Earl of *Bedford* deceaſed.
9. An Act for the Confirmation of his Majeſty's Letters Patents to the Town of *Plymouth*, and for dividing the Pariſh, and building of a new Church there.
10. An Act for the Alteration of the Eſtate and Tenure of ſome Lands within the Pariſh of *Fulham* in the County of *Middleſex*, held of the Lord Biſhop of *London* as of his Manor of *Fulham*.
11. An Act to ſettle the Manor of *Belgrave* and other Lands in the County of *Leiceſter* to and upon *William Byerley*, Eſquire, his Heirs and Aſſigns, for and towards Payment of the Debts of *William Davenport*, Eſquire, deceaſed.
12. An Act to enable Sir *Alexander Denton*, Knight, to ſell the Manor of *Great Barvard alias Barford Saint Michael*, and other Lands in this preſent Act mentioned, for the Payment of his Debts and Preferment of his younger Children.
13. An Act for the Aſſuring of a Meſſuage called *Dureſme Houſe alias Durham Houſe*, and certain Stables, Part of the Poſſeſſions of the Biſhop of *Durham*, ſituate in the Pariſh of *Saint Martin in the Fields* in the County of *Middleſex*, unto the Right Honourable *Philip* Earl of *Pembrooke* and *Montgomerie* and his Heirs, and of a yearly Rent of two hundred Pounds *per Annum* to the ſaid Biſhop of *Durham* and his Succeſſors in Lieu thereof.

## PUBLICK ACTS.

*Anno duodecimo* CAROLI II. *Regis.*

1. AN Act for removing and preventing all Queſtions and Diſputes concerning the Aſſembling and Sitting of this preſent Parliament.
2. An Act for putting in Execution an Ordinance mentioned in the ſaid Act.
3. An Act for the Continuance of Proceſs and judicial Proceedings continued.
4. A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported.
5. An Act for continuing the Exciſe until the twentieth of *Auguſt* 1660.
6. An Act for the preſent nominating of Commiſſioners of Sewers, and the ſaid Statute of *Henry* the Eighth to continue in Force.
7. An Act for reſtoring unto *James* Marquis of *Ormond* all his Honours, Manors, Lands and Tenements in *Ireland*, whereof he was in Poſſeſſion on the 23d Day of *October* 1641. or at any Time ſince.
8. An Act for continuing the Exciſe till the 25th Day of *December* 1660.
9. An Act for the ſpeedy Proviſion of Money for diſbanding and paying off the Forces of this Kingdom, both by Land and Sea.
10. Explanations of certain Defaults in an Act, intituled, *An Act for the ſpeedy Proviſion of Money for Diſbanding and Paying off the Forces of this Kingdom both by Land and Sea.*
11. An Act of Free and General Pardon, Indempnity and Oblivion.
12. An Act for Confirmation of Judicial Proceedings.
13. An Act for the reſtraining the taking of exceſſive Uſury.
14. An Act for a perpetual Anniverſary Thankſgiving on the nine and twentieth Day of *May*.
15. An Act for the ſpeedy Diſbanding of the Army and Garriſons of this Kingdom, with Inſtructions for the ſame.
16. An Act for enabling the Soldiers of the Army, now to be diſbanded, to exerciſe Trades.
17. An Act for the Confirming and Reſtoring of Miniſters.
18. An Act for the Encouraging and Increaſing of Shipping and Navigation.
19. An Act to prevent Frauds and Concealments of his Majeſty's Cuſtoms and Subſidies.
20. An Act for the raiſing of ſevenſcore thouſand Pounds, for the compleat Diſbanding of the whole Army, and paying Part of the Navy.
21. An Act for the ſpeedy raiſing of ſeventy thouſand Pounds for the preſent Supply of his Majeſty.
22. An Act for the Regulating of the Trade of Bay-making in the *Dutch* Bay-hall in *Colcheſter*.
23. A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life.

24. An Act for taking away the Court of Wards and Liveries, and Tenures *in Capite*, and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in Lieu thereof.
25. An Act for the better ordering the selling of Wines by Retail, and for preventing Abuses in the Mingling, Corrupting and Vitiating of Wines, and for settling and limiting the Prices of the same.
26. An Act for the levying of the Arrears of the twelve Months Assessment, commencing the 24th of *June* 1659. and the six Months Assessment, commencing the 25th of *December* 1659.
27. An Act for granting unto the King's Majesty four hundred and twenty thousand Pounds, by an Assessment of threescore and ten thousand Pounds by the Month, for six Months, for Disbanding the Remainder of the Army, and paying off the Navy.
28. An Act for further supplying and explaining certain Defects in an Act, intituled, *An Act for the speedy Provision of Money for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea.*
29. An Act for the speedy raising of seventy thousand Pounds for the present Supply of his Majesty.
30. An Act for the Attainder of several Persons guilty of the horrid Murder of his late Sacred Majesty King *Charles* the First.
31. Leases and Grants from Colleges and Hospitals confirmed.
32. An Act for prohibiting the Exportation of Wool, Woolfels, Fullers Earth, or any kind of Scouring Earth.
33. An Act for Confirmation of Marriages.
34. An Act for prohibiting the Planting, Setting or Sowing of Tobacco in *England* and *Ireland*.
35. An Act erecting and establishing a Post-Office.
36. The Master of the Rolls for the Time being, impowered to make Leases for Years, in order to new build the old Houses belonging to the Rolls.
37. An Act for making the Precinct of *Covent-Garden* Parochial.

## PRIVATE ACTS.

*Anno duodecimo Caroli* II. *Regis.*

1. AN Act for naturalizing *Peter De La Pierre alias Peters*, and *John De La Pierre alias Peters*.
2. An Act for the necessary Maintenance of the Work of Draining the Great Level of the Fenns.
3. An Act for restoring unto *Morough alias Morgan* Earl of *Inchiquin* all his Honours, Manors, Lands and Tenements in *Ireland*, whereof he was in Possession on the three and twentieth of *October* one thousand six hundred forty-one, or at any Time since.
4. An Act for restoring unto *William* Marquess of *Newcastle* all his Honours, Manors, Lands and Tenements in *England*, whereof he was in Possession on the twentieth Day of *May* one thousand six hundred forty-two, or at any Time since.
5. An Act for the Settling of the Priory of *Watton* and other Lands belonging to the Earl of *Winchelsey* in the County of *York*, in the Hands of Trustees for the Payment of Debts.
6. An Act for Restoring of Sir *George Lane*, Knight, to the Possession of the Manors of *Rathclive* and *Lisduff*, and other Lands in *Ireland*.
7. An Act for Restoring to *Charles* Lord *Gerrard* Baron of *Brandon*, all his Honours, Manors, Lands, Tenements and Hereditaments, whereof he was in Possession on the twentieth Day of *May* one thousand six hundred forty-two, or at any Time sithence.
8. An Act for Restoring of *John* Lord *Culpeper*, Son and Heir and sole Executor to *Thomas* Lord *Culpeper* Baron of *Thorsway*, and Master of the Rolls deceased, all the Honours, Manors, Lands and Tenements, Leases not determined and Hereditaments whatsoever, whereof the said *John* Lord *Culpeper* was in Possession on the twentieth Day of *May* one thousand six hundred forty-two, or at any Time after, which have not been since sold or aliened by the said *John* late Lord *Culpeper* by Acts or Assurances to which himself was Party and Consenting.
9. An Act for Restoring of the Marquess of *Hertford* to the Dukedom of *Somerset*.
10. An Act for Enabling *Augustine Skinner* and *William Skinner* to make Sale of some Lands for Payment of Debts.
11. An Act for the Incorporating of the *Master and Wardens of the Company of Haberdashers, London*, to be Governors of the Free School and Alms-Houses in *Newport* in the County of *Salop*, of the Foundation of *William Adams*, and for settling of Lands and Possessions on them for Maintenance thereof, and other charitable Uses.
12. An Act for the Naturalizing of *Dorothea Helena* Countess of *Derby*, Wife of the Right Honourable *Charles* Earl of *Derby*, and *Emilia* called Countess of *Offory*, Wife of the Right Honourable *Thomas Butler* called Earl of *Offory*, Son and Heir apparent of the Right Honourable *James* Marquess of *Ormond* and Earl of *Brecknocke*, and *Margaret* Lady *Culpeper*, Wife of the Right Honourable *Thomas* Lord *Culpeper* Baron of *Thorsway*, and the Right Honourable *Charles Kirkhoven* Lord *Wotton*, and Dame *Emilia* his Sister, Children of *Katherine Stanhop* Countess of *Chesterfield* by *John Kirkhoven* Lord of *Hemsett*.
13. An Act for Enabling Sir *George Booth*, Baronet, to make Leases and Sales of Part of his Estate.
14. An Act for Restoring of *Henry* Lord *Arundell* of *Warder* to the Possession of his Estate.
15. An Act for Restitution of *Thomas* Earl of *Arundell*, *Surrey* and *Norfolk*, to the Dignity and Title of Duke of *Norfolk*.
16. An Act to Restore to *Wentworth* Earl of *Roscomon* of the Kingdom of *Ireland* all the Honours, Castles, Lordships, Lands, Tenements and Hereditaments in *Ireland*, whereof *James* Earl of *Roscomon* his Great Grandfather, *Robert* Earl of *Roscomon* his Grandfather, or *James* late Earl of *Roscomon* his Father, were in Possession on the three and twentieth of *October* one thousand six hundred forty-one.
17. An Act for Enabling of *John Newton* the Younger, and *William Oakely*, to make Sale of Lands for Payment of Debts and Raising Portions.
18. An Act for Restoring Sir *George Hamilton* unto his Lands and Estate in *Ireland*.
19. An Act for Maintenance of the Vicar for the Time being of the Vicaridge of *Royston* in the County of *Hertford* and *Cambridge*, and of his Successors, Vicars of the said Vicaridge.
20. An Act for Enabling Sir *William Wray* to sell Lands for Payment of his Debts and Raising of Portions for his younger Children.
21. An Act for Naturalizing of *Gerrard Vantethusen*, *Daniel Demetrius*, *Theodore Cocke*, *John Cravenburgh*, and others.
22. An Act for the Levying of certain Monies due upon the Collection for the Protestants of *Piedmont*.
23. An Act for the Naturalizing of *John Boreel*, Esquire, Eldest Son of Sir *William Boreel* Knight and Baronet.
24. An Act for the Naturalizing of *Abraham Watchtor* born beyond the Seas.

25. An

25. An Act for Reſtoring of Sir *Thomas Crimes*, Baronet, to his Eſtate.
26. An Act Enabling *George Faunt* of *Foſton* in the County of *Leiceſter*, Eſquire, to ſell and convey Part of his Lands for Payment of ſeveral Debts and Legacies charged upon his Eſtate by Sir *William Faunt*, Knight, deceaſed, and for the Raiſing of Portions for his younger Children, and making his Wife a Jointure.
27. An Act for Naturalizing of *Frances Hyde*, and others.
28. An Act to enable *Joſeph Micklethwaite* an Infant, and his Truſtees, to ſell Land for Payment of his Father's Debts.
29. An Act for Raiſing Portions and making Proviſion for Maintenance for the younger Children of Sir *Edward Geſtwicke*, Baronet.
30. An Act for Confirming the Sale of the Manor of *Hitcham*, ſold to *Charles Doe* by Sir *John Clarke*, Knight and Baronet, and for ſettling and diſpoſing other the Lands of the ſaid Sir *John Clarke* and Dame *Philadelphia* his Wife.
31. An Act for the Settling of ſome of the Manors and Lands of the Earl of *Clieveland* in Truſtees, to be ſold for the Satisfying of the Debts of the ſaid Earl, and of *Thomas* Lord *Wentworth* his Son.
32. An Act for the Diſappropriating of the Rectory Appropriate of *Preſton*, and Uniting and Conſolidating of the ſaid Rectory, and of the Vicaridge of the Church of *Preſton*, and for the Aſſuring of the Advowſon and Right of Patronage of the ſame unto the *Maſter, Fellows and Scholars of* Emanuell College *in* Cambridge, and their Succeſſors.

## PUBLICK ACTS.

*Anno decimo tertio Caroli* II. *Regis.*

1. AN Act for Safety and Preſervation of his Majeſty's Perſon and Government, againſt treaſonable and ſeditious Practices and Attempts.
2. An Act for Repeal of an Act of Parliament, intituled, *An Act for diſabling all Perſons in Holy Orders, to exerciſe any Temporal Juriſdiction or Authority.*
3. An Act for the Declaring, Veſting and Settling of all ſuch Monies, Goods, and other Things in his Majeſty, which were received, levied or collected in theſe late Times, and are remaining in the Hands or Poſſeſſion of any Treaſurers, Receivers, Collectors, or others, not pardoned by the Act of Oblivion.
4. An Act for a Free and Voluntary Preſent to his Majeſty.
5. An Act againſt Tumults and Diſorders, upon Pretence of preparing or preſenting Publick Petitions, or other Addreſſes to his Majeſty, or the Parliament.
6. An Act declaring the ſole Right of the *Militia* to be in the King and for the preſent Ordering and Diſpoſing the ſame.
7. An Act for Confirming Publick Acts.
8. An Act for providing neceſſary Carriages for his Majeſty in his Royal Progreſs and Removals.
9. An Act for the Eſtabliſhing Articles and Orders for the Regulating and better Government of his Majeſty's Navies, Ships of War, and Forces by Sea.
10. An Act to prevent the unlawful Courſing, Hurting or Killing of Deer.
11. An Act for Confirming of three Acts therein mentioned.
12. An Act for Explanation of a Clauſe contained in an Act of Parliament, made in the Seventeenth Year of the late King *Charles*, intituled, *An Act for Repeal of a Branch of a Statute* Primo Elizabethæ, *concerning Commiſſioners for Cauſes Eccleſiaſtical.*
13. An Act for veſting the Arrears of the Exciſe and New Impoſt in his Majeſty.
14. An Act for Confirming an Act, intituled, *An Act for encouraging and increaſing of Shipping and Navigation*, and ſeveral other Acts, both Publick and Private mentioned therein.
15. An Act declaring the Pains, Penalties and Forfeitures impoſed upon the Eſtates and Perſons of certain notorious Offenders, excepted out of the Act of Free and General Pardon, Indempnity and Oblivion.

## PRIVATE ACTS.

*Anno decimo tertio Caroli* II. *Regis.*

1. AN Act for Aſcertaining and Eſtabliſhing the Fees of the Maſters of the Chancery in Ordinary.
2. An Act for Confirming a Sale made by Sir *Thomas Preſtwich* and others, of the Manor of *Holm*, and certain Lands in the Pariſh of *Mancheſter* in the County of *Lancaſter*, unto Sir *Edward Moſley*, Baronet.
3. An Act for Reſtoring of *Thomas Radcliffe*, Eſquire, to all his Lands and Poſſeſſions in *England* and *Ireland*.
4. An Act Enabling *John Harbin*, Eſquire, to ſettle, ſell and diſpoſe of ſeveral Manors, Meſſuages, Lands, Tenements and Hereditaments with the Appurtenances in the County of *Somerſet* and *Dorſet* therein mentioned, for Payment of his Debts, and to make Proviſion for his younger Children.
5. An Act to enable the Sale of ſome of the Lands of *Thomas Hunt*, Eſquire, and *John Hunt*, Gentleman, for Payment of their Debts.
6. An Act for Settling the Manors of *Knoll*, *Seale*, and *Kempſing* in the County of *Kent*, upon the Earl of *Dorſet* and his Heirs, and charging the Manor of *Bexhill*, and the Manor or Farm of *Cowding*, and other Lands in the County of *Suſſex*, with a Rent-Charge of one hundred and thirty Pounds *per Annum* in lieu thereof.
7. An Act for Confirmation of the Charter and Privileges of the *Maſter, Wardens and Commonalty of Weavers, Fullers and Clothiers in the City of* Worceſter.
8. An Act for Settling ſeveral Lands late of Sir *Edward Baeſh*, Knight, upon Sir *Ralph Baeſh*, Knight of the Bath, Heir of the ſaid Sir *Edward*, and his Heirs.
9. An Act for Confirmation and Explanation of *An Act for the Settling of ſome of the Manors and Lands of the Earl of* Cleaveland *in Truſtees, to be ſold for the Satisfying of the Debts of the ſaid Earl, and of* Thomas *Lord* Wentworth *his Son.*
10. An Act for the Uniting the Parſonages of *Saint-Andrews* and *Saint Mary Witton* in *Droitwich* in the County of *Worceſter.*
11. An Act to enable *John* Lord *Abergavenny*, Son and Heir of *Henry* late Lord *Abergavenny*, to ſell certain Lands, for Payment of his Debts, and Preferment of his Brother and Siſters.
12. An Act for the Naturalizing of *Francis Brudenell*, Eſquire, Son and Heir apparent of the Right Honourable *Robert* Lord *Brudenell*, and of the Right Honourable *Anna Maria* Counteſs of *Shrewſbury*, Daughter of the ſaid Lord *Brudenell*, and now Wife of the Right Honourable *Francis* Earl of *Shrewſbury*.
13. An Act for the Reviving a Settlement of certain Lands on *John Orlibeare* for Life, the Remainder to the Sons of the ſaid *John* ſucceſſively and the Heirs Males of their Bodies, *&c.*
14. An Act for Confirming and Continuing an Act for neceſſary

neceſſary Maintenance of the Work of Draining the Great Level of the *Fens*.

15. An Act for Confirming of an Incloſure of Land, formerly uſed for a Common Highway from *Parſons Greene* to *Southfield* in *Fulham*, and the Settling of other Land for a Common Highway there in lieu thereof.

16. An Act enabling Truſtees to ſell certain Lands and Tenements in the Counties of *Suffolk* and *Norfolk*, for the Payment of the Debts of *Richard Gipps*, Eſquire, and providing Portions for his younger Children.

## PUBLICK ACTS.

*Anno decimo tertio Caroli* II. *Regis. Stat.* 2.

1. AN Act for the Well-governing and Regulating of Corporations.

2. An Act for Prevention of Vexations and Oppreſſions by Arreſts, and of Delays in Suits of Law.

3. An Act for granting unto the King's Majeſty Twelve hundred and threeſcore thouſand Pounds, to be aſſeſſed and levied by an Aſſeſſment of Threeſcore and ten thouſand Pounds by the Month, for eighteen Months.

4. An Act to enable the King's Majeſty to make Leaſes, Grants and Copies of Offices, Lands, Tenements and Hereditaments, Parcel of his Highneſs Duchy of *Cornwal*, or annexed to the ſame; and for Confirmation of Leaſes or Grants already made.

## PRIVATE ACTS.

*Anno decimo tertio Caroli* II. *Regis. Stat.* 2.

1. AN Act for Confirming *An Act for Reſtoring of the Marqueſs of* Hertford *in the Dukedom of* Somerſet.

2. An Act for dividing *Trinity Church* in *Kingſton* upon *Hull* from *Haſle*.

3. An Act to enable *Algeron Peyton* Doctor of Divinity, to make Sale of Part of his Lands for Payment of Debts, &c.

4. An Act for Confirming *An Act for Reſtitution of* Thomas *Earl of* Arundell, Surrey *and* Norfolk, *to the Dignity and Title of Duke of* Norfolk.

5. An Act for Confirming of private Acts.

## PUBLICK ACTS.

*Anno decimo tertio & quarto Caroli* II. *Regis.*

1. AN Act for preventing the Miſchiefs and Dangers that may ariſe by certain Perſons called Quakers, and others, refuſing to take lawful Oaths.

2. An Act for Repairing the Highways and Sewers, and for Paving and keeping clean of the Streets in and about the City of *London* and *Weſtminſter*, and for Reforming of Annoyances and Diſorders in the Streets of, and Places adjacent to, the ſaid Cities; and for the Regulating and Licencing of Hackney Coaches, and for the inlarging of ſeveral ſtrait and inconvenient Streets and Paſſages.

3. An Act for ordering the Forces in the ſeveral Counties of this Kingdom.

4. An Act for the Uniformity of Publick Prayers and Adminiſtration of Sacraments, and other Rites and Ceremonies; and for eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of *England*.

5. An Act for Regulating the making of Stuffs in *Norfolk* and *Norwich*.

6. An Act for Inlarging and Repairing of common Highways.

7. An Act to reſtrain the Exportation of Leather and raw Hides out of the Realm of *England*.

8. An Act for Diſtribution of Threeſcore thouſand Pounds amongſt the truly Loyal and Indigent Commiſſion Officers, and for aſſeſſing of Offices, and diſtributing the Monies thereby raiſed for their further Supply.

9. An Act for the Relief of poor and maimed Officers and Soldiers, who have faithfully ſerved his Majeſty and his Royal Father in the late Wars.

10. An Act for eſtabliſhing an additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better Support of his and their Crown and Dignity.

11. An Act for preventing Frauds, and Regulating Abuſes, in his Majeſty's Cuſtoms.

12. An Act for the better Relief of the Poor of this Kingdom.

13. An Act prohibiting the Importation of Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons and Needle-work.

14. An Act directing the Proſecution of ſuch as are accountable for Prize Goods.

15. An Act for Regulating the Trade of Silk-throwing.

16. An Act for the more ſpeedy and effectual bringing thoſe Perſons to Account, whoſe Accounts are excepted in the Act of Oblivion.

17. An Act for the Relief of Collectors of Publick Monies, and their Aſſiſtants and Deputies.

18. An Act againſt exporting of Sheep, Wool, Wool-Fells, Mortlings, Shorlings, Yarn made of Wool, Wool-Flocks, Fullers-Earth, Fulling-Clay, and Tobacco-pipe Clay.

19. An Act againſt Importing of Foreign Wool-Cards, Card-wire, or Iron-wire.

20. An Act for providing Carriage by Land and by Water, for the Uſe of his Majeſty's Navy and Ordnance.

21. An Act for preventing the unneceſſary Charge of Sheriffs, and for Eaſe in paſſing their Accounts.

22. An Act for preventing of Theft and Rapine upon the Northern Borders of *England*.

23. An additional Act concerning Matters of Aſſurance uſed amongſt Merchants.

24. An Act Declaratory concerning Bankrupts.

25. An Act for the Reſtoring of all ſuch Advowſons, Rectories, Impropriate Glebe-Lands and Tithes to his Majeſty's loyal Subjects, as were taken from them, and making void certain Charges impoſed on them upon their Compoſitions for Delinquency, by the late uſurped Powers.

26. An Act for reforming Abuſes committed in the Weight and falſe Packing of Butter.

27. An Act for repairing of *Dover* Harbour.

28. An Act for Regulation of the Pilchard Fiſhing in the Counties of *Devon* and *Cornwal*.

29. An Act for Reverſing the Earl of *Strafford* his Attainder.

30. An Act for the Importing of Madder pure and unmixed.

31. An Act to prevent the Inconvenience ariſing by melting the Silver Coin of this Realm.

32. An Act for the better Regulating of the Manufacture of Broad Woollen Cloth, within the Weſt-Riding of the County of *York*.

33. An Act for preventing the frequent Abuſes in Printing ſeditious, treaſonable, and unlicenced Books and Pamphlets, and for Regulating of Printing and Printing-Preſſes.


PRI-

## PRIVATE ACTS.

*Anno decimo tertio & quarto Caroli* II. *Regis.*

1. AN Act for the Settling of the Eſtate of *James* late Duke of *Richmond* and *Lenos*, according to Agreement of *Charles* Duke of *Richmond* and *Lenos*, *Mary* Ducheſs Dower of *Richmond* and *Lenos*, and the Lady *Mary* her Daughter, and the Truſtees of the ſaid Lady Ducheſs.
2. An Act for Confirmation of certain Letters Patents made and to be made to the Right Noble Lord *George* Duke of *Albemarle*, of ſeveral Honours, Manors and Hereditaments granted or mentioned to be granted to him by his Majeſty.
3. An Act for Confirming the Eſtate of *John* Marqueſs of *Wincheſter* in certain Manors and Lands whereof the Deeds and Evidences were burnt and loſt at the taking of the Caſtle of *Baſing*.
4. An Act to confirm the Sale of certain Lands ſold by *Ferdinando* late Earl of *Huntingdon*, for the Payment of his own and his Father's Debts.
5. An Act for Settling a Capital Meſſuage or Manſion-Houſe with the Appurtenances in *Kenſington* in the County of *Middleſex*, upon *Baptiſt* Viſcount *Campden* and his Heirs.
6. An Act for Confirming *An Act Reſtoring to* Thomas *Lord* Culpeper, *Son and Heir and ſole Executor of* John *Lord* Culpeper, *Baron of* Thorſway *and Maſter of the Rolls deceaſed, all his Honours, Manors, Lands and Tenements, Leaſes not determined and Hereditaments whatſoever, whereof the ſaid* John *Lord* Culpeper *was in Poſſeſſion on the twentieth of* May 1642, *or at any Time after, which have not been ſince ſold or aliened by the ſaid* John *late Lord* Culpeper *by Acts or Aſſurances to which himſelf was Party and Conſenting*.
7. An Act to enable the Biſhop of *London* to leaſe out the Tenements new built upon the Scite of his Palace in *London*.
8. An Act for the Naturalizing of *Philadelphia*, Wife to the Right Honourable *Thomas* Lord *Wentworth*.
9. An Act for Confirming ſeveral Acts therein mentioned.
10. An Act for Confirming two Acts therein mentioned.
11. An Act for the Endowment of ſeveral Churches by the Lord Viſcount *Scudamore* of *Sligo* in the Realm of *Ireland*.
12. An Act for the diſuniting the Hundreds of *Dudſton* and *Kings Barton* from the County of the City of *Glouceſter*, and Reſtoring them to be Part of the County of *Glouceſter*.
13. An Act for the making Navigable of the Rivers of *Stower* and *Salwerp*, and the Rivulets and Brooks running into the ſame, in the Counties of *Worceſter* and *Stafford*.
14. An Act for the making Navigable of the Rivers of *Wye* and *Lugg*, and the Rivers and Brooks running into the ſame, in the Counties of *Hereford*, *Glouceſter*, and *Monmouth*.
15. An Act for ſettling certain Manors and Lands late of Sir *James Enyons*, Baronet, on Sir *Henry Puckering alias Newton*, Baronet, and Sir *Charles Aderley*, Knight, his ſurviving Truſtees, to ſell for Payment of his Debts.
16. An Act for Confirmation of certain Decrees of Sewers made by the Commiſſioners for the Limits of the Level of the River of *Ancholm* in the County of *Lincoln*.
17. An Act for Confirming a Decree made on the Behalf of *Thomas Derham*, Eſquire, and the Improvements, Exchanges and Allotments therein mentioned.
18. An Act for the Enabling Sir *Thomas Lee*, Baronet, to exchange ſome Lands ſettled upon the Marriage of Dame *Anne Lee* his now Wife, in Conſideration of another Settlement of Lands of equal Value in Lieu thereof.
19. An Act for Diſcharging the Manors of *Stodſcomb* and *Holwell*, and other Lands in the County of *Devon*, from the Truſt of one hundred and fifty Years made unto *John* Earl of *Exeter*, *John* Earl of *Bridgwater*, and *Oliver* Earl of *Bolingbroke*.
20. An Act for Supplying a ſuppoſed Defect of the Words *ſtand and be ſeized*, in a Deed for ſettling of divers Manors and Lands on Sir *Henry Frederick Thynne*.
21. An Act for Confirming the Copyhold Eſtates of divers of his Majeſty's Copyhold Tenants within the Honour of *Clitherow* in the County Palatine of *Lancaſter*, Parcel of the Duchy of *Lancaſter*, according unto ſeveral Decrees in the Court of Duchy Chamber of the ſaid County Palatine.
22. An Act for Confirmation of the Eſtates of ſeveral Tenants and Copyholders of the Manors of *Rannes*, *Ircheſter*, *Ruſhden*, and ſeveral other Manors, Parcels of the Duchy of *Lancaſter*.
23. An Act for Confirming, Explaining and Enlarging an Act, intituled, *An Act for the Levying of certain Monies due upon the Collection for the Proteſtants of* Piedmont.
24. An Act to enable the Sale of ſome of the Lands of *William Milward*, Eſquire, for Payment of ſome of his Debts.
25. An Act veſting certain Lands in *Bleaſby* in Sir *John Mounſon* the younger, *Robert Thorold*, Eſquire, and *Anthony Eyre* the Elder, Eſquire, and their Heirs, to ſell for Payment of the Debts of Sir *Robert Dalliſon* and *William Dalliſon*.
26. An Act to enable the Truſtees of *Henry Nevill*, Eſquire, to ſell certain Manors, Lands and Tenements in the Counties of *York* and *Leiceſter*, for Payment of his and his Son *William Nevill*'s Debts, and likewiſe to confirm and ſtrengthen the Sale of ſuch Lands as they have already ſold in the County of *York*.
27. An Act for the making void certain Fines unduly procured to be levied by Sir *Edward Powel*, Knight and Baronet, and Dame *Mary* his Wife.
28. An Act for Sale of Sir *Robert Slingſby*, deceaſed, his Lands, for Payment of his Debts.
29. An Act to enable Sir *Anthony Brown* to ſell Lands for Payment of Debts.
30. An Act to enable *Anthony Etrick* to ſell Lands for Payment of his Debts.
31. An Act for the Naturalizing of *Anna Ferrers* and ſeveral other Perſons named therein.
32. An Act for the Naturalization of *Mark Le Pla*, and others.
33. An Act for the Repairing of *Bengworth* Bridge in the County of *Worceſter*.
34. An Act to enable *Rowland Okeover*, Eſquire, to ſell certain Lands in the County of *Derby*.
35. An Act to enable Mrs. *Clemence Rivers* and Mrs. *Roſe Rivers*, to ſell certain Lands and Houſes, for Payment of the Debts of *Edward Rivers*, Eſquire, deceaſed, and Proviſion for his younger Children.
36. An Act enabling *Thomas Peck*, Eſquire, to ſell a Manor and ſome Lands in the County of *Norfolk*, for the Payment of his Debts, and other Uſes.
37. An Act for Confirmation of Agreements made between *Thomas Buſhell*, Eſquire, and the Miners of *Rowpitts* in *Somerſetſhire*, for Recovering their drowned and deſerted Works.
38. An Act for the Settling certain Lands belonging unto *Francis Tindal*, Gentleman, upon Truſtees, to be ſold for the Payment of Debts.
39. An Act for Confirmation of three Acts therein mentioned.

PUBLICK

## PUBLICK ACTS.

*Anno decimo quinto Caroli* II. *Regis.*

1. AN Act for Repairing the Highways within the Counties of *Hertford*, *Cambridge* and *Huntingdon*.
2. An Act for the Punishment of unlawful cutting or stealing, or spoiling of Wood and Under-wood, and Destroyers of young Timber-Trees.
3. An Act to explain and supply a former Act for Distribution of Threescore thousand Pounds amongst the truly loyal and indigent Commission-Officers, and for assessing of Offices, and distributing the Monies thereby raised, for their further Supply.
4. An Additional Act for the better Ordering the Forces in the several Counties of this Kingdom.
5. An Act for the Regulating Select Vestries.
6. An Act for Relief of such Persons, as by Sickness or other Impediment were disabled from Subscribing the Declaration in the Act of Uniformity, and Explanation of Part of the said Act.
7. An Act for the Encouragement of Trade.
8. An Act to prevent the selling of live fat Cattle by Butchers.
9. An Act for granting Four entire Subsidies to his Majesty by the Temporalty.
10. An Act for Confirming of Four Subsidies granted by the Clergy.
11. An Additional Act for the better Ordering and Collecting the Duty of Excise, and preventing the Abuses therein.
12. An Explanatory Act for Recovery of the Arrears of Excise.
13. An Additional Act for the better Ordering and Collecting the Revenue arising by Hearth-Money.
14. An Act for settling the Profits of the Post-Office, and Power of granting Wine-Licences, on his Royal Highness the Duke of *York* and the Heirs Males of his Body.
15. An Act for encouraging the Manufactures of making Linen Cloth and Tapistry.
16. An Act for Regulating the Herring and other Fisheries, and for Repeal of the Act concerning Madder.
17. An Act for settling the Draining of the Great Level of the Fens, called *Bedford Level.*

## PRIVATE ACTS.

*Anno decimo quinto Caroli* II. *Regis.*

1. AN Act for the Settling of the Lands of the Earl of *Kent* and the Lord *Lucas*, on the Marriage of the said Earl with the Daughter and Heir apparent of the Lord *Lucas*.
2. An Act for the Settling of a Free School in *Witney* in the County of *Oxon*, being Erected and Endowed by *Henry Box*, Citizen and Grocer of *London* deceased.
3. An Act to enable the Bishop of *Winchester* to lease out the Tenements now built upon the Scite of his Mansion House in the Parish of *Saint Saviours* in *Southwark* in the County of *Surrey*, and the two Parks and other Demesnes at *Bishops Waltham*, and other Lands in the County of *Southampton*.
4. An Act for Repairing and better preserving the Key of the Port of *Wells* in the County of *Norfolk*.
5. An Act for the Governing of the Hospital of *Saint Oswalds* in the County of *Worcester*.
6. An Act to enable Sir *Francis Boynton*, Baronet, and *Richard Robinson*, Esquire, to sell certain Lands of *John Robinson*, Esquire, for Payment of Debts, and leasing of other Lands for making Provision for his younger Children.
7. An Act for making void certain Conveyances made by *Carill* Lord *Mollineux* in the late Times.
8. An Act to confirm a Deed made by *Charles Pitcarne*, Esquire.
9. An Act for the Naturalization of Dame *Elizabeth Jacob*, and others.
10. An Act for the Naturalizing of *George Willoughby*, and others.
11. An Act for Confirming *An Act for Naturalizing of* Peter De La Pierre alias Peters *and* John De La Pierre alias Peters.
12. An Act to enable *Edward* Marques of *Worcester* to receive the Benefit and Profit of a Water Commanding Engine by him invented, one tenth Part whereof is appropriated for the Benefit of the King's Majesty, his Heirs and Successors.
13. An Act for settling an Annuity of three hundred Pounds *per Annum* upon *Charles* Earl of *Portland*, and for the Benefit of *Willoughby Whitlocke*, *Bulstrode Whitlocke*, and *Carleton Whitlocke*, Infants, and for Confirming of Agreements made to compose Suits in Law against them.
14. An Act for settling the charitable Gift of *John Guest.*
15. An Act to enable Sir *John Packington* and his Trustees, to sell or otherwise dispose of certain Lands, for the Payment of his Debts, and raising Portions for his younger Children.
16. An Act to enable *Edward Chalomer*, Esquire, to make Provision for *Anne* his Wife, and his younger Children.
17. An Act for the Naturalizing of *Charlotte Hessen Killigrew*, and others.
18. An Act to impower Sir *John Drake*, and others, to make Sale of Lands, for Payment of the Portion of *Ellen Briscoe*, Widow.
19. An Act to enable the Sale of some of the Lands of *Richard Senior* and *Anthony Senior* deceased, for Payment of some of their Debts.

## PUBLICK ACTS.

*Anno decimo sexto Caroli* II. *Regis.*

1. AN Act for the Assembling and Holding of Parliaments once in three Years at the least; and for the Repeal of an Act intituled, *An Act for the preventing of Inconveniencies happening by the long Intermission of Parliaments.*
2. An Act for preventing of Abatement of Writs of Error upon Judgments in the Exchequer.
3. An Act for collecting the Duty arising by Hearth-Money, by Officers to be appointed by his Majesty.
4. An Act to prevent and suppress seditious Conventicles.
5. An Act to prevent the Disturbances of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal.
6. An Act to prevent the delivering up of Merchants Ships.
7. An Act against deceitful, disorderly, and excessive Gaming.
8. An Act for Continuance of a former Act for Regulating the Press.

## PRIVATE ACTS.

*Anno decimo sexto Caroli* II. *Regis.*

1. AN Act for vacating certain Conveyances made by Sir *John Packington*, Baronet, to *Christopher Henn*, and others.

2. An

2. An Act for the Sale of the Manor of *Ingoldesby*, and divers Lands in *Ingoldesby* in the County of *Lincoln*, for raising Portions for the two Daughters and Coheirs of Sir *William Armin* the younger, Baronet, deceased.
3. An Act for the Sale of certain Lands for Payment of the Debts of Sir *Sackvile Glemham*.
4. An Act to enable Trustees for Sir *William Keite* to sell Lands for the Payment of Debts.
5. An Act for Confirmation of the Inclosure and Improvement of *Malverne Chase*.
6. An Act for settling the charitable Gift of *Abraham Colfe Clerke*, for Erecting and Endowing two Free Schools and an Almshouse at *Lewisham* in *Kent*.
7. An Act for Naturalizing of Dame *Katherine Sayer*, and others.
8. An Act to enable *Francis Cottington* or *Charles Cottington*, to settle and dispose of Lands in Jointure for any Wife or Wives they shall take in Marriage.
9. An Act to enable *Charles Cotton*, Esquire, to make Leases of Lands, for Payment of Debts.
10. An Act for the making of the Church erected at *Falmouth* a Parish Church, and no Part of the Parish of *Gluvias* or Chappelry of *Saint Budocke*. 22 & 23 *Car.* 2. *c.* 12.

## PUBLICK ACTS.

*Anno decimo sexto & septimo Caroli* II. *Regis.*

1. AN Act for granting a Royal Aid unto the King's Majesty, of twenty-four hundred threescore and seventeen thousand and five hundred Pounds, to be raised, levied and paid in the Space of three Years.
2. An Act for Regulating the Measures and Prices of Coals.
3. An Act for the Returning of able and sufficient Jurors.
4. An Additional Act for the better Ordering and Collecting the Duty of Excise.
5. An Act to prevent Delays in extending Statutes, Judgments and Recognizances.
6. An Act for Repealing of Part of an Act of Parliament, intituled, *An Act directing the Prosecution of such as are accountable for Prize-Goods*.
7. An Act for Continuance of a former Act for Regulating the Press.
8. An Act to prevent Arrests of Judgment, and Superseding Executions.
9. An Act to impower the Chancellor of the Duchy to grant Commissions for taking Affidavits within the Duchy-Liberties.
10. An Act for Continuance of a former Act for Repairing the Highways within the County of *Hertford*.
11. An Act for Draining of the Fen, called *Deeping-Fen*, and other Fens therein mentioned.
12. An Act for making the River *Avon* navigable from *Christ-Church* to the City of *New Sarum*.

## PRIVATE ACTS.

*Anno decimo sexto & septimo Caroli* II. *Regis.*

1. AN Act to enable Sir *Edward Hungerford*, Knight of the Bath, to sell certain Lands in the County of *Devon*.
2. An Act for the Enabling of Trustees to sell Part of the Estate of *Samuel Sandys* the Elder, Esquire, and of his Son *Samuel Sandys*, for Payment of Debts.
3. An Act for Confirming a Deed of Settlement between the Earl of *Thanet* and his younger Brothers.
4. An Act to enable the Bishop of *Winchester* to convey one hundred Acres of Land, lying in the great disparked Park of *Bishops Waltham* in the Parish of *Bishops Waltham* in the County of *Southampton*, upon the Rector of the said Parish Church of *Bishops Waltham* and his Successors, in lieu of all Tythes and Payments for Tythes due to the said Rector and his Successors for *Waltham* Parks.
5. An Act to enable the Lord *Henry Powlett*, *George Withers*, and *John Mompesson*, to sell the Manor of *Abbotts Anne* in the County of *Southampton*.
6. An Act to enable *Henry* Lord *Loughborough* to make the River and Sewer Navigable from or near *Bristowe Causey* in the County of *Surrey*, into the River of *Thames*.
7. An Act to enable Trustees for the Lord *Strangford* to sell Lands for Payment of Debts.
8. An Act for Restoring of Sir *Charles Stanley* in Blood.
9. An Act for the Settling of several Manors, Lands and Tenements of Sir *Jacob Astley*, lying in the Counties of *Norfolk* and *Warwick*.
10. An Act for settling the Estate of Sir *Robert Carr*, Baronet.
11. An Act for making the River of *Medway* Navigable in the Counties of *Kent* and *Sussex*.
12. An Act for making divers Rivers Navigable, or otherwise passable for Boats, Barges, and other Vessels.
13. An Act for settling of Differences between the Towns of *Great* and *Little Yarmouth*, touching the Lading and Unlading of Herrings, and other Merchandises and Commodities.
14. An Act for the Naturalizing *Dederic alias Richard Comes*, and others.
15. An Act for Confirming of an Act, intituled, *An Act to Enable* Joseph Micklethwaite *an Infant and his Trustees to sell Land for Payment of his Father's Debts*.
16. An Act for the Enabling of *Thomas Juckes* of *Trelliddan* in the County of *Mountgomery*, Esquire, to sell Lands for the Payment of his Debts, and raising of younger Childrens Portions.
17. An Act to enable *Francis Lee*, Esquire, to sell Lands, for Payment of Debts, and to make Provision for his Children.

## PUBLICK ACTS.

*Anno decimo septimo Caroli* II. *Regis.*

1. AN Act for granting the Sum of twelve hundred and fifty thousand Pounds to the King's Majesty for his present further Supply.
2. An Act for restraining Nonconformists from inhabiting in Corporations.
3. An Act for uniting Churches in Cities and Towns Corporate.
4. An Act for Continuance of a former Act for Regulating the Press.
5. An Act for attainting *Thomas Doleman*, *Joseph Bampfield*, and *Thomas Scot*, of High Treason, if they render not themselves by a Day.
6. An Act for taking away of Damage Cleer.
7. An Act for a more speedy and effectual Proceeding upon Distresses and Avowries for Rents.
8. An Act for avoiding unnecessary Suits and Delays.
9. An Act for granting one Month's Assessment to his Majesty.

## PRIVATE ACT.

*Anno decimo septimo Caroli* II. *Regis.*

1. AN Act for the Naturalization of *Lewis Blanquefort*, and others.

## PUBLICK ACTS.

*Anno decimo octavo Caroli* II. *Regis.*

1. AN Act for raiſing Monies by a Poll, and otherwiſe, towards the Maintenance of the preſent War.
2. An Act againſt Importing Cattle from *Ireland*, and other Parts beyond the Seas, and Fiſh taken by Foreigners.
3. An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of *England*.
4. An Act for Burying in Woollen only.
5. An Act for encouraging of Coinage.

## PRIVATE ACTS.

*Anno decimo octavo Caroli* II. *Regis.*

1. AN Act to enlarge the Time given by a former Act, for Redemption of Mortgages made by the Earl of *Cleaveland*.
2. An Act for the Naturalizing of *Iſabella of Naſſaw*, Wife of the Right Honourable the Lord *Arlington*, one of his Majeſty's Principal Secretaries of State.
3. An Act for Supply of Part of the Jointure of the Lady *Elizabeth Noell*.
4. An Act for ſettling the Eſtate of *John Bodnell*, Eſquire, deceaſed.
5. An Additional Act for Enabling the Sale of Lands, to pay the Lord *Strangford*'s Debts.

## PUBLICK ACTS.

*Anno decimo nono Caroli* II. *Regis.*

1. AN Act Explanatory of the Act for raiſing Monies by a Poll, and otherwiſe, towards the Maintenance of this preſent War.
2. An Act for erecting a Judicature for Determination of Differences touching Houſes burned or demoliſhed by Reaſon of the late Fire which happened in *London*.
3. An Act for Rebuilding the City of *London*.
4. An Act for Relief of poor Priſoners, and ſetting of them on Work.
5. An Act extending a former Act concerning Replevins and Avowries, to the Principality of *Wales*, and the County Palatines.
6. An Act for Redreſs of Inconveniencies by want of Proof of the Deceaſes of Perſons beyond the Seas, or abſenting themſelves, upon whoſe Lives Eſtates do depend.
7. An Act to prevent Diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Navy Royal.
8. An Act for granting the Sum of twelve hundred fifty-ſix thouſand three hundred forty-ſeven Pounds thirteen Shillings, to the King's Majeſty, for the Maintenance of the preſent War.
9. An Act for taking the Accounts of the ſeveral Sums of Money therein mentioned.
10. An Act for Baniſhing and Diſenabling the Earl of *Clarendon*.
11. An Act to make Prize-Ships free for Trade.
12. An Act for aſſigning Orders in the Exchequer without Revocation.
13. An Act for ſettling Freedom and Intercourſe of Trade between *England* and *Scotland*.

## PRIVATE ACTS.

*Anno decimo nono Caroli* II. *Regis.*

1. AN Act for Naturalizing of *Heſther Le Lou*, the Daughter and Coheir of *Gideon Le Lou*, Lord of *Coliumbers* in *Normandy*, the now Wife of the Right Honourable *Denzill*, Lord *Hollis* of *Iſield*.
2. An Act for Confirming, Explaining and Enlarging an Act, intituled, *An Act to enable* John *Lord* Abergavenny, *Son and Heir of* Henry *late Lord* Abergavenny, *to ſell certain Lands for Payment of his Debts, and Preferment of his Brother and Siſters.* 13 Car. 2. ſtat. 1. c. 11.
3. An Act for the Illegitimation of the Children of the Lady *Anne Roos*.
4. An Act for Sale of a Meſſuage in *Chiſwicke*, for Payment of the Debts of *Edward Ruſſell*, Eſquire.
5. An Act for Confirmation of a Settlement of the Eſtate of Sir *Seymour Shirley*, Baronet.
6. An Act for ſettling the Moiety of the Manor of *Iron Acton* on Sir *John Pointz*.
7. An Act for ſettling an Eſtate in Truſt for the Benefit of Mrs. *Elizabeth Pride* and her Children.
8. An Act for the aſcertaining the Bounds of the ſeveral Rectories of *Swafham Saint Ciriac*, and of *Swafham Saint Maries*, within the Town of *Swafham Prior* in the County of *Cambridge*, and for the Uniting of the two Churches there.
9. An Act for the Reſtoring of *Francis Scawen*, Gentleman, in Blood.
10. An Act for Naturalizing Dame *Mary Frazer*, and others.
11. An Act to enable a Sale of Lands for Payment of the Debts of *Henry Kendall*, Eſquire.
12. An Act for ſettling Part of the Lands of *Henry Mildmay*, Eſquire, deceaſed, for Payment of his Debts, and making Proviſion for his Children.
13. An Act to enable *Leiceſter Groſvenor* and his Truſtees, to ſell certain Lands for Payment of Debts.
14. An Act for ſettling Part of the Poſſeſſions of *John* late Earl of *Clare* deceaſed, and enabling *Gilbert* Earl of *Clare* his Son and Heir, to diſpoſe of ſome other Part thereof, for Payment of Debts and Portions.
15. An Act to enable *John* Lord Biſhop of *Durham* and his Succeſſors, to make Leaſes for three Lives of certain Lead Mines.
16. An Act for Confirmation of an Exchange of certain Lands, between *Horatio* Lord *Townſend* and the Rector of *Eaſt* and *Weſt Reynham* in the County of *Norfolk*.
17. An Act for the Naturalization of *Alvaro de Coſta*, and others.
18. An Act for ſettling the Lands therein mentioned upon Sir *Richard Wiſeman* and *John Plott* and their Heirs, to enable them the better to perform a Truſt.
19. An Act for exchanging certain Manors and Lands of *William Palmes*, Eſquire, for other Lands ſettled upon him and his Iſſue by *Mary* his Wife.

## PUBLICK ACTS.

*Anno vicesimo Caroli* II. *Regis.*

1. AN Act for raiſing three hundred and ten thouſand Pounds, by an Impoſition on Wines and other Liquors.
2. An Act for the better Payment of Monies received for the Uſe of the Crown.
3. An Act for the Increaſe and Preſervation of Timber within the Foreſt of *Dean*.
4. An Act for proceeding to Judgment on Writs of Error brought in the Exchequer.
5. An Act for giving Liberty to buy and export Leather, and Skins Tanned or Dreſſed.
6. An Act to regulate the Trade of Silk-throwing.
7. An additional Act againſt the Importation of Foreign Cattle.

8. An

8. An Act for the Taxing and Assessing of the Lands of the Adventurers within the Great Level of the *Fens*.

## PRIVATE ACTS.

*Anno vicesimo Caroli* II. *Regis*.

1. AN Act to indemnify the late Sheriffs of the City of *London*, and the Warden of the *Fleet*, touching the Escapes of Prisoners, and other Matters occasioned by the late Fire.
2. An Act for settling of certain Manors, Lands and Tenements of Sir *Thomas Leventhorp*, Baronet, in the Counties of *Essex* and *Hertford*.
3. An Act to enable Sir *Thomas Hablethwaite* to sell or dispose of Land to pay Debts, and make Provision for younger Children.
4. An Act for Confirmation of the Settlement of Sir *Kingsmyll Lucy*, Baronet, in the said Act mentioned, and for transferring over some other Part of the Real Estate of Sir *Richard Lucy*, Knight and Baronet deceased, from *Francis Lucy*, Esquire.
5. An Act to confirm an Agreement between *William Paston*, Esquire, Lord of the Manor of *Horton*, and the Tenants of the said Manor, for an Inclosure of Part of the Waste of the said Manor, for the Preservation and Growth of Wood and Timber.
6. An Act for Enabling of Sir *William Juxon*, Knight and Baronet, Executor of the Last Will and Testament of *William Juxon* late Lord Archbishop of *Canterbury*, to recover Part of his Estate.
7. An Act for the better Securing of a Portion of 5000 *l.* to and for the Lady *Frances Savile*, an Infant Daughter of *Thomas* late Earl of *Sussex* deceased, out of Part of the Estate of *James* Earl of *Suffex* also an [illegible] Pursuance of the Will of the said *Thomas* [illegible]
8. An Act on the Behalf of *Dawes Winnefold* Esquire, for settling certain customary Lands held [illegible] Manor of *Wimbleton* in the County of *Surrey*.
9. An Act to enable the Execution of a Trust for Payment of the Debts and Providing for the younger Children of *Richard Taylor*, Esquire, deceased.
10. An Act for enabling Trustees to make Leases, for Payment of the Debts, and Providing for the Children of Sir *Charles Stanley*.

## PUBLICK ACTS.

*Anno vicesimo secundo Caroli* II. *Regis*.

1. AN Act to prevent and suppress seditious Conventicles.
2. An Act for Repairing of the Haven and Piers of *Great Yarmouth*.
3. An Act for granting to his Majesty an Imposition upon all Wines and Vinegar Imported between the four and twentieth Day of *June* 1670. and the four and twentieth Day of *June* 1678.
4. An Act for the Settling the Imposition on Brandy.
5. An Act for taking away the Benefit of Clergy from such as steal Cloth from the Rack, and from such as shall steal or imbezil his Majesty's Ammunition and Stores.
6. An Act for advancing the Sale of Fee-Farm Rents and other Rents.
7. An Act to enable the King's Majesty to make Leases, Grants and Copies, of Offices, Lands, Tenements and Hereditaments, Parcel of his Highness Duchy of *Cornwal*, or annexed to the same.
8. An Act for ascertaining the Measures of Corn and Salt.
9. An Act authorizing certain Commissioners of the Realm of *England*, to treat with Commissioners of *Scotland*, for the Weal of both Kingdoms.
10. An Act for Sale of Part of the Estate of Sir *John Pritiman*, for Satisfaction of a Debt by him due to the King's Majesty.
11. An additional Act for the Rebuilding of the City of *London*, Uniting of Parishes, and Rebuilding of the Cathedral and Parochial Churches within the said City.
12. An additional Act for the better Repairing of Highways and Bridges.
13. An Act for Improvement of Tillage, and the Breed of Cattle.

## PRIVATE ACTS.

*Anno vicesimo secundo Caroli* II. *Regis*.

1. AN Act for *John Mannors*, called Lord *Roos*, to marry again.
2. An Act for settling certain charitable Uses devised by *John* late Bishop of *Rochester*.
3. An Act for to enable *Anthony Ashley*, Esquire, Son of the Lord *Ashley*, to acknowledge Fines and suffer Recoveries of Lands and Hereditaments, whilst he is under the Age of twenty and one Years.
4. An Act for setting Part of the Estate of Dame *Susan Bellasis* Widow, late Wife of Sir *Henry Bellasis* deceased.
5. An Act for Confirming Purchasers Estates, and for settling the Differences between the Lady *Elizabeth Lee* and the Daughters and Coheirs of the late Earl of *Downe*.
6. An Act to enable the Trustees for the Lord Viscount *Strangford* of the Kingdom of *Ireland*, to sell certain Lands, for the Payment of the Remainder of his Debts.
7. An Act for the Enabling Sir *William Goslwicke*, Knight, to make a Jointure to Dame *Mary* his Wife.
8. An Act for Confirming the Estate of Sir *Ralph Bankes* in the Manor of *Thesbestet alias Thirsbestet*, and other Lands in the County and Borough of *Carmarthen*.
9. An Act for Sale of Lands to pay the Debts, and raise Portions for the younger Children of Sir *Cuthbert Heran*, Baronet.
10. An Act to enable Dame *Elizabeth Routh*, Mother and Executrix of the Last Will and Testament of *Dorothy Farewell* Widow deceased, late the Relict and Executrix of *John Farewell* late of the *Inner Temple*, *London*, Esquire, to sell certain Lands for the Payment of Debts.
11. An Act for settling the Manor or Lordship of *Firbecke* in the County of *York*, and other Lands therein mentioned, on Trustees, to enable them to sell the same for the Payment of Debts.
12. An Act for the Building of a Mansion-House for the Dean of *St. Paul's* Church, *London*.
13. An Act concerning the Disposing of a House and Lands belonging to the Sisters and Coheirs of *Margaret Strode*.
14. An Act for Endowment of a Church at *Shadwell*, now in the Parish of *Stepney* in *Middlesex*, and making of it Parochial distinct from *Stepney*.
15. An Act for settling the Draining of the Fens in *Lincolnshire* called *Deeping Fenns*.
16. An Act for making Navigable the Rivers commonly called *Brandon* and *Waveney*.
17. An act to enable *Thomas Hord*, Esquire, to make Leases of his Estate.
18. An Act to enable *Richard Beckham* and others, to sell Lands, to pay his Father's Debts, and to raise Portions for his younger Brothers.
19. An Act to enable *John Bill*, Esquire, to sell certain Lands in *Kent* and *Surry*. 22 & 23 *Car.* 2. c. 14.

20. An Act for Enabling *Thomas Leigh*, Esquire, to sell Part of his Lands, for Payment of Debts.
21. An Act to enable *Robert Hotchkin*, to sell Lands, to pay Debts, and raise Portions for Daughters.
22. An Act to enable *Henry* and *Jane Perkins*, to insure to Doctor *Wharton* Lands purchased in the County Palatine of *Durham*.
23. An Act to enable *Thomas Davison* to sell Lands, to pay Debts, and provide for younger Children.
24. An Act for the Naturalization of Captain *Christopher Ounman*, and others.
25. An Act for the Naturalizing of *Horatio Woodhouse*, and others.

## PUBLICK ACTS.

*Anno vicesimo secundo & tertio Caroli* II. *Regis.*

1. AN Act to prevent malicious Maiming and Wounding.
2. An Act for Continuance of a former Act, intituled, *An Act to prevent Delays in extending Statutes, Judgments and Recognizances.*
3. An Act for granting a Subsidy to his Majesty for Supply of his extraordinary Occasions.
4. An Act for Continuance of a former Act to prevent Arrests of Judgments, and Superseding Executions.
5. An Act for an additional Excise on Beer, Ale, and other Liquors.
6. An Act for revesting the Power of granting Wine-Licences in his Majesty, his Heirs and Successors, and for settling a Recompence on his Royal Highness in Lieu thereof.
7. An Act to prevent the malicious Burning of Houses, Stacks of Corn and Hay, and Killing or Maiming of Cattle.
8. An Act for the Regulating the making of *Kiddermister* Stuffs.
9. An Act for laying Impositions on Proceedings at Law.
10. An Act for the better settling of Intestates Estates.
11. An Act to prevent the Delivery up of Merchants Ships, and for the Increase of good and serviceable Shipping.
12. An additional Act for ascertaining the Measures of Corn and Salt.
13. An Act for exporting of Beer, Ale and Mum.
14. An Act for Determination of Differences touching Houses burnt or demolished within four Years since the late dreadful Fire in *London*.
15. An Act for the better Settlement of the Maintenance of the Parsons, Vicars and Curates in the Parishes of the City of *London*, burnt by the late dreadful Fire there.
16. An Act for the Discovery of such as have defrauded the Poor of the City of *London* of the Monies given for their Relief, at the Time of the late Plague and Fire, and for Recovery of the Arrears thereof.
17. An Act for the better Paving and Cleansing the Streets and Sewers in and about the City of *London*.
18. An Act for the better Regulating of Workhouses, for setting the Poor on work.
19. An Act to prevent Frauds in the Buying and Selling of Cattle in *Smithfield*, and elsewhere.
20. An Act for the Relief and Release of poor distressed Prisoners for Debt.
21. An Act for taking the Accounts of sixty thousand Pounds and other Monies given to the Loyal and Indigent Officers.
22. An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majesty.
23. An Act to revive an Act, intituled, *An Act to prevent the Disturbances of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal*, with some Alterations and Additions.
24. An Act for vesting certain Fee-farm Rents, and other small Rents, in Trustees.
25. An Act for the better Preservation of the Game, and for securing Warrens not inclosed, and the several Fishings of this Realm.
26. An Act to prevent the Planting of Tobacco in *England*, and for regulating the Plantation Trade.

## PRIVATE ACTS.

*Anno vicesimo secundo & tertio Caroli* II. *Regis.*

1. AN Act to enable *Christopher* Duke of *Albemarle* to reconvey several Manors and Lands mortgaged to *George* late Duke of *Albemarle* his Father.
2. An Act to enable the Guardians of *Charles* Earl of *Shrewsbury* and *John Talbot*, Esquire, Infants, to dispose of certain Manors, Lands and Tenements, for the Benefit of the said Infants.
3. An Act for confirming Agreements between the Lord Viscount of *Stafford* and his Lady, and their customary Tenants and Copyholders.
4. An Act to enable the making Conveyances of Part of the Estate of *James* Lord *Norreys* during his Minority.
5. An Act to enable *Robert* Lord Bishop of *Bangor*, and *Isaac* Lord Bishop of *Saint Asoph*, and their respective Successors for ever, to lett for one and twenty Years all Lead Mines in their Soil.
6. An Act for impowering the Executors and Trustees of *Henry* late Lord *Ingram*, Viscount *Irwin* in the Kingdom of *Scotland*, deceased, to sell certain Lands for the Payment of Debts and Legacies.
7. An Act for granting to Sir *Philip Howard* and *Francis Watson*, Esquire, the sole Use of a Manufacture, Art or Invention, for the Benefit of Shipping.
8. An Act to enable *Francis Courtney* Esquire, to join with Sir *William Courtney* his Father, in a Conveyance for settling their Estate.
9. An Act for the better Payment of the Debts of Sir *Clifford Clifton*, Knight, deceased, and raising Portions for his Daughters.
10. An Act for settling an Agreement between Sir *William Smith* and Sir *Thomas Hooke*, Baronet, *German Poole*, and others.
11. An Act to enable the Daughters and Coheirs of Sir *John Fitz James* to join in a Sale of Lands for Payment of his Debts.
12. An Act for the better Explanation of an Act made in this present Parliament, intituled, *An Act for the making of the Church erected at* Falmouth *a Parish Church, and no Part of the Parish of* Gluvias *or Chappelry of* Saint Burdocke.
13. An Act to enable *Elizabeth*, *Mary* and *Letitia Hammond*, to sell certain Lands in the Bill mentioned.
14. An Act for the rectifying a Mistake of Dates of Deeds mentioned in an Act of Parliament, intituled, *An Act to enable* John Bill, *Esquire, to sell certain Lands in* Kent *and* Surrey. 22 *Car.* 2. *c.* 19.
15. An Act for an Exchange and Sale of Lands for Payment of the Debts of *Benedict Hall*, Esquire.
16. An Act for the settling the Manor of *Portswood*, and other Lands, late of *John Knight*, Gentleman, in the County and Town and County of *Southampton*, in *John Parker*, Sergeant at Law, Mr. *William Morgan*, and Mr. *William Blennerhasset* of *London*, Gentleman, to be sold for Payment of Debts.

17. An

17. An Act for veſting and ſettling the Fee Simple of certain Lands on his Majeſty his Heirs and Succeſſors, which have been taken into and ſpoiled by making new Fortifications about the Town of *Portſmouth*.
18. An Act for Explaining of a Proviſo contained in an Act, intituled, *An Act for ſettling the Profits of the Poſt-Office, and Power of Granting Wine Licences, on his Royal Highneſs the Duke of* Yorke *and the Heirs Male of his Body*.
19. An Act for building *Arundell Houſe*, and the Tenements thereunto belonging.
20. An Act to enable *Charles Howard*, Eſquire, and *Mary* his Wife, to levy a Fine, and ſuffer a Recovery, of their Eſtate in the Manor of *Darking*.
21. An Act to enable *Henry Booth*, Eſquire, to levy Fines, and ſuffer Recoveries.
22. An Act to enable Sir *Andrew Hacket*, Knight, to ſettle a Portion of Money on *Mary Hacket* his Daughter.
23. An Act for ſettling the Manor of *Shabbington*, for Payment of the Debts of Sir *William Clarke*, Baronet.
24. An Act to enable Truſtees to ſell the Manors, Lands and Leaſes of Sir *Thomas Ogle*, Knight, deceaſed, for raiſing a Portion, and preſent Maintenance for his Daughter and Heir, and Payment of his Debts.
25. An Act for Improving the Navigation between the Town of *Boſton* and the River of *Trent*.
26. An Act for Settling and Preſerving the Navigation of the River *Wey* in the County of *Surrey*.
27. An Act for uniting the Vicarage and Parſonage of *Roſſe* in the County of *Hereford*.
28. An Act for making the Manor of *Pariſgarden* a Pariſh, and to enable the Pariſhioners of *Saint Saviours, Southwarke*, to raiſe a Maintenance for Miniſters, and for Repair of their Church.
29. An Act for Sale of Part of the Eſtate of *Thomas Herlackenden*, Eſquire, for Satisfaction of a Debt due to his Majeſty.
30. An Act for ſettling Lands intended by *John Sams* for charitable Uſes.

## PUBLICK ACTS.

*Anno viceſimo quinto Caroli* II. *Regis*.

1. AN Act for raiſing the Sum of twelve hundred thirty-eight thouſand ſeven hundred and fifty Pounds, for Supply of his Majeſty's extraordinary Occaſions.
2. An Act for preventing Dangers which may happen from Popiſh Recuſants.
3. An Act for enabling his Majeſty to make Leaſes of his Lands belonging to the Duchy of *Cornwal*.
4. An Act for Repeal of a Clauſe in a former Act, to prohibit Saleſmen from ſelling fat Cattle.
5. An Act for the King's Majeſty's moſt Gracious, General and Free Pardon.
6. An Act for taking off Aliens Duty upon Commodities of the Growth, Product and Manufacture of this Nation.
7. An Act for encouraging the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trades.
8. An Act for continuing a former Act concerning Coinage.
9. An Act to enable the County Palatine of *Durham*, to ſend Knights and Burgeſſes to ſerve in Parliament.
10. An Act for the reviving the Judicature for the Determination of Differences touching Houſes burnt down and demoliſhed by reaſon of the late Fire which happened in *London*, and for rebuilding the *Navy-Office*.

## PRIVATE ACTS.

*Anno viceſimo quinto Caroli* II. *Regis*.

1. AN Act for the Settlement of the Rectory of *Chudleigh* in the County of *Devon*, upon *Thomas* Lord *Clifford*, and others.
2. An Act to enable *James* Earl of *Saliſbury* to lett Leaſes of certain Lands and Tenements for any Term not exceeding forty Years.
3. An Act to enable the Dean and Chapter of the Cathedral Church of *Briſtol*, to exchange their Vicarage of *Berkley* in the County of *Glouceſter*, with *George* Lord *Berkley*, for his Rectory of *Saint Michaels* in *Sutton Bonnington* in the County of *Nottingham*.
4. An Act to enable the Truſtees of Sir *William Hanham*, Baronet, deceaſed, to ſell Lands to pay his Debts, according to his own Direction in his Life-time, and for Management of the Eſtate of Sir *John Hanham* an Infant, during his Minority.
5. An Act to confirm Articles of Agreement made upon the Marriage of Sir *William Rich*, Baronet.
6. An Act for the confirming of an Award made by Sir *Orlando Bridgman*, Knight and Baronet, late Lord Keeper of the Great Seal of *England*, for the ending of all Differences in the Family of Sir *Thomas Woolrich*, Knight and Baronet, deceaſed, and to enable *John Woolrich*, Eſquire, and his Heirs, to execute the Powers in the ſaid Award mentioned.
7. An Act for transferring the Intereſt of a Term of Years in certain Manors and Lands late of Sir *Robert Berkley*, Knight, deceaſed, and Payment of Portions appointed to his Grandchildren.
8. An Act for confirming Agreements made between Sir *Ralph Banks*, Sir *John Hanham*, Baronet, *Ellis Bethell*, *Thomas Mackrell*, *Richard Warland*, and *John Edwards*, by their Guardians, and divers other Perſons.
9. An Act for Explaining and Declaring the Extent of an Exception in a Deed therein named.
10. An Act for Enabling *Robert Bellamy* to ſell Lands for the Payment of his Debts.
11. An Act for the Naturalizing *Philip Lloyd*, Gentleman.

## PUBLICK ACT.

*Anno viceſimo ſeptimo Caroli* II. *Regis*.

AN Act for the better and more eaſy Rebuilding the Town of *Northampton*.

## PRIVATE ACTS.

*Anno viceſimo ſeptimo Caroli* II. *Regis*.

1. AN Act for the better Enabling of *Mary* Counteſs Dowager of *Warwicke* to perform the laſt Will and Teſtament of her deceaſed Huſband *Charles* late Earl of *Warwicke*.
2. An Act for veſting Lands of *Alexander Davies*, Gentleman, deceaſed, in Truſtees for Payment of his Debts.
3. An Act to enable Truſtees to ſell Lands in the County of *Glamorgan* and *Monmouth*, for the Payment of the Debts of *William Lewis*, Eſquire, deceaſed, and the Debts and Legacies of *Edward Lewis*, Eſquire, his Son deceaſed.
4. An Act for granting a Licence to his Highneſs Prince *Rupert* Duke of *Cumberland*, for one and thirty Years.

5. An Act to enable Sir *Thomas Compton* to make Sale of his Manor of *Hammerton* in the County of *Huntington*.
6. An Act for Naturalizing of *Theodore Ruſſel*, and others.
7. An Act to enable *Charles Cotton*, Eſquire, to ſell Lands for Payment of Debts, and raiſing Portions for younger Children.

## PUBLICK ACTS.

*Anno viceſimo nono Caroli* II. *Regis.*

1. AN Act for raiſing the Sum of five hundred eighty-four thouſand, nine hundred ſeventy-eight Pounds, two Shillings and Two-pence Halfpenny, for the ſpeedy building thirty Ships of War.
2. An Act for an additional Exciſe upon Beer, Ale, and other Liquors, for three Years.
3. An Act for Prevention of Frauds and Perjuries.
4. An Act for erecting a Judicature to determine Differences touching Houſes burnt and demoliſhed by the late dreadful Fire in *Southwark*.
5. An Act for taking of Affidavits in the Country, to be made uſe of in the Court of King's Bench, Common Pleas and Exchequer.
6. An Act for the Naturalizing of Children of his Majeſty's *Engliſh* Subjects, born in foreign Countries during the late Troubles.
7. An Act for the better Obſervation of the Lord's Day, commonly called *Sunday*.
8. An Act for confirming and perpetuating Augmentations made by Eccleſiaſtical Perſons to ſmall Vicarages and Curacies.
9. An Act for taking away the Writ *De Hæretico comburendo*.
10. An Act for the better Repairing and Maintaining the Pier of *Great Yarmouth*.

## PRIVATE ACTS.

*Anno viceſimo nono Caroli* II. *Regis.*

1. AN Act to enable *Robert* Earl of *Mancheſter* to ſell Lands for Payment of his Debts, and for ſettling other Lands of a greater Value in Lieu of thoſe appointed to be ſold.
2. An Act for rectifying a Miſtake in a general Settlement of the Lord *Mainard*'s Eſtate, upon the Marriage of his Son.
3. An Act to enable the Right Honourable the Lady *Mary Mordant* to make Sale of her Intereſt in the Manor of *Blichingley*, and divers Lands in the County of *Surry*, notwithſtanding her Minority.
4. An Act for Payment of the Debts of *Charles* late Lord Viſcount *Kilmorey* of the Kingdom of *Ireland*, and for raiſing of Portions for *Byron Needham* and *Charles Needham* two of his younger Sons.
5. An Explanatory and Supplemental Act for the better enabling Sir *Francis Compton* to make Sale and diſpoſe of the Manor of *Hammerton* or any Part thereof, in the County of *Huntington*. 27 *Car.* 2. *c.* 5.
6. An Act to enable Sir *Edward Hungerford*, Knight of the *Bath*, to make Leaſes for Years of *Hungerford Houſe* in the *Strand*, in the Pariſh of *Saint Martins in the Fields* in the County of *Middleſex*, and of certain Houſes and Tenements thereunto adjoining.
7. An Act to enable *Herbert Awbrey* and his Truſtees to ſell Lands for Payment of his Debts.
8. An Act for ſettling a Maintenance on the Vicar of *Alhallows* in the Town of *Northampton*.
9. An Act to enable *Thomas Barkley*, Eſquire, and his Truſtees, to ſell Lands for Payment of the Debts of the ſaid *Thomas Barkley*, and raiſing Portions for his younger Children.
10. An Act for Naturalizing of *Alice Ruſhout*, Daughter of Sir *James Ruſhout*, Baronet.
11. An Act for Naturalization of *Jacob David*, and others.
12. An Act for the Naturalization of *Peter Raven*, and others.
13. An Act to enable Truſtees to ſell Lands for Payment of the Debts of *Edward Standiſh*, Eſquire.
14. An Act to enable the Sale of certain Lands in *Winterborne Whitechurch* in the County of *Dorſett*, lately belonging to *Lawrence Squib*, Eſquire, deceaſed.

## PUBLICK ACTS.

*Anno viceſimo nono & triceſimo Caroli* II. *Regis.*

1. AN Act for raiſing Money by a Poll, and otherwiſe, to enable his Majeſty to enter into an actual War againſt the *French* King, and for prohibiting ſeveral *French* Commodities.
2. An Act for Continuance of two former Acts for preventin of Theft and Rapine upon the Northern Borders of *England*.

## PRIVATE ACTS.

*Anno viceſimo nono & triceſimo Caroli* II. *Regis.*

1. AN Act for the aſcertaining and eſtabliſhing of the Intereſt of the Lord and Copyhold Tenants of the Manors of *Weſt Derby* and *Wavertree* in the County Palatine of *Lancaſter*, in relation to their Fines and Commons.
2. An Act to enable the Guardian of the Right Honourable *Edward* Earl of *Warwicke* and *Holland*, to make Leaſes of ſeveral Meſſuages herein after mentioned, during his Minority, rendering the improved Rent.
3. An Act to enable the Right Honourable *Thomas* Lord *Morley* and *Mounteagle* Baron of *Rye*, to make Sale of the Manor of *Farlton*, and certain Lands and Hereditaments in *Farlton* in the County of *Lancaſter*, for Payment of Debts.
4. An Act to enable the Truſtees of *Bryan* Viſcount *Cullen* of the Realm of *Ireland* to ſell or diſpoſe of Lands in *Elmeſthorp* in the County of *Leiceſter*, for the Payment of Debts, and raiſing a Portion for his Daughter.
5. An Act to enable Truſtees to raiſe Money upon *Cobham Houſe* and Parke.
6. An Act to enable Sir *John Cotton*, Baronet, to diſpoſe of a Meſſuage called *St. Jermans*, and Lands therewith uſed near *St. Albans* in the County of *Hertford*, and to ſettle other Lands in Lieu thereof.
7. An Act for Confirmation of a Decree made in the Court of Chancery the four and twentieth Day of *February*, *Anno Regni Regis Caroli ſecundi viceſimo ſeptimo*, in a Cauſe between Sir *Francis Rodes*, Baronet, ſince deceaſed, and Dame *Martha* his Wife, Plaintiffs, and *William Thornton* an Infant, by *Ciprian Thornton* his Guardian, and *John Thornton* and the ſaid *Ciprian Thornton*, Defendants, and of ſeveral Conveyances and Aſſurances made by the ſaid Sir *Francis Rodes* in purſuance thereof, as well for Payment of his Debts as for Proviſion for his Wife and Children.
8. An Act to ſupply the Defects in a Deed of Settlement made by *John Coke*, Eſquire, deceaſed, and for altering a Truſt in Part of the Eſtate of *Robert Coke*, Eſquire.
9. An Act to enable *Thomas Thynne* of *Longleat* in the Count of *Wiltes*, Eſquire, to ſettle a Jointure on a Wife,

of

of certain Lands, Tenements and Hereditaments therein mentioned.

10. An Act for discharging the Manor of *Winstead* in the County of *York* from a Settlement in Tail, and charging other Manors and Lands in the County of *Lincoln* of a greater Value with the same Uses.
11. An Act for the settling certain Lands belonging to *William Gery* of *Bushmead* in the County of *Bedford*, Esquire, upon Trustees to be sold for Payment of Debts.
12. An Act for the vesting of certain Manors and Lands of *Edward Bedell* of *Woodrising* in the County of *Norfolk*, Esquire, in certain Trustees to be sold, for Payment of his Debts, and for raising of Portions for *Diana Bedell*, *Isabella Bedell* and *Anne Bedell*, Infants, Daughters of the said *Edward Bedell*, and for such other Children as shall hereafter be begotten by the said *Edward Bedell* upon the Body of *Isabella Bedell* his now Wife.
13. An Act to enable *Francis Brend*, Esquire, the surviving Son and Issue Male of Sir *Matthew Brend*, Knight, deceased, to sell certain Lands for the raising of three thousand Pounds for the Portions of *Frances* and *Elizabeth Brend* the Daughters of *Thomas Brend*, Esquire, deceased, late elder Brother of the *Francis Brend*.
14. An Act for the Naturalizing of *Jane de Galiere* Countess of *Lincoln*, and others.
15. An Act for restoring the Honour of Baron *Audley* of *Hely*, to *James* Lord *Audley*, and others herein mentioned.
16. An Act for the appropriating the Rectories of *Llaurhayader* in *Mochnant* in the Counties of *Denbigh* and *Montgomery* and of *Skeviog* in the County of *Flint*, for Repairs of the Cathedral Church of *Saint Asaph*, and the better Maintenance of the Choir there, and also for the uniting several Rectories *sine Cura*, and the Vicarages of the same Parishes, within the Dioceses of *St. Asaph* aforesaid.
17. An Act to enable the Trustees of Sir *Ralph Banks* to sell Lands for Payment of Debts.
18. An Act for settling divers Manors, Farms and Lands in the County of *Hertford*, now in the Possession of *Francis Shalcrosse*, Esquire, and for making Provision for younger Children, and Payment of Debts.
19. An Act to enable Trustees to sell Lands for the raising of Money to pay the Debts of *John Samine*, Esquire.
20. An Act to enable Trustees to sell Lands for Payment of the Debts of *John Herring*, deceased.
21. An Act to enable Trustees to sell Lands for Payment of the Debts of Sir *William Thorold* late of *Hough* in the County of *Lincoln*, Knight, deceased.

## PUBLICK ACTS.

*Anno tricesimo Caroli* II. *Regis.*

1. AN Act for granting a Supply to his Majesty of six hundred nineteen thousand, three hundred eighty-eight Pounds, eleven Shillings and nine Pence, for disbanding the Army, and other Uses therein mentioned.
2. An Act for granting an additional Duty to his Majesty upon Wines for three Years.
3. An Act for Burying in Woollen.
4. An Act for the further Relief and Discharge of poor distressed Prisoners for Debt.
5. An Act for repealing certain Words in a Clause in a former Act, intituled, *An Act for Enlarging and Repairing of common Highways.*
6. An Act for reviving a former Act, intituled, *An Act for avoiding unnecessary Suits and Delays*, and for Continuance of one other Act, intituled, *An Act for the better Settling of Intestates Estates.*
7. An Act to enable Creditors to recover their Debts of the Executors and Administrators of Executors in their own Wrong.
8. An Act for the Admeasurement of Keels and Boats carrying Coals.
9. An Act for Preservation of Fishing in the River of *Severn.*

## PRIVATE ACTS.

*Anno tricesimo Caroli* II. *Regis.*

1. AN Act to supply an Omission in the Settlement of the Estate of Sir *Trevor Williams*, Baronet, made upon the Marriage of his eldest Son, and to enable his eldest Son to make a Jointure to a second Wife.
2. An Act for Increasing the Revenue of the Dean of *Saint Pauls*, and Assuring the Estates of his Tenants in *Shadwell* in the County of *Middlesex.*
3. An Act for vesting the Rectory of *Westerham* in the County of *Kent* in Trustees, to be sold for Payment of the Debts of *Edward Gresham*, Esquire.
4. An Act for the better Enabling the Trustees of Sir *Thomas Cave*, Knight and Baronet, deceased, for the selling of Lands for the Performance of the Will of the said Sir *Thomas Cave*, and likewise for the vesting and settling of other Lands.
5. An Act for uniting and consolidating the Churches of *Beaumont* and *Mose* in the County of *Essex.*
6. An Act on the Behalf of *John Fortescue*, for the executing certain Trusts devolved upon Infants.
7. An Act for making Part of the Parish of *Saint Martin in the Fields* a new Parish, to be called the Parish of *Saint Anne* within the Liberty of *Westminster.*
8. An Act to enable Trustees to sell the Lands of *Tanfield Mulso*, Esquire, late deceased, for Payment of his Debts, and making Provision for his Children.
9. An Act for Naturalizing of *John Schoppens*, and others.
10. An Act to make good a Mortgage made by *John Forth*, deceased, to *Thomas Cooke* and *Nicholas Carey*, and for making Provision for *Henry Forth* Son of the said *John Forth.*
11. An Act for making navigable the River *Fale alias Vale* in the County of *Cornwall.*
12. An Act to enable *Thomas Plater*, Gentleman, to sell Lands for Payment of Debts charged upon the same, and reimbursing him such Sums of Money as he hath or shall lay out in repairing the Breaches made by the Inundation of the Sea, and keeping the Waters out.

## PUBLICK ACT.

*Anno tricesimo Caroli* II. *Regis.* Stat. 2.

AN Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.

## PUBLICK ACTS.

*Anno tricesimo primo Caroli* II. *Regis.*

1. AN Act for granting a Supply to his Majesty of two hundred and six thousand, four hundred sixty-two Pounds, seventeen Shillings and three Pence, for paying off and disbanding the Forces raised since the nine and twentieth of *September* 1677.
2. An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonments beyond the Seas.

3. An

3. An Act for Reingroſſing of the Records of Fines burnt or loſt in the late Fire in the *Temple*.

## PRIVATE ACTS.

*Anno triceſimo primo Caroli* II. *Regis.*

1. AN Act to confirm certain Leaſes made by *John Drake* and others, and to enable Sir *Francis Drake* to make a Jointure, and raiſe Portions for his Daughters and younger Children.
2. An Act for Sale of the Lands late of *Charles Dale* of the County of *Rutland*, Eſquire, deceaſed, for Payment of his Debts, and Proviſion for his Daughters and Coheirs.

## PUBLICK ACTS.

*Anno triceſimo ſecundo Caroli* II. *Regis.*

1. AN additional Act for Burying in Woollen.
2. An Act prohibiting the Importation of Cattle from *Ireland*.

## PRIVATE ACT.

*Anno triceſimo ſecundo Caroli* II. *Regis.*

AN Act for Rectifying ſeveral Errors and Miſtakes in the Marriage Settlement of Sir *Charles Hoghton*, Baronet.

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## PUBLICK ACTS.

*Anno primo* JAC. II.

1. AN Act for ſettling the Revenue on his Majeſty for his Life, which was ſettled on his late Majeſty for his Life.
2. An Act to Attaint *James* Duke of *Monmouth* of High Treaſon.
3. An Act for granting his Majeſty an Impoſition upon all Wines and Vinegar, imported between the four and twentieth Day of *June* one thouſand ſix hundred eighty-five, and the four and twentieth Day of *June* one thouſand ſix hundred ninety and three.
4. An Act for granting to his Majeſty an Impoſition upon all Tobacco and Sugar imported between the four and twentieth Day of *June* one thouſand ſix hundred eighty-five, and the four and twentieth Day of *June* one thouſand ſix hundred ninety-three.
5. An Act for granting an Aid to his Majeſty by an Impoſition on all *French* Linens, and all *Eaſt India* Linen, and ſeveral other Manufactures of *India*, and on all *French* Wrought Silks and Stuffs, and on all other Wrought Silks, and on all Brandies, imported after the firſt Day of *July* one thouſand ſix hundred eighty-five, and before the firſt Day of *July* one thouſand ſix hundred and ninety, for the King's extraordinary Occaſions.
6. An Act for repealing certain Clauſes in an Act of Parliament made in the nine and twentieth and thirtieth Years of the Reign of his late Majeſty, for prohibiting *French* Commodities.
7. An Act for reviving and continuing two former Acts for Encouragement of Coinage.
8. An Act againſt the Importation of Gunpowder, Arms, and other Ammunition, and Utenſils of War.
9. An Act to enable his Majeſty to make Grants, Leaſes, and Copies of Offices, Lands and Hereditaments, Parcel of his Highneſs's Duchy of *Cornwall*, or annexed to the ſame, and for Confirmation of Leaſes and Grants already made.
10. An Act for the providing neceſſary Carriages for his Majeſty in his Royal Progreſs and Removals.
11. An Act for reviving an Act for providing of Carriages by Land and by Water, for the Uſe of his Majeſty's Navy and Ordnance.
12. An Act for conſolidating the Eſtates Tail and Reverſion in Fee, which his Majeſty hath in the Poſt Office, and twenty-four thouſand Pounds *per Annum* of the Hereditary Exciſe.
13. An Act for reviving a former Act for exporting of Leather.
14. An Act for Continuance of three former Acts for preventing of Theft and Rapine upon the Northern Borders of *England*.
15. An Act for Rebuilding, Finiſhing, and Adorning of the Cathedral Church of *St. Paul*, *London*.
16. An Act for Clearing, Preſerving, Maintaining, and Repairing the Haven and Piers of *Great Yarmouth*.
17. An Act for Reviving and Continuance of ſeveral Acts of Parliament therein mentioned.
18. An Act to encourage the Building of Ships in *England*.
19. An additional Act for Improvement of Tillage.
20. An Act to enable the Inhabitants of the Pariſh of *St. Anne* within the Liberty of *Weſtminſter*, to raiſe Money to build a Church to be the Pariſh Church there.
21. An Act for repealing a Clauſe for dividing of Commons in an Act of Parliament made in the fifteenth Year of King CHARLES the Second, intituled, *An Act for ſettling the Dreyning of the great Level of the Fens called* Bedford Level.
22. An Act for erecting a new Pariſh, to be called the Pariſh of *St. James*, within the Liberty of *Weſtminſter*.

## PRIVATE ACTS.

1. AN Act to enable *James* Lord *Butler* of *Moor Park*, and Earl of *Oſſory* in the Kingdom of *Ireland*, to make a Jointure to ſuch Woman as he ſhall marry.
2. An Act for the Naturalization of *John Eſſelbron*, *Otto Geetz*, *David Becceler*, and others.
3. An Act for Rebuilding the Earl of *Powis*'s Houſe in *Lincolns Inn Fields* lately demoliſhed by Fire.
4. An Act for the Conveyance of freſh Water through ſeveral Grounds unto the City of *Rocheſter*.
5. An Act for Naturalizing *Magdalene Pellazary*, and others.
6. An Act for the Naturalizing of *James Dufrais*, *Theodore Janſſen*, and others.
7. An Act to enable *Edward Meller*, Eſq; to ſell Lands for Payment of Debts.
8. An Act for the Repair of the Cathedral Church of *Bangor*, and for the Maintenance of the Choir there; and for the Augmentation of the Revenue of the Biſhoprick of *Bangor*, and for an Augmentation of ſeveral Vicarages within the Comportions of *Landinum* in the Dioceſe of *Bangor* aforeſaid.

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## PUBLICK ACTS.

*Anno primo* W. & M. *Seſſ.* 1.

1. AN Act for removing and preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament.
2. An Act for impowering his Majeſty to apprehend and detain

detain ſuch Perſons as he ſhall find juſt Cauſe to ſuſpect are conſpiring againſt the Government.

3. An for the granting a preſent Aid to their Majeſties.
4. An Act for reviving of Actions and Proceſs lately depending in the Courts at *Weſtminſter*, and diſcontinued by the not holding of *Hilary* Term, and for ſupplying other Defects relating to Proceedings at Law.
5. An Act for puniſhing Officers or Soldiers who ſhall mutiny or deſert their Majeſties Service.
6. An Act for eſtabliſhing the Coronation Oath.
7. An Act for impowering his Majeſty to apprehend and detain ſuch Perſons as he ſhall find juſt Cauſe to ſuſpect are conſpiring againſt the Government.
8. An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths.
9. An Act for the amoving Papiſts, and reputed Papiſts from the Cities of *London* and *Weſtminſter*, and ten Miles diſtant from the ſame.
10. An Act for the taking away the Revenue ariſing by Hearth Money.
11. An Act for explaining and making effectual a Statute made in the firſt Year of King JAMES the Second, concerning the Haven and Piers of *Great Yarmouth*.
12. An Act for the Encouraging the Exportation of Corn.
13. An Act for raiſing Money by a Poll, and otherwiſe, towards the reducing of *Ireland*.
14. An Act for preventing Doubts and Queſtions concerning the collecting the publick Revenue.
15. An Act for the better ſecuring the Government, by diſarming Papiſts and reputed Papiſts.
16. An Act, That the ſimoniacal Promotion of one Perſon may not prejudice another.
17. An Act for rectifying a Miſtake in a certain Act of this preſent Parliament, *For the amoving Papiſts from the Cities of* London *and* Weſtminſter.
18. An Act for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of *England*, from the Penalties of certain Laws.
19. An Act for impowering their Majeſties to commit, without Bail, ſuch Perſons as they ſhall find juſt Cauſe to ſuſpect are conſpiring againſt the Government.
20. An Act for a Grant to their Majeſties of an Aid of twelve Pence in the Pound for one Year, for the neceſſary Defence of their Realms.
21. An Act for enabling Lords Commiſſioners for the Great Seal to execute the Office of Lord Chancellor, or Lord Keeper.
22. An Act for the Exportation of Beer, Ale, Cyder, and Mum.
23. An Act for reviving two former Acts for exporting of Leather.
24. An Act for an additional Duty of Exciſe upon Beer, Ale, and other Liquors.
25. An Act to regulate the Adminiſtration of the Oaths required to be taken by Commiſſion or Warrant Officers employed in their Majeſties Service by Land, by Virtue of an Act made in this preſent Seſſion of Parliament, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths.*
26. An Act to veſt in the two Univerſities the Preſentations of Benefices belonging to Papiſts.
27. An Act for taking away the Court holden before the Preſident and Council of the Marches of *Wales*.
28 An Act for appropriating certain Duties, for paying the States General of the United Provinces their Charges for his Majeſty's Expedition into this Kingdom, and for other Uſes.
29. An Act for Relief of the Proteſtant *Iriſh* Clergy.
30. An Act to repeal the Statute made in the fifth Year of King HENRY the Fourth, againſt the multiplying Gold and Silver.
31. An additional Act for the appointing Commiſſioners for the executing an Act of this preſent Parliament, intituled, *An Act for a Grant to their Majeſties of an Aid of twelve Pence in the Pound for one Year, for the neceſſary Defence of their Realms.*
32. An Act for the better preventing the Exportation of Wool, and encouraging the Woollen Manufactures of this Kingdom.
33. An Act for explaining Part of an Act made in the firſt Year of King JAMES the Firſt, concerning tanned Leather.
34. An Act for prohibiting all Trade and Commerce with *France*.

## PRIVATE ACTS.

*Anno* 1 *W. & M. Seſſ.* 1.

1. AN Act for anulling and making void the Attainder of *William Ruſſel*, Eſq; commonly called Lord *Ruſſel*.
2. An Act for exhibiting a Bill in this preſent Parliament for naturalizing the moſt noble Prince *George* of *Denmark*.
3. An Act for the Naturalization of the moſt noble Prince *George* of *Denmark*, and ſettling his Precedence.
4. An Act for naturalizing *Frederick* Count *Schonberg*, and others.
5. An Act to enable *Younger Cooke*, Eſq; to ſell Lands to pay his Debts, and provide for his younger Children.
6. An Act for the Naturalization of *Henry de Naſſau*, and others.
7. An Act for the annulling and making void the Attainder of *Algernon Sidney*, Eſq;
8. An Act for annulling and making void the Attainder of *Alice Liſle*, Widow.
9. An Act for the Sale or leaſing the Capital Meſſuage, late *Henry Coventry*'s, Eſq; in *Piccadilly*.
10. An Act for building into Tenements the remaining Part of *Arundel* Ground, as now incloſed.
11. An Act for the Naturalization of *Anne Aſtley*, and others.
12. An Act for the better aſſuring the Manor of *Silton*, and demiſing other Lands and Tenements in *Silton* in the County of *Salop*, unto *Joſeph Soley*, Gent. and his Heirs.
13. An Act to enable *Robert Penwarne* to ſell Lands, to pay his Brothers and Siſters Portions, and alſo to pay Debts.
14. An Act to make good a Recovery ſuffered by the Earl of *Peterborough* and Lord *Mordant*.
15. An Act to enable *Theodore Bathurſt* to make a Jointure for his Wife, and to charge Monies on Part of his Eſtate in *Yorkſhire*.
16. An Act for reverſing the Attainder of *Henry Corniſh*, Eſq; late Alderman of the City of *London*.
17. An Act for erecting a Court of Conſcience at *Newcaſtle* upon *Tyne*.
18. An Act for erecting Courts of Conſcience in the Cities of *Briſtol* and *Glouceſter*, and the Liberties thereof.
19. An Act for the better regulating the Salt Works in *Droitwich*.
20. An Act to enable *Thomas Chettel* to ſell Part of his Eſtate, for Payment of his Debts, and making Proviſion for his Wife and Children.
21. An Act to enable Truſtees to grant Leaſes of the Eſtate of *Richard Heley*, Eſq;

22. An Act for enabling of *Hannah Sherley*, Widow, and *Mary Battilbey* alias *Sherley*, her Daughter, to ſettle and diſpoſe of certain Lands and Tenements in the Counties of *Middleſex* and *Eſſex*.

## PUBLICK ACTS.

*Anno* 1 *W. & M. Seſſ.* 2.

1. AN Act for a Grant to their Majeſties of an Aid of two Shillings in the Pound for one Year.
2. An Act declaring the Rights and Liberties of the Subject, and ſettling the Succeſſion of the Crown.
3. An Act for preventing all Doubts and Queſtions concerning the collecting the publick Revenue.
4. An Act for puniſhing Officers or Soldiers who ſhall mutiny or deſert their Majeſties Service; and for puniſhing falſe Muſters.
5. An Act for a Grant to their Majeſties of an additional Aid of twelve Pence in the Pound for one Year.
6. An Act for the charging and collecting the Duties upon Coffee, Tea, and Chocolate at the Cuſtom-houſe.
7. An Act for Review of the late Poll granted to their Majeſties, and for an additional Poll, towards the reducing of *Ireland*.
8. An Act for preventing vexatious Suits againſt ſuch as acted in order to the bringing in their Majeſties, or for their Service.
9. An Act for the better Security and Relief of their Majeſties Proteſtant Subjects of *Ireland*.

## PRIVATE ACTS.

*Anno* 1 *W. & M. Seſſ.* 2.

1. AN Act for naturalizing *William Watts*, an Infant.
2. An Act for declaring and enacting *John Rogerſon* to be a natural-born Subject of this Realm.
3. An Act to enable the Lord Viſcount *Hereford* to make a Jointure upon his Marriage with Mrs. *Elizabeth Norbourne*, notwithſtanding his Minority.
4. An Act for ſettling a Maintenance on the Children of *Sidney Wortley* alias *Montague*, Eſq; in caſe his Wife ſurvive him.
5. An Act to diſcharge the Duke of *Norfolk*, upon Payment of certain Sums of Money to the Lady *Elizabeth Tereſa Ruſſel*, Wife of *Bartholomew Ruſſel*, Eſq;
6. An Act to enable the Earl of *Radnor* to make a Jointure to his Wife, and to raiſe a Sum of Money out of divers Lands and Tenements in *Cornwall*.
7. An Act to enable *Thomas Edon*, Eſq; to ſell Lands, to pay his Debts, and to make Proviſion for his Wife, and for his Children, in caſe he ſhall have any.
8. An Act to enable *William Batſon*, Eſq; to ſell Lands in the County of *Oxon*, and to purchaſe and ſettle an Eſtate in the County of *Suffolk* to the ſame Uſes.

## PUBLICK ACTS.

*Anno* 2 *W. & M. Seſſ.* 1.

1. AN Act for recognizing King WILLIAM and Queen MARY, and for avoiding all Queſtions touching the Acts made in the Parliament aſſembled at *Weſtminſter*, the thirteenth Day of *February* one thouſand ſix hundred eighty-eight.
2. An Act for raiſing Money by a Poll, and otherwiſe, towards the reducing of *Ireland*, and proſecuting the War againſt *France*.
3. An Act for granting to their Majeſties for their Lives, and the Life of the Survivor of them, certain Impoſitions upon Beer, Ale, and other Liquors.
4. An Act for granting to their Majeſties a Subſidy of Tunnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported.
5. An Act for enabling the Sale of Goods diſtrained for Rent, in caſe the Rent be not paid in a reaſonable Time.
6. An Act for the Exerciſe of the Government by her Majeſty, during his Majeſty's Abſence.
7. An Act to declare the Right and Freedom of Election of Members to ſerve in Parliament for the *Cinque Ports*.
8. An Act for reverſing the Judgment in a *Quo Warranto* againſt the City of *London*, and for reſtoring the City of *London* to its ancient Rights and Privileges.
9. An Act for the diſcouraging the Importation of Thrown Silk.
10. An Act of the King's and Queen's moſt gracious, general, and free Pardon.

## PRIVATE ACTS.

*Anno* 2 *W. & M. Seſſ.* 1.

1. AN Act for making *Worthenbury* a diſtinct Pariſh from *Bangor*.
2. An Act to ſupply a Defect in an Act of the laſt Parliament, for Sale and leaſing of a Houſe late Mr. Secretary *Coventry*'s in *Piccadilly*.
3. An Act to enable *John Wolſtenholm*, Eſq; to ſell Lands to pay Debts.
4. An Act to illegitimate any Child or Children that *Jane* the Wife of *John Lewknor*, Eſq; hath had, or ſhall have, during her Elopement from him.
5. An Act to enable *Algernoon* Earl of *Eſſex* to make a Wife a Jointure, and for raiſing of Monies for Payment of 6000 *l.* borrowed to make up the Lady *Morpeth*'s Portion; and to make a Settlement of his Eſtate on his Marriage.
6. An Act for making ſome Proviſion for the Daughters and younger Sons of *Anthony* Earl of *Shafteſbury*.
7. A Bill for the Sale of the capital Meſſuage or Manſion Houſe of *Harleford*, and Manor of *Great Marlow*, and other Lands in the County of *Bucks*.
8. A Bill to enable Sir *Robert Fenwick* to ſell Lands for Payment of his Debts.
9. A Bill for confirming a Settlement made by Sir *Hugh Middleton*, Baronet, for a ſeparate Maintenance for Dame *Dorothea* his Wife, and for other Truſts; and for the better enabling Truſtees to ſell Part of his Eſtate for Payment of his Debts.
10. A Bill whereby the Freehold and Inheritance of the Manor of *Loleworth* alias *Lollworth*, and the Advowſon of the Church of *Loleworth* alias *Lollworth*, in the County of *Cambridge*, and divers other Lands and Hereditaments in *Loleworth* aforeſaid, and in *Long Santon* in the ſaid County, are veſted in *Altham Smith* of *Gray's Inn* in the County of *Middleſex*, Eſq; and *William Gore* of *London*, Merchant, and their Heirs, in Fee-ſimple in Poſſeſſion, to the Uſe of them and their Heirs, in Truſt for *John Edwards* of *Debdon Hall* in the County of *Eſſex*, Eſq; and his Heirs, to the Intent the ſame may be ſold.
11. A Bill to enable Sir *Humphry Foreſter* to ſettle and diſpoſe Lands.
12. A Bill to enable *Thomas Berenger*, Eſq; to ſell Lands for Payment of his Debts.

13. A Bill to veſt the Eſtate of *Cadwallador Wynne*, Eſq; in Truſtees, for the Payment of his Debts.
14. A Bill for the naturalizing of *David le Grand*, and others.
15. An Act for confirming to the Governor and Company trading to *Hudſon*'s Bay, their Privileges and Trade.
16. An Act for the encouraging and better eſtabliſhing the Manufacture of White Paper in this Kingdom.
17. An Act to enable Sir *Edwin Sadler* to ſell Lands for Payment of Debts.
18. An Act for the granting to *Elizabeth*, Relict of *John Hobby*, Eſq; and now the Wife of the Lord *Alexander*, Son and Heir Apparent of *Henry* Earl of *Starling*, in the Kingdom of *Scotland*, one Annuity or yearly Rent charge of 450*l.* for her Life, in Satisfaction of 500*l.* *per Annum* in Lands, which ſhe was to have for her Jointure.

## PUBLICK ACTS.

*Anno 2 W. & M. Seſſ. 2.*

1. AN Act for granting an Aid to their Majeſties of the Sum of ſixteen hundred fifty-one thouſand ſeven hundred and two Pounds eighteen Shillings.
2. An Act concerning the Commiſſioners of the Admiralty.
3. An Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year.
4. An Act for granting to their Majeſties certain Impoſitions upon all *Eaſt India* Goods and Merchandiſes, and upon all wrought Silks, and ſeveral other Goods and Merchandiſe, to be imported after the five and twentieth Day of *December* one thouſand ſix hundred and ninety.
5. An Act for the Continuance of ſeveral former Acts therein mentioned, for the laying ſeveral Duties upon Wines, Vinegar, and Tobacco.
6. An Act for puniſhing Officers and Soldiers who ſhall mutiny or deſert their Majeſties Service, and for puniſhing falſe Muſters.
7. An Act for reviving a former Act for regulating the Meaſures and Prices of Coals.
8. An Act for paving and cleanſing the Streets in the Cities of *London* and *Weſtminſter*, and Suburbs and Liberties thereof, and Out Pariſhes in the County of *Middleſex*, and in the Borough of *Southwark*, and other Places within the weekly Bills of Mortality, in the County of *Surrey*, and for regulating the Markets therein mentioned.
9. An Act for the encouraging the diſtilling of Brandy and Spirits from Corn, and for laying ſeveral Duties on Low Wines, or Spirits of the firſt Extraction.
10. An Act for granting to their Majeſties ſeveral additional Duties of Exciſe upon Beer, Ale, and other Liquors, for four Years, from the Time that an Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire.
11. An Act for appointing and enabling Commiſſioners to examine, take, and ſtate the publick Accounts of the Kingdom.
12. An Act for raiſing the Militia of this Kingdom for the Year one thouſand ſix hundred ninety and one, altho' the Month's Pay formerly advanced be not repaid.
13. An Act for preventing vexatious Suits againſt ſuch as acted for their Majeſties Service in Defence of the Kingdom.
14. An Act for the more effectual putting in Execution an Act, intituled, *An Act for prohibiting all Trade and Commerce with* France.
15. An Act for Relief of poor Priſoners for Debt or Damages.

## PRIVATE ACTS.

*Anno 2 W. & M. Seſſ. 2.*

1. AN Act for the enabling the Sale of the Manor of *Kempton* and *Kempton Park*, and other Lands late of *Francis Phelips*, Eſq; deceaſed.
2. An Act to enable *Dacres Barret*, alias *Lennard*, Eſq; to charge the Reverſion of his Eſtate in *England* with the Sum of 1500*l.*
3. An Act to prohibit the covering of Houſes, and other Buildings, with Thatch or Straw, in the Town of *Marlborough* in the County of *Wilts*.
4. An Act to veſt divers Meſſuages and Tenements (the Eſtate of *David Big*, Eſq;) in Truſtees, to be ſold, and for laying out the Money to be raiſed thereby in the Purchaſe of Lands more to his Convenience, to be ſettled to the ſame Uſes.
5. An Act to veſt the Manor and Lands late of *George Vilet*, Eſq; in Truſtees, to be ſold for raiſing Portions for his Daughters.
6. An Act to enable *Elizabeth Montague*, Widow, to let Leaſes for Years of Houſes and Ground in *Stepney*, in the County of *Middleſex*.
7. An Act for ſecuring the Portion of *Elizabeth Lucy*, and breeding her up a Proteſtant; and for transferring the Truſt for that Purpoſe.
8. An Act for the enabling of Truſtees to ſell certain Lands of *Richard Cooke*, deceaſed, to pay Debts, and to raiſe a Portion for his Daughter.
9. An Act to enable *Philip Hildeyard*, Eſq; to ſell Lands in *Surrey*, and to ſettle Lands in *Lincolnſhire* in lieu thereof.
10. An Act to annul and make void a Marriage between *Mary Wharton* an Infant, and *James Campbel*, Eſq;
11. An Act for veſting divers Lands in Truſtees, to be ſold for the Payment of certain Debts of *Saintleger Scroop*, Eſq;
12. An Act for the better enabling *Jane Bray*, Widow, the Relict and ſole Executrix of the laſt Will of *Reginald Bray*, Eſq; deceaſed, and others, to the ſpeedier raiſing the Portions already appointed for her Daughters by the ſaid *Reginald Bray*.
13. An Act for the naturalizing of *Francis de la Chambre*, and others.
14. An Act for ſettling the Eſtate of *Henry Serle*, Eſq; deceaſed.
15. An Act to free the Eſtate of Sir *Samuel Barnardiſton* from ſeveral Incumbrances, occaſioned by a Judgment given againſt him, upon an Information in the Court of *King's Bench*.
16. An Act to give *Catharine* Lady *Cornbury* certain Powers to act as if ſhe were of full Age.
17. An Act to bar a Remainder limited to *Dudley Bagnal*, Eſq; in the Eſtate of *Nicholas Bagnal*, Eſq; in *Ireland*.
18. An Act for the limiting the Power of *James* now Earl of *Saliſbury*, to cut off the Intail of his Eſtate.
19. An Act for the veſting ſeveral Meſſuages and Tenements in the City of *London*, late the Eſtate of *John Bains*, Gent. deceaſed, in Truſtees, to be ſold for Payment of Debts.
20. An Act for raiſing Money out of the Eſtate of *Thomas Williams*

*Williams*, Eſq; deceaſed, by letting Leaſes, and otherwiſe, for the more ſpeedy Payment of his Debts.

21. An Act to enable *Thomas Sheaf* to ſell Lands, for Payment of Debts, and making Proviſion for his Wife, according to an Agreement for that Purpoſe.

22. An Act for the ſettling a Charity given by *Robert Aſk*, Eſq; to the Company of Haberdaſhers, *London*.

23. An Act to enable *Thomas* Earl of *Aileſbury*, and *Elizabeth* Counteſs of *Aileſbury* his Wife, to make Proviſion for Payment of Debts, and to make Leaſes of their Eſtates.

24. An Act for incorporating the Proprietors of the Water Works in *York Buildings*, and for the encouraging, carrying on, and ſettling the ſaid Water Works.

25. An Act for veſting certain Lands (the Eſtate of *Thomas Mainwaring*, Gent.) in Truſtees, to be ſold for Payment of Debts.

26. An Act to enable *John Roſſeter*, Eſq; to ſell Lands for Payment of Debts.

## PUBLICK ACTS.

*Anno* 3 *W. & M.*

1. AN Act for granting to their Majeſties certain Impoſitions upon Beer, Ale, and other Liquors, for one Year.

2. An Act for abrogating the Oath of Supremacy in *Ireland*, and appointing other Oaths.

3. An Act for the better aſcertaining the Tithes of Hemp and Flax.

4. An Act for preſerving two Ships Lading of Bay Salt, taken as Prize, for the Benefit of their Majeſties Navy.

5. An Act for granting an Aid to their Majeſties of the Sum of ſixteen hundred fifty-one thouſand ſeven hundred and two Pounds eighteen Shillings, towards the carrying on a vigorous War againſt *France*.

*Anno* 3 & 4 *W. & M.*

6. An Act for raiſing Money by a Poll payable quarterly for one Year, for the carrying on a vigorous War againſt *France*.

7. An Act for raiſing the Militia of this Kingdom for the Year one thouſand ſix hundred ninety-two, although the Month's Pay formerly advanced be not repaid.

8. An Act for the Encouragement of the breeding and feeding of Cattle.

9. An Act to take away Clergy from ſome Offenders, and to bring others to Puniſhment.

10. An Act for the more effectual Diſcovery and Puniſhment of Deer-ſtealers.

11. An Act for the better Explanation and ſupplying the Defects of the former Laws for the Settlement of the Poor.

12. An Act for the better repairing and amending the Highways, and for ſettling the Rates of Carriage of Goods.

13. An Act againſt correſponding with their Majeſties Enemies.

14. An Act for Relief of Creditors againſt fraudulent Deviſes.

15. An Act for the better ordering and collecting the Duty upon Low Wines and Strong Waters; and for preventing the Abuſes therein.

## PRIVATE ACTS.

*Anno* 3 & 4 *W. & M.*

1. AN Act for making a twelve Years Leaſe, made by the Earl and Counteſs of *Aileſbury*, for Payment of Debts (which was determinable on their Deaths) to have Continuance abſolutely for thoſe twelve Years.

2. An Act for the ſettling a Fee-Farm Rent of one hundred Pounds *per Annum* upon the Biſhop of *Ely*, and his Succeſſors, to be iſſuing out of *Hatton Garden*, in the County of *Middleſex*, and the Meſſuages thereupon erected; and for the ſettling and aſſuring the ſame, ſubject to the ſaid Rent, upon *Chriſtopher* Lord Viſcount *Hatton*, his Heirs and Aſſigns for ever.

3. An Act to enable the Executors and Truſtees of Sir *Thomas Putt*, Bart. deceaſed, to leaſe ſeveral Meſſuages, Lands, Tenements, and Hereditaments, during the Minority of Sir *Thomas Putt*, Bart. Son and Heir of the ſaid Sir *Thomas Putt*, towards the Payment of 500 l. apiece Legacies to his three Siſters, *Margaret*, *Urſula*, and *Suſanna Putt*; as alſo the Debts of the ſaid Sir *Thomas Putt*, the Father.

4. An Act for naturalizing Sir *Martin Beckman*, and others.

5. An Act for Sale of the Manor of, and Lands in *Wittering*, in the County of *Northampton*, and the Advowſon of the Church of *Wittering* aforeſaid, and late the Inheritance of *William Stydolph*, Eſq; deceaſed, late Father of *Sygiſmond Stydolph*, Eſq;

6. An Act for ſettling a Jointure on *Jane* the Wife of Colonel *Edward Matthews*, Daughter of Sir *Thomas Armſtrong* deceaſed.

7. An Act for the veſting and ſettling divers Lands in *Glouceſterſhire*, in Truſtees, to be ſold for the Payment of the remaining Portions to the Children of *George Montague*, Eſq; deceaſed.

8. An Act to veſt certain Meſſuages, Lands, and Tenements, in *Thorp Langton*, and elſewhere, in the County of *Leiceſter*, in Truſtees, to be ſold for Payment of the Debts of *Richard Roberts*, Eſq; and for raiſing Portions for his Daughters.

9. An Act for the Sale of the Manor of *Manworthy*, with its Appurtenances, in the County of *Devon*, being the Lands and Eſtate of *Nicholas Martyn*, Eſq; by Truſtees herein after named, for the Payment of the Debts of the ſaid *Nicholas Martyn*.

10. An Act to veſt the Eſtate late of *Henry Drax*, Eſq; deceaſed, in *Thomas Shatterden*, Gent. and to enable the ſaid *Thomas Shatterden*, and others, to whom the ſaid Eſtate is deviſed, to make a Jointure.

11. An Act for enabling Sir *Dudley Cullum*, Bart. to raiſe Monies to pay his Brothers and Siſters Portions.

12. An Act to enable the Sale of ſeveral Lands, for the Payment of the Debts and Legacies of *Maurice Shelton*, and others; and for ſettling other Lands inſtead of them.

13. An Act to enable Truſtees to ſell the Eſtate of *Edward Smith*, Eſq; deceaſed, to raiſe Money for the Payment of his Debts, and to make a Proviſion for his Children, who are Infants.

14. An Act for the enabling of Sir *Thomas Burton*, Bart. to ſell Lands for Payment of Debts.

15. An Act to enable *William Davile* to ſell ſome Lands for Payment of Debts.

16. An Act for the enabling the Right Honourable *Charles* Earl of *Winchelſea* to ſettle a Jointure upon any Wife he ſhall marry during his Minority.

17. An Act for the better enabling the Truſtees and Executors of *Richard Campion*, deceaſed, to perform his Will.

18. An Act to enable the Truſtees of the Right Honourable *James* Lord *Waldgrave* to make Leaſes, and grant Copyhold Eſtates, for the Payment of the Arrears of Annuities of *Henry* Lord *Waldgrave*, his Father, deceaſed.

19. An Act for enabling *Francis More*, Eſq; to ſell the Manor of *Bayhouſe*, and Lands in *Weſt Thorocke* in the County

County of *Eſſex*; and to purchaſe and ſettle other Lands in lieu thereof.

20. An Act for enfranchiſing ſeveral Copyhold Lands and Tenements holden of the Manors of *Albury* and *North Mimms* in the County of *Hertford*.

21. An Act for the better ſecuring the Portions, Debts, and Legacies given and owing by *James* late Earl of *Saliſbury*.

22. An Act for Sale of the Eſtate of *John Cripps*, Gent. in the County of *Kent*, and for ſettling another Eſtate of greater Value, in lieu thereof, to the ſame Uſes.

23. An Act to veſt certain Lands of *William Molyneux*, Gent. in Truſtees, for raiſing the Sum of 2000 l. for paying the Portions to his younger Brother and Siſters, purſuant to a Decree in the Court of *Chancery*.

24. An Act for naturalizing of *Mainhard* Duke of *Leinſter*, and others.

25. An Act for the enabling *Philip* Lord *Stanhope*, Son and Heir Apparent of the Right Honourable *Philip* Earl of *Cheſterfield*, together with the ſaid Earl, to make a Jointure and Settlement upon the Marriage of the ſaid *Philip* Lord *Stanhope*.

26. An Act to enable *Henry Halſtead* to make a Leaſe for the Improvement of his Prebend of *Eald-ſtreet* in the Church of St. *Paul*, *London*.

27. An Act to enable the Biſhop of *London*, and Truſtees, to ſell the Manor of *Buſhley* in the County of *Worceſter*, Part of the Biſhoprick of *London*; and to purchaſe other Lands, to be annexed to the ſaid Biſhoprick, for the Improvement thereof.

28. An Act for the ſettling of certain Meſſuages, Mills, Lands, and Tenements, in the County of *Merioneth*, upon certain Truſtees, to be ſold or mortgaged, towards the Payment of the Debts of *William Vaughan* and *Jenkin Vaughan*, Eſq; deceaſed.

29. An Act for the enabling *Vincent Grantham*, Eſq; to leaſe Part of his Manor of *Golthoe* in *Lincolnſhire*, for the raiſing Monies to pay Portions and Debts charged thereupon.

30. An Act for naturalizing of *Armand Nompar de Commant*, commonly called Marquiſs of *Monpavillan*, and others.

31. An Act to enable the Truſtees of *James* late Earl of *Suffolk*, to ſell the Manor of *Hadſtock* in *Eſſex*, and for diſcharging ſeveral other Manors and Lands of the ſaid late Earl, from 5,000 l. Remainder of 10,000 l. by him formerly charged thereon.

32. An Act for the more ſpeedy Payment of the Debts of *Elizabeth Curtis*, Widow, late deceaſed, and Performance of an Agreement touching the ſame, made between *Charles Curtis* in his Life-time, and *Edward Earle*, according to a Decree in the High Court of *Chancery*.

33. An Act for the veſting ſeveral Manors, Lands, and Rents, in the Counties of *Lincoln*, *Berks*, and *Devon*, in Truſtees, to be ſold for the buying other Manors and Lands to be ſettled for the ſame, or the like Uſes, as thoſe to be ſold are now ſettled.

34. An Act for ſecuring, out of ſome of the Manors, Lands, Tenements, and Hereditaments of *Charles Pelham* of *Brokelſby*, in the County of *Lincoln*, Eſq; the Sum of 5000 l. with Intereſt unto *Anne Pelham*, eldeſt Daughter of the ſaid *Charles*.

35. An Act for the better veſting and ſettling the Manor of *Eaſt Horſley* in *Surrey*, in Truſtees, to be ſold for Payment of the Debts of *Philip Hildeyard*, Eſq;

36. An Act for the better aſſuring to *George Vernon* and his Heirs and Aſſigns, four Acres of Land in *Ebiſham*, in the County of *Surrey*.

37. An Act for incorporating the Proprietors of the Water Works in the Pariſh of St. *Paul's Shadwell* in the County of *Middleſex*, and for the encouraging, carrying on, and ſettling the ſaid Water Works.

38. An Act to veſt divers Manors, Lands, and Tenements in the County of *Leiceſter*, in Truſtees, to be ſold, for the Payment of the Debts and Legacies of Sir *William Halford*, Knight, deceaſed, and for Payment of the other Debts of Sir *William Halford* now living, prior to his Marriage-Settlement with the Lady *Frances* his now Wife.

39. An Act for ſettling the Manor and Lordſhip of *King's Bromley*, and other the Meſſuages, Lands, Tenements, and Hereditaments of *Barbara Newton*, Widow, Relict of *Samuel Newton*, late of the Iſland of *Barbadoes* in *America*, Eſq; deceaſed, and *John Newton*, Eſq; Son and Heir of the ſaid *Samuel*, by the ſaid *Barbara*.

40. An Act to enable Sir *Edwin Sadler*, Bart. to ſell Lands to pay his Debts.

41. An Act for veſting certain Pieces or Parcels of Ground in the Pariſh of St. *James's*, and St. *Martin in the Fields*, late the Eſtate of *Henry* Duke of *Graſton*, deceaſed, in Truſtees, to be ſold.

42. An Act to enable *John Keble*, Gent. to ſell certain Lands in *Stow Market* in the County of *Suffolk*, and to ſettle other Lands of greater Value to the ſame Uſes.

## PUBLICK ACTS.

*Anno 4 W. & M.*

1. AN Act for granting to their Majeſties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War againſt *France*.

2. An Act that the Inhabitants of the Province of *York* may diſpoſe of their perſonal Eſtates by their Wills, notwithſtanding the Cuſtom of that Province.

3. An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds, towards carrying on the War againſt *France*.

4. An Act for taking ſpecial Bails in the County upon Actions and Suits depending in the Courts of *King's Bench*, *Common Pleas*, and *Exchequer*, at *Weſtminſter*.

*Anno 4 & 5 W. & M.*

5. An Act for granting to their Majeſties certain additional Impoſitions upon ſeveral Goods and Merchandiſes for the proſecuting the preſent War againſt *France*.

6. An Act for raiſing the Militia of this Kingdom for the Year One thouſand ſix hundred ninety and three, although the Month's Pay formerly advanced be not repaid.

7. An Act to prevent Abuſes committed by the Traders in Butter and Cheeſe.

8. An Act for encouraging the apprehending of Highwaymen.

9. An Act for reviving of Two former Acts of Parliament for repairing the Highways in the County of *Hertford*.

10. An Act for prohibiting the Importation of all Foreign Hair Buttons.

11. An Act for examining, taking, and ſtating the publick Accounts of this Kingdom.

12. An Act to make Pariſhioners of the Church united Contributors to the Repairs and Ornaments of the Church to whom the Union is made.

13. An Act for puniſhing Officers and Soldiers who ſhall mutiny

mutiny or desert their Majesties Service; and for punishing false Musters, and for the Payment of Quarters.

14. An Act for the Review of the quarterly Poll granted to their Majesties in the last Session of this present Parliament.

15. An Act for continuing certain Acts therein mentioned, and for charging several joint Stocks.

16. An Act to prevent Frauds by clandestine Mortgages.

17. An Act for the regaining, encouraging, and settling the *Greenland* Trade.

18. An Act to prevent malicious Informations in the Court of *King's Bench*, and for the more easy Reversal of Outlawries in the same Court.

19. An Act for preventing Suits against such as acted for their Majesties Service in Defence of the Kingdom.

20. An Act for the better Discovery of Judgments in the Courts of *King's Bench*, *Common Pleas*, and *Exchequer*, at *Westminster*.

21. An Act for delivering Declarations to Prisoners.

22. An Act for regulating Proceedings in the Crown Office in the Court of *King's Bench* at *Westminster*.

23. An Act for the more easy Discovery and Conviction of such as shall destroy the Game of this Kingdom.

24. An Act for reviving, continuing, and explaining several Laws therein mentioned, which are expired and near expiring.

25. An Act for continuing the Acts for prohibiting all Trade and Commerce with *France*, and for the Encouragement of Privateers.

## PRIVATE ACTS.

### *Anno* 4 *W.* & *M.*

1. AN Act for the Sale of the Estate of *Anthony Eyre*, Esq; deceased, for Payment of his Debts, and Portions for his Children.

2. An Act for vesting the Estate real and personal, late of *Henry Hawley*, in Trustees, to be sold, or otherwise disposed, for the Benefit of his Daughters and Heirs *Susan* and *Mary*, who are both Infants.

3. An Act for clearing and removing some Doubts which may arise in an Act of Parliament, intituled, *An Act for the vesting several Manors, Lands, and Rents in the Counties of* Lincoln, Berks, *and* Devon, *in Trustees, to be sold for the buying other Manors and Lands, to be settled for the same, or the like Uses, as those to be sold are now settled.*

4. An Act to enable Sir *John Wentworth*, Baronet, an Infant under the Age of one and twenty Years, to make a Jointure out and Settlement of his Manors and Lands in the Counties of *York*, in the County of the City of *York*, and *Westmoreland*.

5. An Act for the more speedy and effectual Execution of the Trust created by the Will of Sir *Anthony Brown*, Baronet, deceased, and of a Decree in Chancery thereupon.

6. An Act to enable *Alexander Popham*, Esq; to settle a Jointure upon his Wife, and to make Provision for younger Children, upon Receipt of 12000*l.* Portion, to be applied for Payment of his Debts.

7. An Act to enable Sir *George Parker* of *Ratton* in the County of *Sussex*, Baronet, to make a Settlement upon his Marriage, notwithstanding his Minority.

8. An Act to enable *William Wake*, Gent. and *William Wake*, Doctor in Divinity, to make Leases for Lives, or Years, within the Manor of *Shipwick*, in the County of *Dorset*.

9. An Act for the rectifying a Mistake in a certain Act of this present Parliament, passed in the Year 1691. intituled, *An Act to vest certain Lands of* William Molyneux, *Gent. in Trustees, for raising the Sum of* 2000*l. for paying the Portions to his younger Brothers and Sisters, pursuant to a Decree in the Court of Chancery.*

10. An Act for the enabling Sir *William Mannock*, Baronet, to charge his Estate for the raising his younger Childrens Portions.

11. An Act for settling the Manor of *Kings North*, for the enabling *Barnham Powel*, Esq; to make Provision for his younger Children.

12. An Act to enable *Ralph Macclesfield* to sell Lands for Payment of Debts, and making Provision for his Wife and Children.

### *Anno* 4 & 5 *W.* & *M.*

13. An Act for dividing the Chapelries of *North Chapel* and *Dugton* from the Parish of *Petworth*, and erecting them into new Parishes; and for settling the Advowsons and Rights of Patronage of the Rectories of *Petworth*, *North Chapel*, *Dungton*, *Clewer*, *Farnham Royal*, *Worplesdon*, *Kirby*, *Overblows*, and *Catton*, and the Vicarage of *Long Horsley*.

14. An Act for the Sale of certain Manors, Messuages, Lands, and Hereditaments, late the Estate of *Francis Osbaston*, Esq; deceased, for the Payment of his Debts and Legacies, and raising ten thousand Pounds for the Portion of *Mary Osbaston*, his Daughter, chargeable upon the said Estate.

15. An Act to enable Sir *Thomas Wroth*, Baronet, to make a Jointure and Settlement upon his Marriage, and to make a Provision for his Sister, notwithstanding his being under the Age of one and twenty Years.

16. An Act for the settling a Jointure on the Wife of *Anthony Danby*, Esq; and for making Provision for his Brothers and younger Children, and for Payment of his Debts.

17. An Act for confirming the Sale of certain Wood Lands in the County of *Southampton*, and certain Articles of Agreement made between *Isaac Woollaston* and *Richard Woollaston*, Esquires.

18. An Act for the more speedy and effectual Execution of the Trust created by the Will of *Henry Baynton*, Esq; deceased, and for raising a Portion for his Daughter.

19. An Act to enable *Richard Walthall*, Esq; to sell Lands for the Payment of Portions and Debts.

20. An Act for the better Assurance of the Manor of *Wood Lands*, and Hundred of *Knoulton*, unto *Edward Seymour*, Esq;

21. An Act to enable Trustees to sell Part of the Lands and Tenements of *Matthew Pitt*, Esq; and *Robert Pitt*, Gent. for the Payment of Debts, and to settle the rest of the Lands upon the said *Matthew* and *Robert*, and the Wife of the said *Robert*, and their Issue.

22. An Act for settling the Estate of *Francis Boyle*, Lord Viscount *Shannon*, in the Kingdom of *Ireland*.

23. An Act to enable *Humphry* Lord Bishop of *Bangor*, to make a Lease of *Bangor House*, with the Appurtenances, in the Parish of St. *Andrew Holborn*, *London*, for a competent Term of Years, in order to the new Building and improving the Rent thereof, for the Benefit of his Successors.

24. An Act for vesting the Manor of *Barcroft*, otherwise *Thoncecke*, otherwise *Lowthoncke*, *Hinton*, otherwise *Hengton*, and other Lands in the County of *Lincoln*, *Isle of Ely*, and Counties of *Cambridge* and *Norfolk*, in Trustees, for the Payment of the Debts of *Thomas Towers*, Esq; and making Provision for his Wife and Daughter.

25. An Act to enable *Thomas Goodwin* the younger, to sell Lands for the Payment of Debts, and making Provision for his Wife and Children.

26. An Act to enable *Roger Price*, Esq; to sell some Part of his Estate, for Payment of Portions to the Daughters of *John Price*, Esq; deceased.
27. An Act to enable Sir *John Williams*, of *Langibby* Castle in the County of *Monmouth*, Baronet, to sell the Manors of *Ewyas Lacy*, *Walerstone*, and *Trescaillan*, and other Lands in the County of *Hereford*, and the Manor of *Carwent*, and other Lands in the County of *Monmouth*, for Payment of Debts.
28. An Act for the Sale of such Interest as *Thomas Broomhall*, Infant, hath in the Office of the *Warden of the Fleet*, and in thirteen Houses adjoining, and in an Office of the Custody and Keeping of the Palace at *Westminster*, for the more effectual Payment of Debts.
29. An Act for exchanging of several small Parcels of Land, in the Parish and Manor of *Fulham*, belonging to the Bishoprick of *London*, and Part of the Bishoprick of *London*, for other Lands of the like Value, to *Charles Earl* of *Monmouth*, and his Heirs.
30. An Act for the naturalizing of *Henry Shiebell*, and others.
31. An Act for settling and confirming the Manors and Lands in *Hameldon*, in the County of *Rutland*, as they are now enjoyed, and have been for divers Years last past, pursuant to an Agreement for inclosing and exchanging of Lands there.
32. An Act for the Sale of Lands by Sir *Robert Smith*, and settling other Lands of greater Value to the same Uses, in lieu thereof.
33. An Act for the vesting a Messuage and Lands in Trustees, to be sold for the Payment of the Debts of *Abraham Hinde*, deceased.
34. An Act to enable *Abel Atwood* to sell some Lands to pay Debts, and make Provision for younger Children.

## PUBLICK ACTS.

*Anno* 5 *W. & M.*

1. AN Act for granting to their Majesties an Aid of Four Shillings in the Pound for One Year, for carrying on a vigorous War against *France*.
2. An Act for repealing such Parts of several former Acts, as prevent or prohibit the Importation of Foreign Brandy, *Aqua Vitæ*, and other Spirits, and Bacon, except from *France*.
3. An Act for the Importation of fine *Italian*, *Sicilian*, and *Naples* Thrown Silk.
4. An Act to repeal a Clause in the Statute made in the Four and thirtieth and Five and thirtieth Years of King HENRY the Eighth, by which Justices of Peace in *Wales* are limited to Eight in each County.
5. An Act to supply the Deficiency of the Money raised by a former Act, intituled, *An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of Ten hundred thousand Pounds, towards carrying on the War against* France.
6. An Act to prevent Disputes and Controversies concerning Royal Mines.

*Anno* 5 & 6 *W. & M.*

7. An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of Ten hundred thousand Pounds, towards carrying on the War against *France*.
8. An Act for the explaining, and the more effectual Execution of a former Act, for the Relief of poor Prisoners.
9. An Act for Repeal of a Clause in the Statute of the Fifth Year of Queen ELIZABETH (containing divers Orders for Artificers and others) which relates to Weavers of Cloth.
10. An Act for the Relief of the Orphans, and other Creditors of the City of *London*.
11. An Act to prevent Delays of Proceedings at the Quarter Sessions of the Peace.
12. An Act to take away the Process for the *Capiatur* Fine, in the several Courts at *Westminster*.
13. An Act to repeal the Statute made in the Tenth Year of King EDWARD the Third, for finding Sureties for the good Abearing, by him or her that hath a Pardon of Felony.
14. An Act for raising Money by a Poll, payable quarterly, for one Year, for carrying on a vigorous War against *France*.
15. An Act for continuing the Act for punishing Officers and Soldiers who shall mutiny or desert their Majesties Service, and for punishing false Musters, and for the Payment of Quarters, for one Year longer.
16. An Act for the Importation of Salt Petre, for One Year.
17. An Act for the Exportation of Iron, Copper, and Mundick Metal.
18. An Act for the enabling their Majesties to make Grants, Leases, and Copies, of Offices, Lands, and Hereditaments, Parcel of their Duchy of *Cornwall*, or annexed to the same; and for Confirmation of Leases and Grants already made.
19. An Act for raising the Militia of this Kingdom, for the Year one thousand six hundred ninety-four, although the Month's Pay formerly advanced be not repaid.
20. An Act for granting to their Majesties several Rates, and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of Fifteen hundred thousand Pounds towards carrying on the War against *France*.
21. An Act for granting to their Majesties several Duties upon Vellum, Parchment, and Paper, for Four Years, towards carrying on the War against *France*.
22. An Act for the licensing and regulating Hackney Coaches, and Stage Coaches.
23. An Act for appointing and enabling Commissioners to examine, take, and state the publick Accounts of the Kingdom.
24. An Act for building good and defensible Ships.
25. An Act for the better Discipline of their Majesties Navy Royal.

## PRIVATE ACTS.

*Anno* 5 *W. & M.*

1. AN Act to enable *John Vivian*, Esq; and *Thomas Vivian* his Son, to sell some Part of their Estate, for Payment of Debts, and making Provision for younger Children; and for settling other Part of their Estate in lieu thereof.
2. An Act to indemnify the Trustees of *James Clayton*, Esq; for joining with him in selling Lands for Payment of his Debts.



*Anno*

*Anno* 5 & 6 *W.* & *M.*

3. An Act to enable *Roger Whitley* the Elder, Esq; and *Thomas Whitley*, Esq; to exchange certain Lands of equal Value, in the County of *Chester*.
4. An Act for Payment of the Debts of *George Turner*, Esq; deceased.
5. An Act to enable Sir *Charles Barrington*, Baronet, to settle a Jointure on Dame *Bridget* his Wife, and to make Provision for their younger Children.
6. An Act to enable *Thomas* Earl of *Thanet*, and the Honourable *Sackville Tufton*, his Brother, to make a Lease for Sixty Years of *Thanet* House, in the Parish of *St. Botolph*, *Aldersgate*, to commence after the Remainder of the Term of One and thirty Years now in being.
7. An Act for Sale of Part of the Estate of *Henry Frere*, an Infant, to raise Monies for Inning and Recovering other Parts thereof now under Water; and for Payment of Debts charged thereon.
8. An Act for making a Bridge over the River *Axe*, in the County of *Somerset*.
9. An Act to enable *John Whitehall* to charge certain Lands with the Sum of 1500 *l.* towards Portions for his younger Children.
10. An Act for Sale of the Estate of *Susan Chaplyn*, and *Dorothy Chaplyn*, her Daughter, for Payment of Debts, and making a Provision for the said *Susan* and *Dorothy*.
11. An Act to enable the Trustees of *Alice Turner*, Widow, and her Children, to make Sale of certain Houses, or Ground, in or near *Lincolns Inn Fields*, in the County of *Middlesex*, during the Minority of the younger Children.
12. An Act to enable *Thomas Edwards* to sell Part of his Estate for the Payment of Debts, and to restrain and disable him to commit Waste upon the Residue of the said Estate.
13. An Act for settling the Inheritance of some Part of the Estate of *Charles Turner*, Esq; (which lie dispersed) to himself and his Heirs, and settling an entire Estate of greater Value in lieu thereof, to the Uses the said other Parts of his Estate were settled.
14. An Act for Sale of the Estate of *William Stephens*, deceased, for Payment of the Mortgage thereupon, and applying the Overplus for the Benefit of his Sons, who are Infants.
15. An Act to vest the Estate of *Mary*, *Elizabeth*, and *Anne Mildmay*, and *Edward Dixy* and *Arabella* his Wife, and *Lucy* and *Anne Mildmay*, in Trustees, to be sold for Satisfaction of Mortgages and Debts thereupon, and preserving the Overplus for their Benefit.
16. An Act for settling the Estate of Sir *John Maynard*, Knight, deceased, late One of the Lords Commissioners for the Custody of the Great Seal of *England*.
17. An Act for Payment of the Debts of *John* Lord *Stawell*, lately deceased.
18. An Act to enable Trustees to sell Part of the Estate of *Nathaniel Brent*, Gent. deceased, to raise Money for Payment of his Debts, and Maintenance for his Children, who are Infants.
19. An Act for vesting the Third Part of the Manor of *Leckby*, alias *Letby*, and other Lands in the County of *York*, in Trustees to be sold; and for settling a Farm, and other Lands, in *Terling* and *Mack Leighs*, in the County of *Essex*, of greater Value, to and upon the same Uses.
20. An Act for erecting a new Parish, to be called the Parish of St. *John* of *Wapping* in the County of *Middlesex*.
21. An Act for vesting in Trustees the Estate late of Sir *James Beverly*, in *Huntingtonshire*, to be sold.
22. An Act for naturalizing *Johanna D'Offerel* an Infant, and her Sister and Two Brothers, and others.

## PUBLICK ACTS.

*Anno* 6 *W.* & *M.*

1. AN Act for granting to their Majesties a Subsidy of Tunnage and Poundage, and other Sums of Money payable upon Merchandises exported and imported.
2. An Act for the frequent meeting and calling of Parliaments.

*Anno* 6 *W.* 3.

3. An Act for granting to His Majesty an Aid of Four Shillings in the Pound, for One Year; and for applying the yearly Sum of Three hundred thousand Pounds, for Five Years, out of the Duties of Tunnage and Poundage, and other Sums of Money, payable upon Merchandises exported and imported, for carrying on the War against *France* with Vigour.
4. An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries.

*Anno* 6 & 7 *W.* 3.

5. An Act for enabling such Persons as have Estates for Life in Annuities, payable by several former Acts therein mentioned, to purchase and obtain further or more certain Interest in such Annuities; and in Default thereof, for admitting other Persons to purchase or obtain the same, for raising Monies for carrying on the War against *France*.
6. An Act for granting to His Majesty certain Rates and Duties upon Marriages, Births, and Burials, and upon Batchelors, and Widowers, for the Term of Five Years, for carrying on the War against *France* with Vigour.
7. An Act for granting to His Majesty several additional Duties upon Coffee, Tea, Chocolate, and Spices, towards Satisfaction of the Debts due for Transport Service, for the Reduction of *Ireland*.
8. An Act for continuing two former Acts for punishing Officers and Soldiers, who shall mutiny or desert His Majesty's Service, and for punishing false Musters, and for Payment of Quarters, for One Year longer.
9. An Act for appointing and enabling Commissioners to examine, take, and state the publick Accounts.
10. An Act for the better Admeasurement of Keels, and Keel Boats, in the Port of *Newcastle*, and the Members thereunto belonging.
11. An Act for the more effectual suppressing profane Cursing and Swearing.
12. An Act for explaining and regulating several Doubts, Duties, and Penalties in the late Act for granting several Duties upon Vellum, Parchment, and Paper; and for ascertaining the Admeasurement of the Tunnage of Ships.
13. An Act for raising the Militia of this Kingdom for the Year 1695. and for repealing the Statute of 2 & 3 *Edw.* 6. intituled, *An Act against shooting of Hail Shot*.
14. An Act for continuing several Laws therein mentioned.
15. An Act to indemnify Sir *Thomas Cooke* from Actions which he might be liable to, by Reason of his discovering to whom he paid and distributed several Sums of Money therein mentioned to be received out of the Treasure of the *East India* Company, or for any Prosecution for such Distribution.
16. An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of *Thames*, Westward, and for ascertaining the Rates of Water Carriage upon the said River.

17. An

17. An Act to prevent counterfeiting and clipping the Coin of this Kingdom.
18. An Act for granting to his Majesty certain Duties upon Glass Wares, Stone and Earthen Bottles, Coals, and Culm, for carrying on the War against *France*.
19. An Act for imprisoning Sir *Thomas Cooke*, Sir *Bazil Firebrace*, *Charles Bates*, Esq; and *James Craggs*, and restraining them from alienating their Estates.
20. An Act for the King's most gracious, general, and free Pardon.

## PRIVATE ACTS.

*Anno 6 W. & M.*

1. AN Act for rebuilding the Town of *Warwick*, and for determining Differences touching Houses burnt and demolished by Reason of the late dreadful Fire there.
2. An Act for supplying certain Defects in the Directions made in and by a Deed of Trust, and the last Will of *George Pitt*, Esq; deceased, for settling his Estate.
3. An Act for naturalizing *Barnard Cofferat*, alias *Maurte*, and *Alexander Pringli*, and others.

*Anno 6 & 7 W. 3.*

4. An Act for settling divers Manors and Lands upon the Marriage of the Marquis of *Tavistock*, Grandson of the Duke of *Bedford*.
5. An Act to enable the Guardians of *James* Earl of *Salisbury* to make Leases of *Salisbury House*, and some other Hereditaments in the *Strand*, in the County of *Middlesex*, for Improvement thereof by building.
6. An Act for confirming two Indentures tripartite, the one of Lease, the other of Release, made between the Right Honourable *Thomas* Earl of *Thanet Island*, of the first Part, the Honourable *Sackville Tufton*, Esq; of the second Part, and the Honourable *William Cheyne*, Esq; and Sir *Charles Tufton*, Knt. of the third Part, and the Estates thereby settled.
7. An Act for the dividing and settling of the Estate of the Coheirs of *John* late Earl of *Rochester*, and for discharging Trusts thereupon.
8. An Act for the vesting the Manors of *Earls Croome* alias *Jeffrys Croome*, and *Baughton* in the County of *Worcester*, in Trustees, to be sold, and for settling the Manor House and Royalty of *Wainfleet St. Mary*'s, in the County of *Lincoln*, and divers Lands, Parcel of the said Manor, of greater Value, to and upon the same Uses; and to enable Sir *Robert Berkham*, Bart. to make Provision for his younger Children.
9. An Act to vest in Trustees certain Lands of Sir *Gervase Clifton*, Bart. in the County of *Nottingham*, for Payment of Debts, and raising Portions for younger Children.
10. An Act for enabling the Inhabitants of the Parish of *Christ Church*, in the County of *Surrey*, to make Rates for raising a Maintenance for a good and able Minister, and for the impowering the Trustees of the Will of *John Marshal*, deceased, to imploy Monies for the finishing the said Parish Church.
11. An Act to confirm a Grant made by the Rector of the united Parishes of St. *Michael Royal*, and St. *Martin in the Ventrey*, *London*, of Part of St. *Martin*'s Churchyard.
12. An Act to enable Trustees to grant Leases of the Lands of *Henry Northly*, Esq; lately deceased, for Payment of his Debts, and providing a Maintenance for his Children.
13. An Act to vest certain Lands and Tenements, late of *John Estoft* of *Etton*, in the County of *York*, Esq; in Trustees, to be sold towards Payment of the Debts of the said *John Estoft*, and raising Portions for his Daughters.
14. An Act to enable *Jane Rogers*, the Widow and Relict of *Brian Rogers*, late of *Falmouth*, Merchant, deceased, and Administratrix of his Goods and Chattels, with his Will annexed, and other Trustees therein named, to sell Lands for the Payment of the Debts and Legacies of the said *Brian Rogers*, in Performance of his said Will.
15. An Act for ratifying and confirming a certain Indenture of Lease of *Marton Meare*, in the County of *Lancaster*, made by the Earl of *Derby* and others, to *Thomas Fleetwood*, Esq;
16. An Act to vest certain Lands and Tenements in Trustees, to be sold for the better Provision of the Daughters and Coheirs of *Joseph Finch*, Esq; deceased.
17. An Act to vest in Trustees certain Lands in *Kent*, and *Sussex*, of *John Carlye*, Esq; for the Payment of Debts, and raising of Portions for younger Children, and to supply the Defects of a Conveyance intended for those Purposes.
18. An Act to vest certain Lands of Sir *William Chaitor*, Bart. in *Yorkshire* and *Durham*, to be sold for Payment of Debts charged thereon, and to secure Portions for younger Children.
19. An Act for enabling Sir *Paul Whitchcott*, Knt. and Bart. and Dame *Jane* his Wife, to make Leases for ninety-nine Years, of the Manor of *Tooting Graveny*, and any of their Messuages, Lands, and Hereditaments in *Tooting Graveney*, *Tooting Beak*, and *Streatham*, in the County of *Surrey*, for the better Improvement thereof.
20. An Act to enable *William Wanley*, an Infant under the Age of twenty-one Years, to new build several Messuages or Tenements in *Ax-yard*, *King-street*, *Westminster*, and to enable his Guardian to make one or more Lease or Leases for effecting the same.
21. An Act for Sale of Part of the Estate of *Jonathan Webb*, Esq; for Discharge of Debts and Incumbrances charged thereupon.
22. An Act to enable *Elizabeth Howland*, the Widow of *John Howland*, Esq; deceased, to settle Lands upon the Marriage of his sole Daughter and Heir, and for settling Lands upon the said Widow *Howland* for her Life, in lieu of Dower; and for indemnifying Sir *Josiah Child*, and the said Widow *Howland*, Grandfather and Mother of the said Heir, in disposing of the Personal Estate belonging to her, upon her Preferment in Marriage, she being under the Age of Twenty-one Years.
23. An Act for the vesting certain Lands and Tenements, the Estate of *George Gilbert Pierce* of the *Middle Temple*, *London*, Esq; in Trustees, for the raising Monies for the Payment of his Debts.
24. An Act for making salt Water fresh.
25. An Act to enable Trustees of *William Gage*, Esq; to raise Money by a Mortgage of Part of his Estate, for the Preservation of the Timber growing thereon.
26. An Act for the better enabling the Executors and Trustees of Sir *Thomas Hare*, Bart. lately deceased, to raise Portions and Maintenances for his younger Children.
27. An Act to enable *Peter Gallop*, Gent. to sell a Farm and certain Lands called *Wantsley*, and to vest the Inheritance thereof in Fee-simple, in such Person or Persons who

who ſhall be Purchaſer or Purchaſers thereof from him, ſubject only to the Payment of the Sum of One thouſand Pounds Principal Money, with the Intereſt thereof, due and to grow due unto the executory Eſtate of *Robert Mereſiel'*, Gent. deceaſed.

28. An Act for ſelling the Eſtate of *John Kirk*, deceaſed, for Payment of his Debts.

29. An Act to enable *Hannah Woollaſton*, Widow, and *Jonathan* her Son, an Infant, to ſell certain Lands and Tenements in *Warnford*, in the County of *Southampton*, for Payment of Debts and Legacies, according to the Will of *Richard Woollaſton*, Eſq; deceaſed.

30. An Act for reverſing the Attainder of *Jacob Leiſter*, and others.

## PUBLICK ACTS.

*Anno 7 W. 3.*

1. AN Act for remedying the ill State of the Coin of the Kingdom.
2. An Act for enlarging the Times to come in and purchaſe certain Annuities therein mentioned, and for continuing the Duties formerly charged on Low Wines, or Spirits of the Firſt Extraction, for carrying on the War againſt *France*.
3. An Act for regulating of Trials in Caſes of Treaſon and Miſpriſion of Treaſon.
4. An Act for preventing Charge and Expence in Elections of Members to ſerve in Parliament.
5. An Act for granting to His Majeſty an Aid of Four Shillings in the Pound for One Year, for carrying on the War againſt *France*.

*Anno 7 & 8 W. 3.*

6. An Act for the more eaſy Recovery of ſmall Tithes.
7. An Act to prevent falſe and double Returns of Members to ſerve in Parliament.
8. An Act for taking, examining, and ſtating the publick Accounts.
9. An Act for repairing the Highways between the City of *London*, and the Town of *Harwich*, in the County of *Eſſex*.
10. An Act for continuing ſeveral Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco, and *Eaſt India* Goods and other Merchandiſe imported, for carrying on the War againſt *France*.
11. An Act for impowering His Majeſty to apprehend and detain ſuch Perſons, as he ſhall find Cauſe to ſuſpect are conſpiring againſt His Royal Perſon and Government.
12. An Act for Relief of poor Priſoners for Debt or Damages.
13. An Act for taking off the Obligation and Encouragement for coining Guineas, for a certain Time therein mentioned.
14. An Act for making navigable the Rivers of *Wye*, and *Lugg*, in the County of *Hereford*.
15. An Act for the continuing, meeting, and ſitting of a Parliament, in caſe of the Death or Demiſe of His Majeſty, His Heirs, and Succeſſors.
16. An Act for raiſing the Militia of this Kingdom for the Year One thouſand ſix hundred and ninety-ſix, altho' the Month's Pay formerly advanced be not repaid.
17. An Act to continue four former Acts for preventing Theft and Rapine upon the Northern Borders of *England*.
18. An Act for granting to His Majeſty ſeveral Rates and Duties upon Houſes, for making good the Deficiency of the clipt Money.
19. An Act to encourage the bringing Plate into the Mint, to be coined; and for the further remedying the ill State of the Coin of the Kingdom.
20. An Act for granting to His Majeſty an additional Duty upon all *French* Goods and Merchandize.
21. An Act for the Increaſe and Encouragement of Seamen.
22. An Act for preventing Frauds, and regulating Abuſes in the Plantation Trade.
23. An Act for continuing ſeveral former Acts for puniſhing Officers and Soldiers who ſhall mutiny or deſert His Majeſty's Service, and for puniſhing falſe Muſters, and for Payment of Quarters, for One Year longer.
24. An Act requiring the Practicers of the Law to take the Oaths, and ſubſcribe the Declaration therein mentioned.
25. An Act for the further regulating Elections of Members to ſerve in Parliament; and for preventing irregular Proceedings of Sheriffs, and other Officers, in the electing and returning ſuch Members.
26. An Act for repairing the Highways between *Wymondham* and *Attleborough*, in the County of *Norfolk*.
27. An Act for the better Security of His Majeſty's Royal Perſon and Government.
28. An Act for the more effectually preventing the Exportation of Wool, and for the encouraging the Importation thereof from *Ireland*.
29. An Act for the better amending and repairing the Highways, and Explanation of the Laws relating thereto.
30. An Act for laying ſeveral Duties upon Low-Wines, or Spirits of the firſt Extraction, and for preventing the Frauds and Abuſes of Brewers, Diſtillers, and other Perſons chargeable with the Duties of Exciſe.
31. An Act for continuing to His Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War againſt *France*, and for eſtabliſhing a national Land-Bank, and for taking off the Duties upon Tonnage of Ships, and upon Coals.
32. An Act for the Eaſe of Jurors, and better regulating of Juries.
33. An Act for the better Encouragement of the *Greenland* Trade.
34. An Act that the ſolemn Affirmation and Declaration of the People called *Quakers*, ſhall be accepted inſtead of an Oath in the uſual Form.
35. An Act for the enforcing the Laws which reſtrain Marriages without Licence or Banns; and for the better regiſtring Marriages, Births, and Burials.
36. An Act for continuing ſeveral Acts of Parliament therein mentioned.
37. An Act for the Encouragement of charitable Gifts and Diſpoſitions.
38. An Act to take away the Cuſtom of *Wales*, which hinders Perſons from diſpoſing their Perſonal Eſtates by their Wills.
39. An Act for encouraging the Linen Manufacture of *Ireland*, and bringing Flax and Hemp into, and the making of Sail-Cloth in this Kingdom.

# The TITLES of the STATUTES.

## PRIVATE ACTS.

*Anno 7 W. 3.*

1. AN Act for enabling the Lady *Katharine Fane* to ſell the Reverſion of certain Fee-Farm Rents given her by her Grandfather *John Bence*, Eſq;
2. An Act for enabling Sir *Thomas Parkyns*, Bart. to ſell certain Meſſuages, Lands, and Hereditaments in *Huby*, and *Eaſing-Would*, in the County of *York*, and for ſettling other Lands and Hereditaments of greater Value in lieu thereof.
3. An Act to enable Sir *Thomas Pope Blount*, Bart. to make a Settlement upon the Marriage of his eldeſt Son.
4. An Act for veſting the Manor of *Madely*, in the County of *Salop*, in Truſtees, for certain Purpoſes therein mentioned.
5. An Act for enabling *Thomas Stoner*, Eſq; Son and Heir of *John Stoner*, Eſq; deceaſed, to make a Jointure and Settlement of his Eſtate in Marriage, notwithſtanding his Minority.
6. An Act for veſting ſeveral Meſſuages and Lands belonging to *Samuel Powell*, Eſq; in Truſtees, for Payment of his Debts.

*Anno 7 & 8 W. 3.*

7. An Act to enable *Anthony* Earl of *Kent*, and *Henry Grey* his Son and Heir apparent, to make a Jointure for *Jemima*, Wife of the ſaid *Henry Grey*.
8. An Act to enable the Lord *Francis Pawlet*, to charge his Eſtate with Proviſions for his younger Children.
9. An Act for veſting the Eſtate late of Sir *Nicholas Stoughton*, and Sir *Lawrence Stoughton*, Baronets, deceaſed, in Truſtees, to be ſold for the Payment of their Debts, and raiſing Portions for the Daughters of the ſaid Sir *Nicholas Stoughton*.
10. An Act to enable *Richard Haynes*, Eſq; to ſettle a Jointure on his now Wife, and to exchange Lands with the Truſtees of *Thomas Stephens*, Eſq; deceaſed.
11. An Act for enabling Truſtees to ſell Part of the Eſtate of *Edmund Warner*, deceaſed, for Payment of his Debts, and for preſerving the reſt for the Benefit of his Heir.
12. An Act to enable *John Aunger*, an Infant, and his Mother, to make a Leaſe of his Eſtate for the Improvement thereof.
13. An Act to enable Truſtees to ſell Part of the Manor of *Barkhamſtead*, and pay off the Incumbrances charged on the ſame, and to lay out the Overplus in an Eſtate to be ſettled as the ſaid Manor is now veſted.
14. An Act for naturalizing *Henry de Naſſau*, and other Children of *Henry de Naſſau, Signior du Auverquerque*.
15. An Act to enable *John Fownes*, Eſq; to ſell certain Lands in the County of *Devon*, which were ſettled on his Marriage, and to ſettle other Lands of an equal Value to the ſame Uſes.
16. An Act to enable Truſtees to exchange Lands of Sir *James Chamberlain*, Bart. an Infant, lying in the Common Hill or Field of *Salford*, in the County of *Oxford*, for the like Quantities of Lands there, in order to the making an Incloſure.
17. An Act to enable the Pariſh of St. *James*, within the Liberty of the City of *Weſtminſter*, to raiſe upon themſelves ſo much Money as will diſcharge their Debt for building their Pariſh Church, Rector's Houſe, Veſtry, and other publick Works there.
18. An Act to aſcertain and ſettle the Payment of the Impropriate Tithes of the Pariſh of St. *Lawrence Old Jury*, in *London*, to the Maſter and Scholars of *Baliol College* in *Oxford*, and for confirming an Award made concerning the ſame.
19. An Act for naturalizing *James Stanhope*, Eſq; and others.
20. An Act for naturalizing *Solomon Eyme*, and others.
21. An Act to confirm and eſtabliſh an Exchange made between *Thomas Rider*, Eſq; and *Chriſtopher Clitherow*, Eſq; of certain Meſſuages in *London*, for the Manors of *Bilſington* and other Lands in *Kent*, of the like Value.
22. An Act to enable Truſtees to fill up Leaſes of the reſpective Eſtates of *Bluet Wallop*, Eſq; and *John Wallop*, Gent. during their Minorities, and to purchaſe other Lands by the Fines thereby to be received, to the ſame Uſes as the Eſtates ſo to be leaſed are already ſettled.
23. An Act for enabling Truſtees to ſell the Manor of *Peſpoole*, in the County of *Durham*, Part of the Eſtate of *William Milford*, an Infant, for Payment of Debts and Incumbrances charged thereon; and for preſerving the reſt of the ſaid Infant's Eſtate.
24. An Act for impowering the moſt noble *Anne* Ducheſs of *Buckcleugh*, and the Right Honourable *James* Earl of *Dalkeith*, her Son, of the Kingdom of *Scotland*, to grant Leaſes for improving a Piece of Ground in the Pariſh of St. *Martin in the Fields*, in the County of *Middleſex*.
25. An Act to enable Truſtees to raiſe Money for the making a wet Dock, and improving the Eſtate of the Marqueſs and Marchioneſs of *Taviſtock*, at *Rotherhithe*, in the County of *Surrey*.
26. An Act to naturalize *William*, commonly called Viſcount *Tunbridge*, and other Children of the Earl of *Rochford*.
27. An Act for the better Improvement of a Houſe and Ground in *Great Queen-ſtreet*.
28. An Act to enable Truſtees to ſell a Meſſuage, Garden, and Out-houſe, in *Lincoln's-Inn-Fields*, late Sir *Robert Sawyer's*, Knt. deceaſed, and for purchaſing other Lands and Tenements to be ſettled to the ſame Uſes.
29. An Act for ſettling divers Lands and Rent-charges, on the Rector of the Church of *Maydwell*, in the County of *Northampton*, and his Succeſſors; and in lieu thereof for ſettling other Lands, and diſcharging Tithes belonging to the ſaid Church, according to ſeveral Agreements between the Patron and the ſaid Rector, made upon the incloſing of Lands in *Maydwell*, and afterwards, with Conſent of the Ordinary, confirmed by ſeveral Decrees in the Court of Chancery.
30. An Act for ſettling the Perſonal Eſtate of *Richard Jones*, Eſq; and *Mary Gufford*, Spinſter, Minors, in Truſtees, for the Purpoſes therein mentioned.
31. An Act for the better ſupplying the City of *Briſtol* with freſh Water.
32. An Act for erecting of Hoſpitals and Workhouſes within the City of *Briſtol*, for the better employing and maintaining the Poor thereof.
33. An Act for making good the laſt Will of Sir *William Barkham*, Baronet, deceaſed, and veſting of Lands in Truſtees, to be ſold for Payment of his Debts, and making Proviſion for his Children.
34. An Act to enable Sir *Charles Heron*, Bart. to ſell Lands for Payment of a Portion and Debts.
35. An Act to enable Sir *Thomas Wagſtaff*, Knt. to raiſe and ſecure a Portion for *Frances* his only Daughter and Heir apparent.
36. An Act for veſting the Moiety of the Manor of *Shipton Mallet* in the County of *Somerſet*, and divided

Moiety of the Manor of *Wells* in the ſaid County, in Truſtees, to be ſold for Payment of a Mortgage charged thereon, and for making a Proviſion for the Maintenance of *Mary* the Wife of *William Sands*, Eſq; and her Children.

37. An Act for making the Towns of *Stretton*, and *Princethorpe*, a ſeparate Pariſh from *Woolſton*, in the County of *Warwick*.

38. An Act for veſting Part of the Eſtate of *Joſeph Dawſon*, Eſq; in Truſtees, for Payment of Debts, and for a Proviſion for the Maintenance and Marriage of his Daughters.

39. An Act for Sale of Lands in *Horſington* in the County of *Somerſet*, Part of the Eſtate of *William Ridout* an Infant, for Payment of Incumbrances charged thereon, and for preſerving the Reſidue of the Eſtate for the Infant.

40. An Act for veſting certain Lands of *Thomas Bigg* and his Wife in *Chiſlet*, in the County of *Kent*, in Truſtees, for Payment of Debts, and making Proviſion for their Children.

41. An Act for reveſting in his Majeſty the Honour of *Tutbury*, Foreſt of *Needwood*, ſeveral Manors, Parks, Lands, and Offices, and other Profits thereunto belonging, and for vacating certain Letters Patent therein mentioned.

## PUBLICK ACTS.

*Anno* 8 *W.* 3.

1. AN Act for the importing and coining Guineas and Half Guineas.

2. An Act for the further remedying the ill State of the Coin of the Kingdom.

3. An Act to explain that Part of an Act paſſed the laſt Seſſion of Parliament, for laying ſeveral Duties on Low-Wines, and Spirits of the firſt Extraction, and for preventing the Frauds and Abuſes of Brewers, Diſtillers, other Perſons chargeable with the Duties of Exciſe, which relates to the Payment of Tallies, and the Intereſt thereof.

4. An Act to attaint Sir *John Fenwick*, Bart. of High Treaſon.

5. An Act to attaint ſuch of the Perſons concerned in the late horrid Conſpiracy to aſſaſſinate his Majeſty's Royal Perſon, who are fled from Juſtice, unleſs they render themſelves to Juſtice, and for continuing ſeveral others of the ſaid Conſpirators in Cuſtody.

6. An Act for granting an Aid to his Majeſty, as well by a Land Tax, as by ſeveral Subſidies and other Duties, payable for one Year.

*Anno* 8 & 9 *W.* 3.

7. An Act for granting to his Majeſty ſeveral Duties upon Paper, Vellum, and Parchment, to encourage the bringing of Plate and hammered Money into the Mints to be coined.

8. An Act for encouraging the bringing in of Wrought Plate to be coined.

9. An Act to reſtore the Market at *Blackwell Hall* to the Clothiers, and for regulating the Factors there.

10. An Act to enable the Returns of Juries as formerly, until the firſt Day of *November* one thouſand ſix hundred ninety-ſeven.

11. An Act for the better preventing frivolous and vexatious Suits.

12. An Act for continuing ſeveral additional Impoſitions upon ſeveral Goods and Merchandiſes.

13. An Act for continuing ſeveral former Acts for puniſhing Officers and Soldiers, who ſhall mutiny or deſert his Majeſty's Service, and for puniſhing falſe Muſters, and for Payment of Quarters, for one Year longer.

14. An Act for compleating the building and adorning the Cathedral Church of St. *Paul*, *London*, and for repairing the Collegiate Church of St. *Peter*, *Weſtminſter*.

15. An Act for repairing the Highway between *Ryegate* in the County of *Surrey*, and *Crawley* in the County of *Suſſex*.

16. An Act for enlarging common Highways.

17. An Act for paving and regulating the *Hay-market* in the Pariſhes of St. *Martin in the Fields*, and St. *James*, within the Liberty of *Weſtminſter*.

18. An Act for Relief of Creditors, by making Compoſitions with their Debtors, in Caſe two Thirds in Number and Value do agree.

19. An Act for repealing a Clauſe in a former Act relating to Party Guiles, and for the better preventing Frauds and Abuſes of Brewers, and others, chargeable with the Duties of Exciſe.

20. An Act for making good the Deficiencies of ſeveral Funds therein mentioned, and for enlarging the Capital Stock of the Bank of *England*, and for raiſing the Publick Credit.

21. An Act for laying a Duty upon Leather, for the Term of three Years, and making other Proviſion for anſwering the Deficiencies as well of the late Duties upon Coals and Culm, as for paying the Annuities upon the Lottery, and for Lives, charged on the Tunnage of Ships, and the Duties upon Salt.

22. An Act for granting to his Majeſty certain Duties upon Malt, Mum, Sweets, Cyder, and Perry, as well towards carrying on the War againſt *France*, as for the neceſſary Expence of his Houſhold, and other Occaſions.

23. An Act to enforce the Act for the Increaſe and Encouragement of Seamen.

24. An Act for granting to his Majeſty a further Subſidy of Tunnage and Poundage upon Merchandiſes imported, for the Term of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War againſt *France*.

25. An Act for licenſing Hawkers and Pedlars, for a further Proviſion for Payment of the Intereſt of the Tranſport Debt for the reducing of *Ireland*.

26. An Act for the better preventing the Counterfeiting the current Coin of this Kingdom.

27. An Act for the more effectual Relief of Creditors in Caſes of Eſcapes, and for preventing Abuſes in Priſons, and pretended priviledged Places.

28. An Act for the better Obſervation of the Courſe anciently uſed in the Receipt of Exchequer.

29. An Act for the Repair of the Piers of *Bridlington*, alias *Burlington*, in the Eaſt Riding of the County of *York*.

30. An Act for ſupplying ſome Defects in the Laws for the Relief of the Poor of this Kingdom.

31. An Act for the eaſier obtaining Partitions of Lands in Coparcenary, Joint Tenancy, and Tenancy in Common.

32. An Act to reſtrain the Number and ill Practice of Brokers and Stock Jobbers.

33. An Act to make perpetual and more effectual an Act, intituled, *An Act to prevent Delays at the Quarter Seſſions of the Peace*.



34. An

34. An Act for leſſening the Duty upon Tin and Pewter exported, and granting an Equivalent for the ſame, by a Duty upon Drugs.
35. An Act for raiſing the Militia for the Year one thouſand ſix hundred ninety-ſeven, although the Month's Pay formerly advanced be not repaid.
36. An Act for the further Encouragement of the Manufacture of Luſtrings and Alamodes within this Realm, and for the better preventing the Importation of the ſame.
37. An Act for explaining and enforcing the Act for paving and cleanſing the Streets within the Cities of *London* and *Weſtminſter*, and Borough of *Southwark*, and Weekly Bills of Mortality, and Streets adjoining thereunto; and for widening the Street at the South End of *London Bridge*.

## PRIVATE ACTS.

*Anno* 8 *W.* 3.

1. AN Act for naturalizing *Frederic Chriſtiaen de Rhode* called Lord *Aghram*, and others.
2. An Act for the Settlement of the Manor of *Treyagoe* in the County of *Hereford*, and other Lands, late of *Crompton Minors*, Eſq; deceaſed; and for raiſing and increaſing of the Portion of *Theodoſia Minors*, the Daughter of the ſaid *Crompton*, ſhe being an Infant of the Age of ſeventeen Years.
3. An Act for veſting the Manor of *Holm*, alias *Eaſt-holm*, and *Swannage* in the County of *Dorſet*; Part of the Eſtate of Sir *John Hanham*, Baronet, in Truſtees, to be ſold for diſcharging a Mortgage thereupon, and upon the Reſidue of the ſaid Sir *John Hanham*'s Eſtate; and for Payment of his other Debts.
4. An Act for enabling *Oliver Neve*, *Great* of *Witchingham* in the County of *Norfolk*, Eſq; to ſell two Houſes in *London*, and for veſting other Lands in the ſaid County, of greater Value, to the ſame Uſes.

*Anno* 8 & 9 *W.* 3.

5. An Act for enabling *James* Duke of *Ormond* to raiſe Money by Sale of Woods, and make Leaſes for Lives, renewable for ever, for Payment of Debts, and for encouraging *Engliſh* Plantations in *Ireland*. And for *Charles* Lord *Weſton*, Earl of *Arran* in the Kingdom of *Ireland*, to make Leaſes of his Eſtate in the ſaid Kingdom.
6. An Act for the Exchange of certain Advowſons between the Biſhop of *London* and the Earl of *Nottingham*.
7. An Act for the ſpeedy ſatisfying the Debts of *Francis* late Lord *Holles*, deceaſed.
8. An Act to enable Sir *Ralph Aſhton*, Baronet, to ſupply an Omiſſion of Limitation intended in his Marriage Settlement, for the Benefit of his Iſſue Male.
9. An Act for the Sale of the Eſtate of *Francis Griffith*, late of *London*, Scrivener, deceaſed, for Payment of his Debts.
10. An Act for ſettling the Eſtate of *Mary Savile*, an Infant, upon her Marriage.
11. An Act to enable the Sale of Lands, late of *Jeffery Stockley*, in the County of *Cheſter*, deceaſed, for Payment of Debts, and for making Proviſion for *Mary* his Daughter.
12. An Act for veſting certain Meſſuages, Lands, and Tenements, late of *Charles Milſon*, deceaſed, in Truſtees, to ſell for Payment of Debts and Legacies, and lay out the Surplus Money in a Purchaſe of Lands for the Uſe of *Edward Milſon*, and his Heirs, according to the Will of the ſaid *Charles Milſon*.
13. An Act to enable *Nicholas Goodwin* the Elder, and *Nicholas Goodwin* the Younger, to ſell the Manor of *Winſlow* in the County of *Bucks*, and with the Monies ariſing thereby, and other Monies to be advanced by the ſaid *Nicholas Goodwin* the Elder, to purchaſe Lands of a greater yearly Value, to be ſettled to the ſame Uſes as the ſaid Manor is now ſettled.
14. An Act for the veſting of certain Lands of *William Milward*, in the County of *Hereford*, Clerk, in Truſtees, for Payment of Debts.
15. An Act for veſting the Eſtate of *Edward Kerrey*, Eſq; lying in *Benoeſton* in the County of *Salop*, in Truſtees, to diſcharge Incumbrances thereon, and to raiſe Portions for younger Children; and for confirming the Marriage Settlement of the ſaid *Edward Kerrey*.
16. An Act for veſting Part of the Eſtate of *Thomas Paxton*, Eſq; in Truſtees, to be ſold for Payment of Debts, and ſecuring a Jointure to *Mary* his now Wife.
17. An Act for naturalizing of *John Keyſer*, and others.
18. An Act to enable *Edward Leigh*, Eſq; and *Jane* his Wife, and their Truſtees, to ſell the Manors of *Waxham* and *Horſey*, and certain Lands and Tenements in the County of *Norfolk*, and to purchaſe and ſettle other Lands to the ſame Uſes.
19. An Act for veſting and ſettling certain Eſtates of *William James*, Gent. in and upon Truſtees, to be ſold for the Payment of Debts, and making Proviſion for himſelf, his Wife, and their Children.
20. An Act for importing ſeveral Goods and Merchandiſes laden in *Turkey*, on board the Ships called the *Succeſs*, and *Dragon* Galley, paying Cuſtoms as if imported by *Engliſh* Ships.
21. An Act to enable *William Fallows*, an Infant, to ſell an Eſtate in the County of *Cheſter*, to pay Debts ſecured by Mortgages.
22. An Act to ſupply a Defect in an Act for enabling *Oliver Neve*, Eſq; to ſell two Houſes in *London*, and for ſettling Lands in the County of *Norfolk*, of greater Value, to the ſame Uſes.
23. An Act explaining a former Act of Parliament, intituled, *An Act for enabling Truſtees to ſell Part of the Eſtate of* Edmund Warner, *deceaſed, for Payment of his Debts, and for preſerving the reſt for the Benefit of his Heir.*
24. An Act for veſting Part of the Eſtate of *Roger Crowle*, Eſq; deceaſed, in Truſtees, for raiſing Portions for his younger Children, in regard he (being a Lunatick) could not execute a Power in his Marriage Settlement for that Purpoſe.
25. An Act to veſt certain Lands, late of *Samuel Trotman*, Eſq; deceaſed, lying in *Barking*, *Eaſtham*, *Weſtham*, and *Woolwich*, in the Counties of *Kent* and *Eſſex*, in Truſtees, to be ſold, and to ſettle other Lands in lieu thereof.
26. An Act for the ſpeedy Payment of the Debts of Sir *William Thomſon*, Knight, Serjeant at Law.
27. An Act for annulling the Marriage of *Hannah Knight*, an Infant, and to direct the Guardianſhip of the ſaid Infant.
28. An Act for the enabling the Sale of the Manor of *Rowling* in *Kent*, which by Miſtake was by general Words compriſed in the Marriage Settlement of *William Hammond*, Gent. contrary to the Meaning of the Parties.

## PUBLICK ACTS.

*Anno* 9 *W.* 3.

1. AN Act againſt correſponding with the late King *James* and his Adherents.
2. An Act to prevent the further Currency of any hammered

mered Silver Coin of this Kingdom, and for recoining ſuch as is now in being; and for the making out new Exchequer Bills, where the former Bills are or ſhall be filled up by Indorſements.

3. An Act to give further Time for the adminiſtring of Oaths relating to Tallies and Orders, and for the eaſier Diſpatch of the Publick Buſineſs in the Exchequer, and in the Bank of *England*.

4. An Act for continuing the Impriſonment of *Counter*, and others, for the late horrid Conſpiracy to aſſaſſinate the Perſon of his Sacred Majeſty.

*Anno* 9 & 10 *W.* 3.

5. An Act for ſatisfying and diſcharging the Arrears of ſeveral Annuities which incurred between the ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſix, and the ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſeven.

6. An Act that all Retailers of Salt ſhall ſell by Weight.

7. An Act to prevent the throwing or firing of Squibs, Serpents and other Fire-works.

8. An Act for explaining an Act made the laſt Seſſion of Parliament for granting to his Majeſty certain Duties upon Malt, Mum, Sweets, Cyder, and Perry.

9. An Act for rendring the Laws more effectual for preventing the Importation of Foreign Bone-lace, Loom-lace, Needle-work, Point, and Cut-work.

10. An Act for granting to his Majeſty the Sum of one Million four hundred eighty-four thouſand and fifteen Pounds, one Shilling, eleven Pence three Farthings, for diſbanding Forces, paying Seamen, and other Uſes therein mentioned.

11. An Act for explaining an Act made the laſt Seſſion of Parliament, intituled, *An Act for ſupplying ſome Defects in the Laws for the Relief of the Poor of this Kingdom.*

12. An Act for the enlarging, repairing, and preſerving the Bridge and Key of the Borough of *Bridgewater*, in the County of *Somerſet*.

13. An Act for granting to his Majeſty ſeveral Duties upon Coals and Culm.

14. An Act for continuing the Duties upon Coffee, Tea, and Chocolate, and Spices, towards Satisfaction of the Debt due for Tranſport Service for the Reduction of *Ireland*.

15. An Act for determining Differences by Arbitration.

16. An Act to Execute Judgments and Decrees, ſaved in a Clauſe in an Act of the firſt Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for taking away the Court holden before the Preſident and Council of the Marches of* Wales.

17. An Act for the better Payment of Inland Bills of Exchange.

18. An Act for repairing the Highways from the Town of *Birdlipp*, and the Top of *Crickley* Hill, in the County of *Glouceſter*, to the City of *Glouceſter*.

19. An Act for cleanſing and making navigable the Chanel from the *Hithe* at *Colcheſter*, to *Wivenhoe*.

20. An Act to naturalize the Children of ſuch Officers and Soldiers, and others, the natural born Subjects of this Realm, who have been born abroad during the War, the Parents of ſuch Children having been in the Service of this Government.

21. An Act for the better preventing the counterfeiting, clipping, and other diminiſhing the Coin of this Kingdom.

22. An Act to repeal an Act made in the nine and thirtieth Year of the Reign of Queen ELIZABETH, intituled, *An Act to reſtrain the exceſſive making of Malt*, and to diſcharge and vacate Orders made by Juſtices of Peace, by Virtue thereof, for reſtraining Malſters from making Malt.

23. An Act for granting to his Majeſty a further Subſidy of Tunnage and Poundage, towards raiſing the yearly Sum of ſeven hundred thouſand Pounds, for the Service of his Majeſty's Houſhold, and other Uſes therein mentioned, during his Majeſty's Life.

24. An Act for enlarging the Time for purchaſing certain Eſtates or Intereſts in ſeveral Annuities therein mentioned.

25. An Act for granting to his Majeſty, his Heirs and Succeſſors, further Duties upon ſtamped Vellum, Parchment, and Paper.

26. An Act to ſettle the Trade to *Africa*.

27. An Act for licenſing Hawkers and Pedlars, for a further Proviſion of Intereſt for the Tranſport Debt for reducing of *Ireland*.

28. An Act for the exporting Watches, Sword Hilts, and other Manufactures of Silver.

29. An Act to repeal the Act made in the laſt Seſſion of Parliament, intituled, *An Act for Relief of Creditors, by making Compoſition with their Debtors, in Caſe two thirds in Number and Value do agree.*

30. An Act for increaſing his Majeſty's Duties upon Luſtrings and Alamodes.

31. An Act for raiſing the Militia for the Year one thouſand ſix hundred ninety-eight, although the Month's Pay formerly advanced be not repaid.

32. An Act for the more effectual ſuppreſſing of Blaſphemy and Profaneneſs.

33. An Act to ſtop the coining of Farthings and Halfpence for one Year.

34. An Act for the more orderly Payment of the Lottery Tickets, now payable out of certain additional Duties of Exciſe, and of other Annuities lately payable out of the Tunnage Duties.

35. An Act for preventing Frauds and Abuſes in the charging, collecting, and paying the Duties upon Marriages, Births, Burials, Batchelors, and Widowers.

36. An Act for the Increaſe and Preſervation of Timber in the *New Foreſt* in the County of *Southampton*.

37. An Act for applying to the Uſe of his Majeſty's Navy and Ordnance, the Overplus of the Money and Stores which were provided for the building ſeven and twenty Ships of War.

38. An Act for granting to his Majeſty an Aid, by a Quarterly Poll, for one Year.

39. An Act for ſettling and adjuſting the Proportions of fine Silver and Silk, for the better making of Silver and Gold Thread, and to prevent the Abuſes of Wire-drawers.

40. An Act for the Explanation and better Execution of former Acts made againſt tranſporting of Wool, Fullers Earth and Scouring Clay.

41. An Act for the better preventing the Imbezilment of his Majeſty's Stores of War, and preventing Cheats, Frauds, and Abuſes in paying Seamens Wages.

42. An Act for enlarging the Time for regiſtring of Ships, purſuant to the Act for preventing Frauds, and regulating Abuſes in the Plantation Trade.

43. An Act for the better Encouragement of the Royal Luſtring Company, and the more effectual preventing the fraudulent Importation of Luſtrings and Alamodes.

44. An Act for raiſing a Sum, not exceeding two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds *per Centum per Annum*, and for ſettling the Trade to the *Eaſt Indies*.

45. An Act for taking away half the Duties impoſed on Glaſs

Glaſs Wares, and the whole Duties lately laid on Stone and Earthen Wares, and Tobacco Pipes; and for granting (in lieu thereof) new Duties upon Whale Fins, and *Scotch* Linen.

## PRIVATE ACTS.

*Anno 9 W. 3.*

1. AN Act for veſting in *Sydenham Baker*, Gent. an abſolute Eſtate of Inheritance in Fee-ſimple, in a certain Rent, Meſſuages, Lands, and Hereditaments, in the County of *Devon*, and ſecuring to *John Baker*, Gent. and *Henry Baker*, an Infant, his Son, Monies in lieu of their Claims thereunto.

*Anno 9 & 10 W. 3.*

2. An Act for enabling *Simon* Lord Biſhop of *Ely*, and his Succeſſors, to leaſe the Manor Houſe, and Demeſne Lands of *Downham*, in the Iſle of *Ely*, and for confirming a Leaſe lately thereof made by the ſaid Biſhop, and for clearing the ſaid Biſhop, and others, from Dilapidations there.
3. An Act to enable Sir *Francis Guybon*, and Dame *Iſabella* his Wife, and their Truſtees, to ſell the Manor of *Avenalls*, and other Lands, in or near *Gunthorp*, in the County of *Norfolk*, and for ſettling other Lands in lieu thereof.
4. An Act for the Naturalization of *Gerard Maeſacker* and others.
5. An Act to enable *Rebecca Laſſells*, Widow, to ſell Copyhold Lands and Houſes in *Ealing* in the County of *Middleſex*.
6. An Act for veſting in Truſtees, to be ſold, certain Lands of *George Farrington*, Eſq; lying in the Counties of *Middleſex* and *Surrey* (ſettled upon the Marriage of *William Farrington*, his Nephew) and with the Monies ariſing thereby for purchaſing of other Lands in *Lancaſhire*, where the ancient Eſtate of the Family lies, to be ſettled to the ſame Uſes.
7. An Act to enable the Truſtees of *William Knott*, Gent. and his Wife, to ſell a Leaſe of Houſes in *Bread-ſtreet*, *London*, for Payment of Debts, and to ſettle another Eſtate of better Value in lieu thereof.
8. An Act to enable *Thomas Kinnerſey*, Eſq; an Infant, to make a Jointure and Settlement of his Eſtate.
9. An Act for naturalizing *Dudley Veſey*, an Infant.
10. An Act to enable *John Lewin* to ſell certain Meſſuages in *Southwark*, for Payment of Debts.
11. An Act for diſſolving the Marriage between *Charles* Earl of *Macclesfield*, and *Anne* his Wife, and to illegitimate the Children of the ſaid *Anne*.
12. An Act to enable *John* Lord Biſhop of *Chicheſter* to make Leaſes of certain Houſes and Grounds, belonging to the Biſhoprick of *Chicheſter*, ſituate in *Chancery-Lane*, for a competent Number of Years.
13. An Act to naturalize *Charles May*, Eſq;
14. An Act to rectify a Miſtake in the Marriage Settlement of *William Gardiner*, Eſq;
15. An Act to enable certain Truſtees therein named, to make, renew, and fill up Leaſes of the Eſtate of Sir *Coppleſton Warwick Bamfylde*, during the Minority of the ſaid Sir *Coppleſton Warwick Bamfylde*, and *John Bampfylde* his Brother.
16. An Act for ſettling the Eſtate of *John Hall*, a Lunatick, ſubject to a Debt charged thereon.
17. An Act for erecting Hoſpitals, Workhouſes, and Houſes of Correction, within the Town and Pariſh of *Crediton*, in the County of *Devon*, and for the better Relief of the Poor there.
18. An Act for erecting Hoſpitals, and Workhouſes, within the Town and Pariſh of *Tiverton*, in the County of *Devon*, for the better imploying and maintaining the Poor thereof.
19. An Act for confirming and eſtabliſhing the Adminiſtration of the Goods and Chattels of Sir *William Godolphin*, Knight, deceaſed.
20. An Act for the naturalizing of *John Francis Fauquire*, *Joſeph Ducaſſe*, and others.
21. An Act for the better enabling Sir *Ralph Hare*, Baronet, to make a Jointure, and ſettle his Eſtate, and raiſe Portions and Maintenances for his young Children.
22. An Act for veſting in Truſtees, to be ſold, certain Lands of *George Hewit*, Eſq; lying in the County of *Middleſex*, ſettled upon his Marriage, and with Money ariſing thereby, for purchaſing other Lands in *Leiceſterſhire*, where his Eſtate and Seat lies, to be ſettled to the ſame Uſes.
23. An Act for veſting in Truſtees, to be ſold, for Payment of the Debts of *Wriotheſley Baptiſt*, late Earl of *Gainſborough*, deceaſed.
24. An Act to annex the Rectory of *Whitborne*, in *Herefordſhire*, to the Biſhop of *Hereford*.
25. An Act for the better ſettling the ſeveral Eſtates of the Right Honuorable *John* Lord Viſcount *Liſburne*, in the Kingdom of *Ireland*, and the Lady Viſcounteſs *Liſburne*, his Wife.
26. An Act for ſupplying a Defect in a Conveyance lately made by Sir *Edward Turner*, and *Charles Turner*, Eſq; his Son, for the more effectual ſecuring the Sum of Twelve thouſand Pounds, and Intereſt, upon their Eſtate.
27. An Act for the veſting ſeveral Lands, late belonging to *Robert Smith*, Eſq; deceaſed, in Truſtees, to be ſold for the Payment of his Debts.
28. An Act for veſting the Manors of *Baſtwick* and *Laviles*, in the County of *Norfolk*, Part of the Eſtate of *John Houghton*, Eſq; in Truſtees, to be ſold for diſcharging Debts charged thereon, and for ſettling another Eſtate in lieu thereof.
29. An Act to enable *Streynſham Maſter*, Eſq; to ſell Lands in *Kent*, which were agreed to be ſettled by his Marriage Articles, and to convey Lands in *Derbyſhire* of a greater Value, to the ſame Uſes.
30. An Act to enable *Paris Slaughter*, *William Druce*, Merchants, and Dame *Elizabeth Chapman*, to import ſeveral Bales of fine *Italian* thrown Silk into this Kingdom.
31. An Act for ſettling certain Lands in *Eſſex* on *Thomas Burgh*, Eſq; and his Heirs, in lieu of other Lands of greater Value, conveyed by him, according to the Decree and the Will of Sir *Samuel Jones*, deceaſed.
32. An Act for veſting certain cuſtomary Meſſuages and Lands within the Manor of *Gillingham*, in the County of *Dorſet* (late the Eſtate of *Thomas Damis*, Gent. deceaſed) in Truſtees, to be ſold for Payment of Debts.
33. An Act for erecting Hoſpitals, and Workhouſes, within the City and County of the City of *Exon*, for the better imploying and maintaining the Poor there.
34. An Act for erecting Hoſpitals, and Workhouſes, within the City of *Hereford*, for the better imploying and maintaining the Poor there.
35. An Act to rectify ſome Miſtakes in an Act, intituled, *An Act to enable* John Lewin *to ſell certain Meſſuages in* Southwark, *for Payment of Debts.*
36. An Act for veſting a Moiety of certain Meſſuages and Lands in *Hackney*, in the County of *Middleſex*, in Truſtees, for the Benefit of *Suſanna Cary*, Widow and Relict of *Nicholas Cary*, Eſq; deceaſed, and others.
37. An Act for erecting Hoſpitals, and Workhouſes, within the Town of *Colcheſter*, in the County of *Eſſex*, for better imploying and maintaining the Poor thereof.

38. An Act to naturalize *William Lloyd*, Esq; and others.
39. An Act to confirm the Sale of Part of the Estate of Sir *John Churchill*, Knight, deceased, for Payment of his Debts, pursuant to his last Will, and Two Decrees in Chancery, for the Performance thereof.
40. An Act for vesting the Manor of *Alveston*, and other Lands therein mentioned, in the County of *Gloucester*, in Trustees, to be sold for Payment of Debts, and other Purposes therein mentioned.
41. An Act for confirming a Lease made by the Lord Bishop of *Winton*, of a Parcel of waste Ground in *Alverstock*, in the County of *Southampton*, for the erecting of Water Works there, and for improving the same.
42. An Act for securing the Portions intended by Sir *William Walter*, Baronet, deceased, for his Children by the Lady *Mary Walter*, his second Wife, and for preventing all Doubts which might arise upon the Construction of the Articles and Will therein mentioned.
43. An Act for Relief of the Creditors of *Edward Backwell*, Esq; deceased.
44. An Act for vesting certain Lands and Hereditaments in *Maidstone*, and elsewhere in the County of *Kent*, in Trustees, for the Benefit of *Diana Cecil*, and her Heirs.
45. An Act to confirm a Conveyance made by *George Pitt*, Esq; and others, of the Manors of *Arrant*, *Preston*, and other Lands in the County of *Dorset*, to *John Pitt*, Gent. and the Heirs Male of his Body.
46. An Act for the better supplying the Town of *Newcastle* upon *Tine* with fresh Water.
47. An Act for erecting Workhouses, and Houses of Correction, in the Town of *Kingston* upon *Hull*, for the Imployment and Maintenance of the Poor there.
48. An Act for erecting Workhouses, and Houses of Correction, in the Town of *Shaftsbury*, and for the better Imployment and Maintenance of the Poor.
49. An Act for naturalizing of *Peter Garon*, and others.
50. An Act for naturalizing *Henry Reneu*, and others.
58. An Act that the Ships *Panther*, *Glouceſter* Frigate, *Scarborough*, and *Antelope* (formerly taken as Prizes, and condemned) may have Freedom of trading as *English* built Ships.
52. An Act for giving Leave to the Ship *Maryland Merchant* of *Briſtol*, to arrive and import her Lading into this Kingdom.
53. An Act that the Ships called *Ruby Prize*, and *Plimouth*, may have Freedom of trading as *Engliſh* built Ships.
54. An Act for vesting a Copperas-work, late Part of the Estate of *Robert Mascall*, Esq; deceased, in Trustees, to be sold for Payment of Debts, and other Charges thereupon.
55. An Act for Sale of Three Houses in *Swan Alley* in *Coleman-street*, *London*, late of *Joseph Smith*, deceased, for payment of his Debts, with which the same Houses are chargeable.
56. An Act to enable *John Jenkyn* Merchant, to sell Part of his Estate, for Payment of his Debts.
57. An Act to enable *John Hawkes* Gent. to sell Lands in the County of *Salop*, for the Payment of his Debts.
58. An Act to enable *Humphry Walrond* Gent. to sell Part of his Estate, for the making Provision for his eldest Son, and *Elizabeth* his Daughter (who are Lunaticks) and Payment of his Debts, and raising Portions for his other Children.
59. An Act to give Leave to the Ship *Sally Rose* (formerly taken as Prize) to arrive and import her Lading, and to trade as an *English* built Ship.
60. An Act for vesting in *Thomas Rogers* Gent. an absolute Estate of Inheritance in Fee-simple, in the Manor of *Westcourt*, Mansion House, Messuages, Lands, and Hereditaments, in the County of *Kent*; and securing to *John Higgons* Gent. and *Alice* his Wife, and for Portions for *Irene*, *Margaret*, *Mary*, and *Alice Cæsar*, Monies in lieu of their Claims thereunto.
61. An Act to enable Trustees to make Leases, and grant Copies, and receive the Rents and Profits of the Estates late of Sir *Edward Wyndham* Baronet, deceased, and *Hopton Wyndham* Esq; deceased, during the Minority of Sir *William Wyndham* Baronet, for the Intents and Purposes therein mentioned.
62. An Act to enable *Humphry Trafford* Esq; to raise Four thousand Pounds upon his Estate, for Payment of his Debts.

THE

THE

# STATUTES at Large, &c.

## Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ & Hiberniæ,

*VIZ.*

## Angliæ, Franciæ & Hiberniæ ſecundo [vulgo primo,] & Scotiæ triceſimo ſeptimo.

At the Parliament begun and holden at *Weſtminſter* the nineteeth Day of *March* in the firſt Year of the Reign of our moſt gracious Sovereign Lord *James*, by the Grace of God, of *England*, *France* and *Ireland* King, Defender of the Faith, *&c.* and of *Scotland* the ſeven and thirtieth, and there continued until the ſeventh Day of *July* one thouſand ſix hundred four, and then prorogued until the ſeventh of *February* next following: To the high Pleaſure of Almighty God, and the Weal publick of this Realm, were enacted as followeth.

### CAP. I.

A moſt joyful and juſt Recognition of the immediate, lawful and undoubted Succeſſion, Deſcent and Right of the Crown.

A Recognition that the Crown of England is lawfully deſcended unto King James, his Progeny and Poſterity.

The Benefits enſuing by the Conjunction of the Houſes of York and Lancaſter.

The uniting of England and Scotland in the King's Perſon.

'GREAT and manifold were the Benefits (moſt dread and moſt gracious Sovereign) wherewith Almighty God bleſſed this Kingdom and Nation by the happy Union and Conjunction of the two noble Houſes of *York* and *Lancaſter*, thereby preſerving this noble Realm, formerly torn and almoſt waſted with long and miſerable Diſſenſion and bloody civil War; (2) but more ineſtimable and unſpeakable Bleſſings are thereby poured upon us, becauſe there is derived and grown from and out of that Union of thoſe two princely Families, a more famous and greater Union (or rather a Re-uniting) of two mighty, famous and ancient Kingdoms (yet anciently but one) of *England* and *Scotland*, under one Imperial Crown, in your moſt Royal Perſon, who is lineally, rightfully and lawfully deſcended of the Body of the moſt excellent Lady *Margaret*, eldeſt Daughter of the moſt renowned King *Henry* the Seventh, and the High and Noble Princeſs Queen *Elizabeth* his Wife, eldeſt Daughter of King *Edward* the Fourth; the ſaid Lady *Margaret* being eldeſt Siſter of King *Henry* the Eighth, Father of the High and Mighty Princeſs of famous Memory, *Elizabeth* late Queen of *England:*

The Acknowledgment of the King's Title, and the Love of his Subjects, ſhewed by ſeveral Means.

'II. In Conſideration whereof, albeit we your Majeſty's Loyal and Faithful Subjects, of all Eſtates and Degrees, with all poſſible and publick Joy and Acclamation, by open Proclamations within few Hours after the Deceaſe of our late Sovereign Queen, acknowledging thereby with one full Voice of Tongue and Heart, That your Majeſty was our only lawful and rightful Liege Lord and Sovereign, by our unſpeakable and general Rejoycing and Applauſe at your Majeſty's moſt happy Inauguration and Coronation, by the affectionate Deſire of infinite Numbers of us, of all Degrees, to ſee your Royal Perſon, and by all poſſible outward Means have endeavoured to make Demonſtration of our inward Love, Zeal and Devotion to your moſt excellent Majeſty, our undoubtful rightful Liege Sovereign Lord and King: (2) Yet as we cannot do it too often, or enough, ſo can there be no Means or Ways ſo fit, both to ſacrifice our unfeigned and hearty Thanks to Almighty God, for bleſſing us with a Sovereign adorned

'with the rareſt Gifts of Mind and Body, in ſuch admirable Peace and Quietneſs, and upon the Knees 'of our Hearts to agnize our moſt conſtant Faith, Obedience and Loyalty to your Majeſty and your 'Royal Progeny, as in this High Court of Parliament, where all the whole Body of the Realm, and 'every particular Member thereof, either in Perſon or by Repreſentation (upon their own free Elections) 'are by the Laws of this Realm deemed to be perſonally preſent.

Several Cauſes that have bound all Subjects to the Love and Obedience of the King.

'III. To the Acknowledgment whereof to your Majeſty, we are the more deeply bounden and obliged, 'as well in regard of the extraordinary Care and Pains which with ſo great Wiſdom, Knowledge, Expe- 'rience and Dexterity, your Majeſty (ſithence the Imperial Crown of this Realm deſcended to you) have 'taken for the Continuance and Eſtabliſhment of the bleſſed Peace both of the Church of *England* in the 'true and ſincere Religion, and of the Commonwealth by due and ſpeedy Adminiſtration of Juſtice, as 'in reſpect of the gracious Care and inward Affection which it pleaſed you on the firſt Day of this Par- 'liament ſo lively to expreſs by your own Words, ſo full of high Wiſdom, Learning and Virtue, and ſo 'repleat with Royal and thankful Acceptation of all our faithful and conſtant Endeavours, which is and 'ever will be to our ineſtimable Conſolation and Comfort.

Cauſes of Thankſgiving to God for the King and his Progeny.

'IV. We therefore your moſt humble and Loyal Subjects, the Lords Spiritual and Temporal, and the 'Commons, in this preſent Parliament aſſembled, do from the Bottom of our Hearts, yield to the Di- 'vine Majeſty all humble Thanks and Praiſes, not only for the ſaid unſpeakable and ineſtimable Benefits 'and Bleſſings above-mentioned, but alſo that he hath further enriched your Highneſs with a moſt Royal 'Progeny of moſt rare and excellent Gifts and Forwardneſs, and in his Goodneſs is likely to increaſe 'the happy Number of them': (2) And in moſt humble and lowly Manner do beſeech your moſt ex- cellent Majeſty, that (as a Memorial to all Poſterities, amongſt the Records of your High Court of Parliament for ever to endure, of our Loyalty, Obedience and hearty and humble Affection) (3) it may be publiſhed and declared in this High Court of Parliament, and enacted by Authority of the ſame, That we (being bounden thereunto both by the Laws of God and Man) do recognize and acknowledge (and thereby expreſs our unſpeakable Joys) That immediately upon the Diſſolution and Deceaſe of *Elizabeth* late Queen of *England*, the Imperial Crown of the Realm of *England*, and of all the Kingdoms, Dominions and Rights belonging to the ſame, did by inherent Birthright, and lawful and undoubted Succeſſion, de- ſcend and come to your moſt excellent Majeſty, as being lineally, juſtly and lawfully, next and ſole Heir of the Blood Royal of this Realm as is aforeſaid; (4) and that by the Goodneſs of God Almighty, and lawful Right of Deſcent, under one Imperial Crown, your Majeſty is of the Realms and Kingdoms of *England*, *Scotland*, *France* and *Ireland*, the moſt potent and mighty King, and by God's Goodneſs more able to protect and govern us your loving Subjects in all Peace and Plenty, than any of your noble Pro- genitors: (5) And thereunto we moſt humbly and faithfully do ſubmit and oblige ourſelves, our Heirs and Poſterities for ever, until the laſt Drop of our Bloods be ſpent: And do beſeech your Majeſty to ac- cept the ſame, as the Firſt-fruits in this High Court of Parliament, of our Loyalty and Faith to your Majeſty, and your Royal Progeny and Poſterity for ever: (6) Which if your Majeſty ſhall be pleaſed (as an Argument of your gracious Acceptation) to adorn with your Majeſty's Royal Aſſent, without which it can neither be compleat and perfect, nor remain to all Poſterity, according to our moſt humble Deſire, (as a Memorial of your princely and tender Affection towards us) we ſhall add this alſo to the Reſt of your Majeſty's unſpeakable and ineſtimable Benefits.

Immediately upon Queen Elizabeth's Death the Crown of England, &c. deſcended to the King by lawful Birthright and Deſcent.

## CAP. II.

### An Act authorizing certain Commiſſioners of *England* to treat with Commiſſioners of *Scotland*, for the Weal of both Kingdoms. 3 Jac. 1. c. 3. 4 Jac. 1. c. 1. 22 Car. 2. c. 9.

EXP.

'WHEREAS his moſt excellent Majeſtie hath beene pleaſed, out of his great Wiſedome and 'Judgement, not only to repreſent unto us by his owne prudent and princely Speech on the firſt 'Day of this Parliament, how much hee deſired, (in regard of his inward, and gracious Affection to 'both the famous and ancient Realmes of *England* and *Scotland*, now united in Allegeance and Loyall Sub- 'jection in his Royall Perſon, to his Majeſtie and his Poſterity for ever) that by a ſpeedy, mature and 'ſound Deliberation, ſuch a further Union might follow, as ſhould make perfect that mutuall Love and 'Uniformity of Manners and Cuſtomes, which Almighty God in his Providence for the Strength and 'Saftie of both Realmes hath already ſo far begun in apparent Sight of all the World, but alſo hath 'vouchſafed to expreſſe many Ways, how farre it is, and ever ſhall be from his Royall and ſincere Care 'and Affection to the Subjects of *England*, to alter and innovate the fundamentall and ancient Lawes, 'Priviledges and good Cuſtomes of this Kingdome, whereby not onely his Regall Authority, but the 'People's Security of Lands, Livings and Priviledges (both in generall and particular) are preſerved and 'maintained, and by the Aboliſhing or Alteration of the which, it is impoſſible but that preſent Confu- 'ſion will fall upon the whole State and Frame of this Kingdome.

'II. Foraſmuch as his Majeſties humble, faithful and loving Subjects, have not onely conceived the 'Weight of his Majeſties Reaſons, but apprehend to their unſpeakable Joy and Comfort, his plaine, 'cleere and gracious Intention, to ſeek no other Changes or Alteration, but of ſuch particular, tempo- 'rary or indifferent Manner of Statutes and Cuſtomes, as may both prevent and extinguiſh all and every 'future Queſtions, or unhappy Accidents, by which the perfect and conſtant Love and Friendſhip and 'Quietneſſe between the Subjects of both the Realmes aforeſaid, may be compleated and confirmed, and

'alſo

'alſo performe and accompliſh that real and effectuall Union already inherent in his Maieſties Royal 'Blood and Perſon, and now deſired by his Maieſtie to be performed and brought to an End, for the 'Weale of both Kingdomes, by this Courſe following, &c.

## CAP. III.

### An Act againſt the Diminution of the Poſſeſſions of Archbiſhopricks and Biſhopricks, and for Avoiding of Dilapidations of the ſame.

All Aſſurances made to the King of the Lands of Biſhops ſhall be void. By the Statute of 1 El. c. 19. no Biſhop can make any Leaſe of his Land but for 21 Years, or three Lives, to a Subject.

'WHEREAS all the Archbiſhopricks and Biſhopricks within this Realm of *England*, were in ancient Times founded by his Majeſty's moſt noble Progenitors, Kings of this Realm, and in Reſpect thereof, his Majeſty is lawful and rightful Patron of all and every of the ſame: (2) And where alſo by the Laws and Statutes of this Realm, no Archbiſhop or Biſhop can make any Conveyance, Aſſurance or Eſtate whatſoever, of any Honours, Caſtles, Manors, Lands, Tenements or Hereditaments, Parcel of the Poſſeſſions of his Archpiſhoprick or Biſhoprick, or united, appertaining or belonging to any of the ſame, to any Subject whatſoever, whereby any Eſtate ſhould or might paſs from any Archbiſhop or Biſhop, other than for Term of one and twenty Years, or three Lives, with ſuch Reſervations of Rent, and in ſuch Manner and Form, as by the Laws and Statutes are provided: (3) His moſt excellent Majeſty underſtanding that divers Perſons have with great Suit and Importunity ſought to fruſtrate the true End and Intent of the ſaid good Laws and Statutes in that Behalf, of his Chriſtian and Princely Piety and Care, minding ſo to patronize and protect the ſaid Poſſeſſions from Alienation or Diminution, as that the ſame may, according to the true Intent of the Founders, remain and continue in Succeſſion to the Archbiſhops and Biſhops of this Realm and their Succeſſors, for the better Maintenance of God's true Religion, Keeping of Hoſpitality, and Avoiding of Dilapidations, and thereby for ever hereafter to avoid all Suits and Importunities for or concerning any of the ſaid Poſſeſſions, hath out of his own meer and godly Motion, and of his bleſſed Diſpoſition for the publick Good, without all Regard of any private Reſpect, vouchſafed and is pleaſed, That it may be enacted and eſtabliſhed by his Majeſty, by and with the Aſſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled':

No Biſhop ſhall aſſure his Land to the King. 10 Co. 62. 11 Co. 71.

II. And be it enacted and eſtabliſhed by Authority of the ſame, That every Archbiſhop and Biſhop within this Realm, and their and every of their Succeſſors, ſhall be from and after the End of this preſent Seſſion of Parliament, for ever wholly and utterly diſabled in Law, to make, do, levy or ſuffer any Act or Acts, Thing or Things, whereby or by Means whereof, any of the ſaid Honours, Caſtles, Manors, Lands, Tenements or Hereditaments or any Part of them, or any of them, ſhall or may be aliened, aſſured, given, granted, demiſed, charged, or in any Sort conveyed to our ſaid Sovereign Lord the King, his Heirs or Succeſſors: (2) And that all Alienations, Aſſurances, Gifts, Grants, Leaſes, Charges and Conveyances whatſoever, from and after the End of this preſent Seſſion of Parliament, to be done, ſuffered or made to our Sovereign Lord the King, his Heirs or Succeſſors, by any Archbiſhop or Biſhop, or their or any of their Succeſſors, of or out of any of the ſaid Poſſeſſions, or of or out of any Part or Parcel of them or any of them, and all and every Confirmation and Confirmations of the ſame, ſhall be from and after the End of this preſent Seſſion of Parliament utterly void and of none Effect, to all Intents, Conſtructions and Purpoſes; any former Law, Statute, Act, Ordinance or other Matter or Thing to the contrary notwithſtanding. Co. Litt. 44. a.

## CAP. IV.

### An Act for the due Execution of the Statutes againſt Jeſuits, Seminary Prieſts, Recuſants, &c.

Statutes made in the Reign of Qu. Elizabeth ſhall be put in Execution. In what Caſe a Recuſant's Heir ſhall be charged, in what not. Going into Seminaries. 3 Inſt. 178. 1 Eliz. c. 1. 5 Eliz. c. 1. 13 Eliz. c. 2. 23 Eliz. c. 1. 27 Eliz. c. 2. 29 Eliz. c. 6. 35 Eliz. c. 1, 2.

FOR the better and more due Execution of the Statutes heretofore made, as well againſt Jeſuits, Seminary Prieſts, and other ſuch like Prieſts, as alſo againſt all Manner of Recuſants; (2) Be it ordained and enacted by Authority of this preſent Parliament, That all and every the Statutes heretofore made in the Reign of the late Queen of famous Memory, *Elizabeth*, as well againſt Jeſuits, Seminary Prieſts and other Prieſts, Deacons, Religious and Eccleſiaſtical Perſons whatſoever, made, ordained or profeſſed, or to be made, ordained or profeſſed, by any Authority or Juriſdiction derived, challenged or pretended from the See of *Rome*, as thoſe which do in any wiſe concern the withdrawing of the King's Subjects from their due Obedience, and the Religion now profeſſed, and the Taking of the Oath of Obedience unto the King's Majeſty, his Heirs and Succeſſors, together with all thoſe made in the ſaid late Queen's Time, againſt any Manner of Recuſants, ſhall be put in due and exact Execution.

2 Bulſtr. 324. A Recuſant conforming himſelf ſhall be diſcharged. Raym. 465, 466.

II. Provided nevertheleſs, and be it enacted by the Authority of this preſent Parliament, That if any that is or ſhall be a Recuſant ſhall ſubmit or reform him or herſelf, and become obedient to the Laws and Ordinances of the Church of *England*, and repair to the Church, and continue there during the Time of the Divine Service and Sermons, according to the true Meaning of the Statutes in that Behalf, in the ſaid late Queen's Time made and provided, That then every ſuch Perſon for and during ſuch Time as he or ſhe ſhall ſo continue in ſuch Conformity and Obedience, ſhall from thenceforth be freed and diſcharged of and from any the Penalties and Loſſes which the ſame Perſon might otherwiſe ſuſtain and bear in Reſpect or by Reaſon of ſuch Perſon's Recuſancy.

III. And if any Recuſant ſhall hereafter die, his Heir being no Recuſant, That in every ſuch Caſe, every ſuch Heir ſhall be freed and diſcharged of all and ſingular the Penalties, Charges and Incumbrances, happening upon him or her in Reſpect or by Reaſon of his or her Anceſtor's Recuſancy: (2) And if at the Deceaſe of any ſuch Recuſant, his Heir ſhall happen to be a Recuſant, and after ſhall become conformable and obedient to the Laws and Ordinances of the Church of *England*, and repair to the Church, and continue there during the Time of the Divine Service and Sermons, according to the Intent and true Meaning of the ſaid Statutes and Ordinances in that Behalf made as is aforeſaid, and alſo ſhall take the Oath of Supremacy in ſuch Sort as that Oath is expreſſed in one Act of Parliament made in the firſt Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, before the Archbiſhop or Biſhop of the Dioceſe; That in every ſuch Caſe, every ſuch Heir ſhall be freed and diſcharged of all and ſingular the Penalties, Charges and Incumbrances, happening upon him or her in Reſpect or by Reaſon of any of his or her Anceſtor's Recuſancy.

1 Eliz. c. 1.

A Recuſant's Heir within Age at the Time of his Anceſtor's Death,

IV. Provided always, and be it enacted by Authority of this preſent Parliament, That if the Heir of any Recuſant ſhall happen to be within the Age of ſixteen Years at the Time of the Deceaſe of his or her Anceſtor, and ſhall after his or her ſaid Age of ſixteen Years, become or be a Recuſant, that in every ſuch Caſe, any ſuch Heir ſhall not be freed or diſcharged of all or any of the Penalties, Charges and Incumbrances happening upon him or her in Reſpect or by Reaſon of any of his or her Anceſtor's Recuſancy, until he or ſhe ſhall ſubmit or reform him or herſelf, and become obedient to the Laws and Ordinances of the Church of *England*, and repair to the Church, and continue there during the Time of the Divine Service and Sermons, according to the Intent and true Meaning of the ſaid Statutes and Ordinances in that Behalf as is aforeſaid, and ſhall take the ſaid Oath of Supremacy in Manner and Form afore expreſſed; and yet nevertheleſs, from and after ſuch Submiſſion and Oath had and taken, every ſuch Heir ſhall be freed and diſcharged of all and ſingular the Penalties, Charges and Incumbrances happening upon him or her in Reſpect or by Reaſon of any of his or her Anceſtors Recuſancy.

A third Part of his Living ſhall remain clear to a Recuſant. 29 Eliz. c. 6.

V. And be it further enacted by Authority of this preſent Parliament, That where any Seizure ſhall be had of the two Parts of any Lands, Tenements, Hereditaments, Leaſes or Farms, for the not Payment of the twenty Pounds, due and payable for each Month, according to the Statute in that Caſe lately made and provided; That in every ſuch Caſe, every ſuch two Parts ſhall, according to the Extent thereof, go towards the Satisfaction and Payment of the twenty Pounds due and payable for each Month, and unpaid by any ſuch Recuſant: (2) And that the third Part thereof ſhall not be extended or ſeized by the King's Majeſty, his Heirs or Succeſſors, for not Payment of the ſaid twenty Pounds payable for each Month forfeited or loſt by any ſuch Recuſant: (3) And where any ſuch Seizure ſhall be had of the two Parts of the Lands, Tenements, Hereditaments, Leaſes or Farms of any ſuch Recuſant as is aforeſaid, and ſuch Recuſant ſhall die, (the Debt or Duty, by Reaſon of his Recuſancy, not paid, ſatisfied or diſcharged) that in every ſuch Caſe, the ſame two Parts ſhall continue in his Majeſty's Poſſeſſion, until the Reſidue or Remainder of the ſaid Debt or Duty be thereby or otherwiſe paid, ſatisfied or diſcharged: (4) And that his Majeſty, his Heirs or Succeſſors, ſhall not ſeize or extend any third Part deſcending to any ſuch Heirs or any Part thereof, either by Reaſon of the Recuſancy of his or her Anceſtor, or of the Recuſancy of any ſuch Heir.

The two Parts of a Recuſant's Lands, after his Death, ſhall remain in the King's Hands until he be ſatisfied of the Arrearages.

None ſhall go or ſend any other to a Seminary, &c. 3 Jac. 1. c. 5.

VI. And be it further enacted by the Authority of this preſent Parliament, That all and every Perſon and Perſons under the King's Obedience, which at any Time (after the End of this Seſſion of Parliament) ſhall paſs or go, or ſhall ſend or cauſe to be ſent, any Child, or other Perſon under their or any of their Government, into any the Parts beyond the Seas, out of the King's Obedience, to the Intent to enter into, or to be reſident in any College, Seminary or houſe of Jeſuits, Prieſts or any other Popiſh Order, Profeſſion or Calling whatſoever, or repair in or to any the ſame, to be inſtructed, perſwaded or ſtrengthned in the Popiſh Religion, or in any Sort to profeſs the ſame; every ſuch Perſon ſo ſending or cauſing to be ſent, any Child or other Perſon, beyond the Seas to any ſuch Purpoſe or Intent, ſhall for every ſuch Offence forfeit to his Majeſty, his Heirs and Succeſſors, the Sum of one hundred Pounds: (2) And every ſuch Perſon ſo paſſing or being ſent beyond the Seas to any ſuch Intent or Purpoſe as is aforeſaid, ſhall by Authority of this preſent Act, as in Reſpect of him or herſelf only, and not to or in Reſpect of any of his Heirs or Poſterity, be diſabled and made incapable to inherit, purchaſe, take, have or enjoy any Manors, Lands, Tenements, Annuities, Profits, Commodities, Hereditaments, Goods, Chattels, Debts, Duties, Legacies or Sums of Money, within this Realm of *England*, or any other his Majeſty's Dominions: (3) And that all and ſingular Eſtates, Terms, and other Intereſts whatſoever hereafter to be made, ſuffered or done, to or for the Uſe or Behoof of any ſuch Perſon or Perſons, or upon any Truſt or Confidence, mediately or immediately, to or for the Benefit or Relief of any ſuch Perſon or Perſons, ſhall be utterly void and of none Effect, to all Intents, Conſtructions and Purpoſes.

Farther Proviſions relating hereto, 3 Car. 1. c. 2. ſect. 1.

They who be in Seminaries ſhall return. 27 Eliz. c. 2.

VII. And be it further enacted by the Authority aforeſaid, That if any Perſon born within this Realm or any the King's Majeſty's Dominions, be at this preſent in any College, Seminary, Houſe or Place in any Parts beyond the Seas, to the End to be inſtructed or ſtrengthened in the Popiſh Religion, which ſhall not make Return into this Realm, or ſome of his Majeſty's Dominions, within one Year next coming after the End of this Seſſion of Parliament, and ſubmit himſelf as is aforeſaid, ſhall be in reſpect of himſelf only, and not to or in Reſpect of any of his Heirs or Poſterity, utterly diſabled and uncapable to inherit, have or enjoy any Manors, Lands, Tenements, Hereditaments, Goods, Chattels, Debts, or other Things aforeſaid, within this Realm or any other his Majeſty's Dominions. (2) Provided always, That if any ſuch Perſon or Child ſo paſſing, ſent, ſending, or now being, beyond the Seas as aforeſaid, to ſuch Intent as is before-mentioned, ſhall after become conformable, and obedient unto the Laws and Ordinances of the Church of *England*, and ſhall repair to the Church, and there remain and be as is aforeſaid, and continue in ſuch Conformity, according to the true Intent and Meaning of the ſaid Statutes and Ordinances;

Explained by 3 Geo. 1. c. 18. ſect. 4.

A Remedy for ſuch as do return into the Realm, and become conformable to the Laws.

dinances; that in every ſuch Caſe every ſuch Perſon and Child, for and during ſuch Time as he or ſhe ſhall ſo continue in ſuch Conformity and Obedience, ſhall be freed and diſcharged of all and every ſuch Diſability and Incapacity as is before-mentioned.

No Woman or Child ſhall paſs over the Seas without Licence. 3 Jac. 1. c. 5.

VIII. And be it further enacted by the Authority of this preſent Parliament, That no Woman, nor any Child under the Age of one and twenty Years (except Sailors or Ship-boys, or the Apprentice or Factor of ſome Merchant in Trade of Merchandize) ſhall be permitted to paſs over the Seas (except the ſame ſhall be by Licence of the King, his Heirs or Succeſſors, or of ſome ſix or more of the King's Privy Council, thereunto firſt had under their Hands) (2) upon Pain that the Officers of the Port that ſhall willingly or negligently ſuffer any ſuch ſo to paſs, or ſhall not enter the Names of ſuch Paſſengers licenced, ſhall forfeit his Office, and all his Goods and Chattels; (3) and upon Pain that the Owner of any Ship or Veſſel that ſhall wittingly or willingly carry any ſuch over the Seas without Licence as is aforeſaid, ſhall forfeit his Ship or Veſſel and all the Tackle: (4) And every Maſter or Mariner of or in any ſuch Ship or Veſſel offending as aforeſaid, ſhall forfeit all their Goods, and ſuffer Impriſonment by the Space of twelve Months, without Bail or Mainprize.

The Forfeiture of thoſe who do ſuffer them to paſs. *Altered by* 11 & 12 *W.* 3. *c.* 4.

The Forfeiture for being or keeping a School-maſter contrary to this Act. Carthew 464. 1 Ventr. 41. *Farther Proviſions relating hereto* 1 *Jac.* 1. *c.* 4. 3 *Jac.* 1. *c.* 4 & 5. 7 *Jac.* 1. *c.* 6. 25 *Car.* 2. *c.* 2. *And ſee* 16 *Geo.* 2. *c.* 30.

IX. And be it further enacted by the Authority aforeſaid, That no Perſon after the Feaſt of St. *Michael* the Archangel next ſhall keep any School, or be a School-maſter, out of any the Univerſities or Colleges of this Realm, except it be in ſome publick or free Grammar-School, or in ſome ſuch Nobleman's or Noblewoman's, or Gentleman's or Gentlewoman's Houſe, as are not Recuſants, or where the ſame School-maſter ſhall be ſpecially licenced thereunto by the Archbiſhop, Biſhop or Guardian of the Spiritualties of that Dioceſe; (2) upon Pain that as well the School-maſter, as alſo the Party that ſhall retain or maintain any ſuch School-maſter contrary to the true Intent and Meaning of this Act, ſhall forfeit each of them for every Day ſo wittingly offending, forty Shillings. (3) The one Half of all the Penalties and Sums of Money before-mentioned to be forfeited, to be to the King, his Heirs and Succeſſors, the other to him or them that ſhall or will ſue for the ſame, in any the Courts of Record in *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Protection or Wager of Law ſhall be allowed.

## CAP. V.

### An Act to prevent the Over-charge of the People by Stewards of Court-Leets and Court-Barons.

The Steward of a Court ſhall take no Benefit of the Lord's Profits. How the Profits and Perquiſites of Courts-Baron and Leets have been collected. Oppreſſions done to many for the private Gain of Stewards of Courts.

'WHEREAS the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and other 'his Highneſs Subjects of this Realm of *England* and *Wales*, have in divers Places of the ſame 'many Franchiſes, Juriſdictions, Privileges and Liberties to keep Court-Leets or Court-Barons, for the 'true Adminiſtration of Juſtice, and to the Puniſhing and Suppreſſing of Offences; the Profits and Perquiſites of which Courts have heretofore been uſed to be levied and collected by the Bailiff or other Miniſter of ſuch Court, and by him accounted for to his Highneſs Progenitors, or other Lords or Ladies 'of ſuch Courts and Manors, and as of Right it ought ſo to be: (2) But now by Reaſon of the great 'Increaſe of People, the ſaid Profits and Perquiſites of Courts are grown to be of a better yearly Value 'than in ancient Time it hath been, divers that are now Stewards of ſuch Courts have heretofore in their 'own Names, or in the Names of ſome other to their Uſe, obtained and gotten divers Grants of all the 'Profits and Perquiſites of ſuch Courts whereof they are Stewards, whereby many of his Majeſty's Sub'jects are unjuſtly vexed, and by grievous Fines and Amerciaments unduly puniſhed, greatly to the 'wronging and impoveriſhing of the Tenants and Inhabitants where ſuch Stewards are, proceeding out 'of a greedy Deſire to make and obtain an undue and extraordinary Gains to themſelves:' (3) It is therefore by the Authority of this preſent Parliament eſtabliſhed and enacted, That no Steward, Deputy-Steward, or other Under-Steward of any the Courts aforeſaid, ſhall directly or indirectly, in his own Name, or in the Name of any other, from and after the Expiration of one Year next after the End of this Seſſion of this preſent Parliament, take, receive, or make Benefit to his own Uſe, in Money, Goods, or any other Thing, to the Value of Twelve-pence or more, by Virtue or Colour of any Demiſe or Grant hereafter to be made of any the Profits or Perquiſites, or Amerciaments of any ſuch Courts whereof they are Steward, which rightfully ſhall belong to the Lords of the ſame; (4) upon Pain that every Steward offending contrary to the Tenor of this preſent Act of Parliament, ſhall for every ſuch his Offence forfeit the Sum of forty Pounds, and to be diſabled ever after to be Steward of ſuch Court, or of any other; (5) the one half of the Forfeiture to be to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors; the other Half to any of his Majeſty's Subjects that ſhall complain in any of his Highneſs Courts of Record, by Action of Debt, Bill, Plaint or Information; in which Suit no Eſſoin, Protection, Wager of Law, or other dilatory Plea ſhall be allowed.

A Steward of a Court ſhall not take Benefit by the Profit of the ſame Court.

## CAP. VI.

### An Act made for the Explanation of the Statute made in the fifth Year of the late Queen *Elizabeth*'s Reign, concerning Labourers.

Rating of the Wages of Artificers, Labourers, &c. according to the Statute of 5 Eliz. c. 4.

'WHEREAS by an Act made in the Parliament holden at *Weſtminſter* in the fifth Year of the Reign 'of the late Queen *Elizabeth* of famous Memory, intituled, *An Act touching divers Orders for Ar'tificers, Labourers, Servants of Husbandry, and Apprentices*, it was provided and enacted by the Authority of the ſame Parliament, for the Declaration and Limitation what Wages Servants, Labourers and 'Artificers,

The Penalty of a Clothier refuſing to obey the Aſſeſſment.

A Rehearſal of the ſaid Statute.

Rating of Wages by the Year, Day, Week or Month, or by the Great.

Artificers, either by the Year or Day, or otherwiſe, ſhould have and receive, That the Juſtices of Peace of every Shire, Riding or Liberty, within the Limits of their ſeveral Commiſſions, or the more Part of them, being then reſident within the ſame, and the Sheriff of that County, if he conveniently may, and every Mayor, Bailiff or other Head Officer, within any City or Town Corporate, wherein is any Juſtice of Peace within the Limits of the ſaid City or Town Corporate and of the ſaid Corporation, ſhould before the tenth Day of *June* next coming, and afterwards ſhould yearly at every General Seſſions firſt to be holden and kept after *Eaſter*, or at ſome Time convenient within ſix Weeks next following every of the ſaid Feaſts of *Eaſter*, aſſemble themſelves together; (2) and they ſo aſſembled, calling unto them ſuch diſcreet and grave Perſons of the ſaid County, or of the ſaid City or Town Corporate, as they ſhall think meet, and conferring together, reſpecting the Plenty or Scarcity of the Time, and other Circumſtances neceſſarily to be conſidered, ſhould have Authority by Virtue thereof, within the Limits or Precincts of their ſeveral Commiſſions, to limit, rate and appoint the Wages, as well of ſuch and ſo many of the ſaid Artificers, Handicraftſmen, Huſbandmen, or any other Labourer, Servant or Workman, whoſe Wages in Time paſt hath been by any Law or Statute rated and appointed; (3) and alſo the Wages of all other Labourers, Artificers, Workmen or Apprentices of Huſbandry which have not been rated, as they the ſame Juſtices, Mayors, or Head Officers within their ſeveral Commiſſions or Liberties ſhould think meet by their Diſcretions to be rated, limited or appointed, by the Year, or by the Day, Week, Month or otherwiſe, with Meat and Drink, or without Meat and Drink; (4) and what Wages every Workman ſhould take by the Great for Mowing, Reaping or Thraſhing of Corn and Grain, and for Mowing and Making of Hay, or for Ditching, Paling, Railing or Hedging by the Rod, Pearch, Lugge, Yard, Pole, Rope, or Foot, and for any other kind of reaſonable Labours or Service; (5) and ſhould yearly before the twelfth Day of *July* next after the ſaid Aſſeſſment and Rate ſo appointed and made, certify the ſame ingroſſed in Parchment, with the Conſiderations and Cauſes thereof, under their Hands and Seals, into the ſaid Queen's moſt honourable Court of Chancery, to the End that Proclamation ſhould be made in the Name of the Queen's Majeſty, her Heirs or Succeſſors, for obſerving of the ſame Rates, in ſuch Sort, Manner and Form as in the ſaid Act more at large is declared.

A Queſtion moved upon the Statute of 5 Eliz. c. 4. whoſe Wages the Juſtices may rate.

II. And whereas the ſaid Act hath not according to the true Meaning thereof, been duly put in Execution, whereby the Rates of Wages for poor Artificers, Labourers and other Perſons, whoſe Wages was meant to be rated by the ſaid Act, have not been rated and proportioned according to the Plenty, Scarcity, Neceſſity, and Reſpect of the Time, which was politickly intended by the ſaid Act; (2) by reaſon that Ambiguity and Queſtion have riſen and been made, whether the rating of all manner Artificers, Workmen and Work-women, his and their Wages, other than ſuch as by ſome Statute and Law have been rated, or elſe ſuch as did work about Huſbandry, ſhould or might be rated by the ſaid Law: Foraſmuch as the ſaid Law hath been found beneficial for the Commonwealth;'

5 Eliz. c. 4. Labourers, Weavers, Spinſters and Workmens Wages may be rated by the Juſtices.

III. Be it enacted by Authority of this preſent Parliament, That the ſaid Statute, and the Authority by the ſame Statute given to any Perſon or Perſons for aſſeſſing and rating of Wages and the Authority to them in the ſaid Act committed, ſhall be expounded and conſtrued and ſhall by Force of this Act give Authority to all Perſons having any ſuch Authority, to rate Wages of any Labourers, Weavers, Spinſters, and Work-men or Work-women whatſoever, either working by the Day, Week, Month, Year, or taking any Work at any Perſon or Perſons Hand whatſoever, to be done in Great or otherwiſe.

IV. And whereas in divers Shires within this Realm, the Juſtices of Peace have not uſually kept their General Seſſions in one Place of the Shire together, but the General Seſſions have been kept in ſeveral Places for ſeveral Diviſions, by reaſon whereof the moſt Part of the Juſtices of the Peace coming not together, no rating of Wages could be well made in the ſaid Shire where ſuch General Seſſions have been uſed; and for other Reſpects,'

Rates of Wages where Seſſions be kept in ſeveral Parts of the Shire.

V. Be it enacted by Authority of this preſent Parliament, That the Juſtices of Peace, or the more Part of them, reſiant in any Shire, or in any Riding, Liberty or Diviſion, where ſuch Seſſions have been uſually ſeverally kept, ſhall at any General Seſſions of the Peace to be holden for the ſame Shire, Diviſion, Riding or Liberty, or at ſuch Time of rating of Wages as is limited by the ſaid Act made in the fifth Year of her Majeſty's Reign, have as full Authority and Power to rate all manner of Wages to be rated within ſuch Shire, and within the Limits of ſuch Diviſion, in any ſuch Shire, Riding or Liberty, as if the ſame were done in the General Seſſions for the ſaid County, or by the moſt Part of the Juſtices meeting for the rating of Wages by the ſaid Act of the fifth Year of the late Queen, for the Wages mentioned in the ſame Act.

5 Eliz. c. 4.

Proclamations ſhall be made by the Sheriff of the Rates of Wages.

VI. And be it further enacted, That after the Rates made for Wages, and engroſſed in Parchment under the Hands and Seals of them having Authority to rate the ſame, it ſhall and may be lawful to the Sheriff of the ſaid County, or to the Mayor or Chief Officer or Officers of any City or Town Corporate, to cauſe Proclamation to be made of the ſeveral Rates ſo rated, in ſo many Places within their Authorities as to them ſhall ſeem convenient, and as if the ſame had been ſet down printed by the Lord Chancellor or Keeper, after Declaration thereof to his Majeſty, and Certificate of the ſame into the King's moſt Honourable Court of Chancery: (2) And that every Perſon and Perſons ſhall be bound to obſerve the ſaid Rates in giving and receiving Wages, upon the Pains and Puniſhments mentioned in the ſaid Act to be recovered, or Puniſhment inflicted, as in the ſaid Act is mentioned.

The Forfeiture of a Clothier not paying the Wages rated to his Workmen.

VII. And furthermore, be it enacted by the Authority aforeſaid, That if any Clothier or other ſhall refuſe to obey the ſaid Order, Rate and Aſſeſſment of Wages as aforeſaid, and ſhall not pay ſo much or ſo great Wages to their Weavers, Spinſters, Workmen or Work-women, as ſhall be ſo ſet down, rated and appointed, according to the true Meaning of this Act; That then every Clothier and other Perſon and Perſons ſo offending, ſhall forfeit and loſe for every ſuch Offence to the Party grieved, ten Shillings: (2)

And

And that if the ſaid Offence and Offences of not paying ſo much or ſo great Wages to their ſaid Workmen, Work-women and others, ſhall be confeſſed by the Offender, or that the ſame ſhall be proved by two ſufficient and lawful Witneſſes before the Juſtices of Peace in their Quarter-Seſſions of the Peace, the Juſtices of Aſſize in their Seſſions, or before any two Juſtices of the Peace, whereof one to be of the *Quorum*; That then every ſuch Perſon ſhall forthwith ſtand and be in Law convicted thereof: (3) Which ſaid Forfeiture of ten Shillings ſhall be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant from the ſaid Juſtices before whom any ſuch Conviction ſhall be had; which Sale ſhall be good in Law againſt any ſuch Offender and Offenders.

VIII. And be it further enacted, That no Perſon or Perſons ſhall incur any Danger or Penalty for not making Certificate unto the King's moſt Honourable Court of the Chancery, of any Rates of Wages appointed to be certified by the ſaid Act made in the ſaid fifth Year of the ſaid late Queen, ſo as the ſame be proclaimed according to the true Intent of this Law; (2) but the ſaid Rates ingroſſed in Parchment and ſealed as aforeſaid ſhall, if the ſame be in any Shire, be kept by the *Cuſtos Rotulorum* of the ſaid County, amongſt the Records in his Cuſtody for the ſaid Shire, and in any City or Town Corporate, amongſt the Records of the ſaid City or Town Corporate. (3) This Act to continue until the End of the next Parliament.

The Rates of Wages need not to be certified into the Chancery, but proclaimed in the County. 5 Eliz. c. 4. The Continuance of this Act.

IX. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That no Clothier being a Juſtice of Peace in any Precinct or Liberty, ſhall be any Rater of any Wages for any Weaver, Tucker, Spinſter or other Artizan that dependeth upon the making of Cloth: (2) And in Caſe there be not above the Number of two Juſtices of the Peace within ſuch Precinct or Liberty, but ſuch as are Clothiers; That in ſuch Caſe, the ſame Wages ſhall be rated and aſſeſſed by the major Part of the Common Council of ſuch Precinct or Liberty, and ſuch Juſtice or Juſtices of Peace (if any there be) as are not Clothiers. [3 Car. 1. c. 4. Continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

A Clothier being a Juſtice of Peace ſhall be no Rater of Wages for Spinſters, &c.

## CAP. VII.

An Act for the Continuance and Explanation of the Statute made in the thirty-ninth Year of the Reign of the late Queen *Elizabeth*, intituled, An Act for Puniſhment of Rogues, Vagabonds and Sturdy Beggars. [Continued by 3 Car. 1. c. 4. and further continued by 16 Car. 1. c. 4. but Repealed by 12 Annæ, Stat. 2. c. 23. §. 28.]

REP.

## CAP. VIII.

### An Act to take away the Benefit of Clergy for ſome kind of Manſlaughter.

'TO the End that ſtabbing and killing Men on the ſudden, done and committed by many inhumane and wicked Perſons, in the Time of their Rage, Drunkenneſs, hidden Diſpleaſure, or other Paſſion of Mind, contrary to the Commandment of Almighty GOD, and the common Peace and Tranquillity of this Realm, may from henceforth be reſtrained through fear of due Puniſhment to be inflicted on ſuch cruel and bloody Malefactors, who heretofore have been thereunto emboldened by preſuming on the Benefit of Clergy:'

Clergy taken from him that doth ſtab another having not a Weapon drawn. 1 Bulſtr. 87. Godbolt 154, pl. 204. Stile 86, 458. 1 *Hale's P.C.* 466. *Foſter's Rep. of Crown Caſes.* Allen 43, 44.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That every Perſon and Perſons which after one Month next enſuing the End of this preſent Seſſion of Parliament, ſhall ſtab or thruſt any Perſon or Perſons that hath not then any Weapon drawn, or that hath not then firſt ſtricken the Party which ſhall ſo ſtab or thruſt, ſo as the Perſon or Perſons ſo ſtabbed or thruſt ſhall thereof die within the Space of ſix Months then next following, although it cannot be proved that the ſame was done of Malice forethought, yet the Party ſo offending, and being thereof convicted by Verdict of twelve Men, Confeſſion or otherwiſe according to the Laws of this Realm, ſhall be excluded from the Benefit of his or their Clergy, and ſuffer Death as in Caſe of wilful Murder.

III. Provided always, That this Act or any Thing therein contained, ſhall not extend to any Perſon or Perſons which ſhall kill any Perſon or Perſons *ſe defendendo*, or by Misfortune, or in any other Manner than as aforeſaid; (2) nor ſhall extend to any Perſon or Perſons which in keeping and preſerving the Peace ſhall chance to commit Manſlaughter, ſo as the ſaid Manſlaughter be not committed wittingly, willingly and of Purpoſe, under Pretext and Colour of keeping the Peace; (3) nor ſhall extend to any Perſon or Perſons which in chaſtiſing or correcting his Child or Servant, ſhall beſides his or their Intent and Purpoſe chance to commit Manſlaughter. (4) This Act to continue until the End of the firſt Seſſion of the next Parliament. [Continued by 3 Car. 1. c. 4. and 16 Car. 1. c. 4.]

Killing another in Defence of himſelf, by Misfortune, in preſerving the Peace, or giving Correction.

## CAP. IX.

### An Act to reſtrain the inordinate Haunting and Tipling in Inns, Alehouſes, and other Victualling-Houſes.

'WHEREAS the ancient, true and principal Uſe of Inns, Alehouſes and Victualling-houſes was for the Receit, Relief and Lodging of Wayfaring People travelling from Place to Place, and for ſuch Supply of the Wants of ſuch People as are not able by greater Quantities to make their Proviſion of Victuals, and not meant for Entertainment and Harbouring of lewd and idle People to ſpend and conſume their Money and their Time in lewd and drunken Manner:'

The true and principal Uſe of Inns and Alehouſes. 5 & 6 *Ed.* 6. c. 25.

The Forfeiture of an Alehouſe keeper permitting one to continue unlawful Drinking in his Houſe.
7 Jac. 1. c. 10.
1 Car. 1. c. 4. Farther Proviſions relating hereto,
1 Car. 1. c. 4.
*Burn, v.* 1--28.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if after forty Days next enſuing after the End of this preſent Seſſion of Parliament, any Inn-keeper, Victualler or Alehouſe-keeper, within this Realm of *England* or the Dominion of *Wales*, do permit or ſuffer any Perſon or Perſons inhabiting and dwelling in any City, Town Corporate, Market-Town, Village or Hamlet, within this Realm of *England* or Dominion of *Wales*, where any ſuch Inn, Alehouſe or Tipling-houſe is or ſhall be, to remain and continue drinking or tipling in the ſaid Inn, Victualling-houſe, Tipling-houſe or Alehouſe; (2) other than ſuch as ſhall be invited by any Traveller, and ſhall accompany him only during his neceſſary Abode there; (3) and other than Labouring and Handicraftſmen in Cities and Towns Corporate, and Market-Towns, upon the uſual Working-days, for one Hour at Dinner-time to take their Diet in an Alehouſe; (4) and other than Labourers and Workmen, which for the following of their Work by the Day or by the Great, in any City, Town Corporate, Market-Town or Village, ſhall for the Time of their ſaid continuing in Work there, Sojourn, Lodge or Victual in any Inn, Alehouſe or other Victualling-houſe: (5) Other than for urgent and neceſſary Occaſions to be allowed by two Juſtices of Peace; That then every ſuch Inn-keeper, Victualler or Alehouſe-keeper, ſhall for every ſuch Offence forfeit and loſe the Sum of ten Shillings of current Money of *England*, to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; (6) the ſame Offence being viewed and ſeen by any Mayor, Bailiff or Juſtice of Peace, within their ſeveral Limits, or proved by the Oath of two Witneſſes to be taken before any Mayor, Bailiff or any other Head Officer, or any one or more Juſtice or Juſtices of the Peace, who by Virtue of this Act ſhall be authorized to miniſter the ſaid Oath to any Perſon or Perſons that can or will juſtify the ſame, being within the Limits of their ſaid Commiſſion.

One Witneſs ſufficient.
21 Jac. 1. c. 7. ſect. 1.

The Prices of Ale and Beer ſold in an Inn or Alehouſe.

III. And be it further enacted by the Authority aforeſaid, That if any Inn-keeper, Alehouſe-keeper or Victualler, ſhall at any Time utter or ſell leſs than one full Ale-quart of the beſt Beer or Ale for a Penny, and of the Small two Quarts for one Penny, that then every ſuch Inn-keeper, Alehouſe-keeper or Victualler, ſhall forfeit for every ſuch Offence, being duly proved in Manner above limited, the Sum of twenty Shillings of lawful Money of *England* to the Uſe aboveſaid: (2) All and every the ſaid Penalties to be levied by the Conſtables or Church-wardens of the Pariſh or Pariſhes where the Offence or Offences ſhall be committed, by way of Diſtreſs to be taken and detained for the ſaid Forfeitures, and for Default of Satisfaction within ſix Days next enſuing, the ſame then to be preſently appriſed and ſold, and the Surpluſage or Remainder over and above to be delivered to the Party of whom the Diſtreſs was taken; (3) and for want of ſufficient Diſtreſs the Party or Parties offending to be by the Mayor, Bailiff, or other Head Officer, or Juſtice or Juſtices aforeſaid, committed to the common Gaol, there to remain until the ſaid Penalty or Penalties be truly paid.

The Penalty of the Conſtables or Church-wardens omitting their Duty.

IV. And be it further enacted by the Authority aforeſaid, That if the Conſtables or Church-wardens do neglect their Duty in levying, or do not levy the ſaid ſeveral Penalties, or in Default of Diſtreſs or Diſtreſſes, from Time to Time do neglect to certify the ſame Default of Diſtreſs by the Space of twenty Days then next enſuing, to the Mayor, Bailiff, other head Officer or Juſtice of Peace within whoſe Juriſdiction the Offence is committed, then every Perſon and Perſons ſo offending ſhall forfeit for every ſuch Default the Sum of forty Shillings of current Money of *England*, to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; (2) to be levied by way of Diſtreſs of the Offender's Goods, by Warrant from any one or more Juſtice or Juſtices of the Peace, Mayor, Bailiff, or other Head Officer, within the Limits of their Juriſdictions reſpectively, under his or their Hand and Seal to be taken and detained for the ſaid Forfeitures, for the Space of ſix Days then next enſuing: Within which Time if Payment be not made, the ſame Goods to be preſently appriſed and ſold, and the Surpluſage and Remainder over and above (if any be) to be delivered to the Party of whom the Diſtreſs was taken; (3) and for want of ſuch ſufficient Diſtreſs the Conſtables, Church-warden or Church-wardens ſo offending, to be by the Mayor, Bailiff, or other Head Officer, Juſtice or Juſtices of Peace, committed to the common Gaol, there to remain until the ſaid Penalty or Penalties be truly paid; (4) for all which Penalties which ſo ſhall be levied by the ſaid Conſtables or Churchwardens, they the ſaid Conſtables and Church-wardens ſhall be accountable to their Succeſſors and other the Pariſhioners, in ſuch Sort as they uſually be in other Church-reckonings or Accounts: (5) And for all Forfeitures to be levied by reaſon of any Neglect of the Conſtables or Church-wardens, thoſe ſhall be accountable who by Force of any Warrant or Precept do levy the ſame, or upon the Enlargement of Perſons committed do receive the ſame.

The Conſtable and Church-warden's Account.

12 H. 7. c. 2. 5 & 6 Ed. 6. c. 25.
The Continuance of this Statute.

V. And be it further enacted, That all other Laws and Statutes touching Inn-keepers, Victuallers and Alehouſe-keepers, ſhall ſtill remain in their former Force, and be put in due Execution. (2) This Act to continue to the End of the firſt Seſſion of the next Parliament.

Offences committed within the Univerſities.

VI. Provided always, and be it enacted by the Authority of this preſent Parliament, That the Correction and Puniſhment of ſuch as ſhall offend againſt this Act or any Part thereof, within either of the two Univerſities of this Realm or the Precincts or Liberties of the ſame, ſhall be done upon the Offenders, and Juſtice ſhall be miniſtred in this Behalf, according to the Intent and true Meaning of this Law, by the Governors, Magiſtrates, Juſtices of the Peace or other principal Officers of either of the ſame Univerſities, to whom in other Caſes the Adminiſtration of Juſtice, and Correction and Puniſhment of Offenders by the Laws of this Realm and their ſeveral Charters doth belong or appertain, and that no other within their Liberties, for any Matter concerning this Law, contrary to their ſeveral Charters, do intermeddle; (2) and that all Penalties and Sums of Money to be forfeited or loſt by Force of this Act, within either of the Univerſities or the Liberties or Precincts of the ſame, ſhall be levied by the Officers or Miniſters of either of the ſaid Univerſities, to be from Time to Time in that Behalf appointed by the Vice-chancellors thereof for the Time being reſpectively; (3) and that all Powers and Authorities either of Impriſonment or otherwiſe before given or appointed by this Act, ſhall by the Governors, Magiſtrates and principal

*For farther Proviſions concerning Alehouſes, ſee* 4 *Jac.* 1. *c.* 4. *&* 5. 7 *Jac.* 1. *c.* 10. 21 *Jac.* 1. *c.* 7. 1 *Car.* 1. *c.* 4. 26 *Geo.* 2. *c.* 31. *&* 29 *Geo.* 2. *c.* 12.

principal Officers aboveſaid of either of the ſaid Univerſities, be duly executed and done within either of the ſaid Univerſities and the Liberties and Precincts of the ſame, according to the true Intent and Meaning of this Act. [Made perpetual by 21 Jac. 1. c. 7. §. 1.]

## CAP. X.

### An Act for the better Execution of Juſtice.

'FOraſmuch as all Exactions, Extortions and Corruptions are odious, and prohibited in all well governed Commonwealths,' (2) Be it enacted, That no Perſon to whom any Order or Cauſe ſhall be committed or referred by any of the King's Judges, or Courts at *Weſtminſter*, or any other Court, ſhall directly or indirectly, or by any Art, Shift, Colour or Device, have, take or receive any Money, Fee, Reward, Covenant, Obligation, Promiſe, Agreement or any other Thing, for his Report or Certificate by Writing or otherwiſe; (3) upon Pain of the Forfeiture of one hundred Pounds for every ſuch Report or Certificate, and to be deprived of his Office and Place in the ſame Court; (4) the one Moiety of the ſaid Forfeitures to be to our Sovereign Lord the King, his Heirs and Succeſſors, the other Moiety to the Party grieved which will ſue for the ſame, at any Time during the ſaid Suit, or within one Year after the ſame Cauſe diſcontinued or decreed; and in his Default of ſuch Suit, to him or them that will ſue for the ſame, by Original Writ, Bill, Plaint or Information, in his Majeſty's High Court of Star-Chamber, or in any his Majeſty's Courts of Record at *Weſtminſter*, in which Suit, by Writ, Bill, Plaint or Information, no Wager of Law, Eſſoin, Privilege, Superſedeas, Protection, or any other Delay, ſhall be ſuffered or admitted.

Nothing ſhall be taken for the Report of a Cauſe referred by any Court.

II. Provided nevertheleſs, That it ſhall be lawful for the Clerk to take for his Pains for writing of every ſuch Report or Certificate twelve Pence for the firſt Side, and two Pence for every Side after, and no more, upon Pain to forfeit ten Shilllings for every Peny taken over and above the ſaid Sum, to be had and recovered as aforeſaid.

The Clerk's Fees for writing a Report.

## CAP. XI.

### An Act to reſtrain all Perſons from Marriage until their former Wives and former Huſbands be dead.

'FOraſmuch as divers evil diſpoſed Perſons being married, run out of one County into another, or into 'Places where they are not known, and there become to be married, having another Huſband or Wife 'living, to the great Diſhonour of God, and utter Undoing of divers honeſt Mens Children, and others'; (2) Be it therefore enacted by the King's Majeſty, with the Conſent of the Lords Spiritual and Temporal, and of the Commons, in this preſent Parliament aſſembled, That if any Perſon or Perſons within his Majeſty's Dominions of *England* and *Wales*, being married, or which hereafter ſhall marry, do at any Time after the End of the Seſſion of this preſent Parliament, marry any Perſon or Perſons, the former Huſband or Wife being alive; That then every ſuch Offence ſhall be Felony, and the Perſon and Perſons ſo offending ſhall ſuffer Death as in Caſes of Felony; (3) and the Party and Parties ſo offending ſhall receive ſuch and the like Proceeding, Trial and Execution in ſuch County where ſuch Perſon or Perſons ſhall be apprehended, as if the Offence had been committed in ſuch County where ſuch Perſon or Perſons ſhall be taken or apprehended.

Felony to marry a ſecond Huſband or Wife, the former being living.
1 Ed. 6. c. 12. ſect. 16.
3 Inſt. 88.
Cro. Eliz 94.
*Cro. Car.* 461.
March 101.
Kelyng 79, 80.
1 *Hale's P. C.* 692.

II. Provided always, That this Act, nor any Thing therein contained, ſhall extend to any Perſon or Perſons whoſe Huſband or Wife ſhall be continually remaining beyond the Seas by the Space of ſeven Years together, or whoſe Huſband or Wife ſhall abſent him or herſelf the one from the other by the Space of ſeven Years together, in any Parts within his Majeſty's Dominions, the one of them not knowing the other to be living within that Time.

The Huſband or Wife being abſent ſeven Years from the other.

III. Provided alſo, and be it enacted by the Authority aforeſaid, That this Act, nor any Thing herein contained, ſhall extend to any Perſon or Perſons that are or ſhall be at the Time of ſuch Marriage divorced by any Sentence had or hereafter to be had in the Eccleſiaſtical Court; (2) or to any Perſon or Perſons where the former Marriage hath been or hereafter ſhall be by Sentence in the Eccleſiaſtical Court declared to be void and of no Effect; nor to any Perſon or Perſons for or by Reaſon of any former Marriage had or made, or hereafter to be had or made, within Age of Conſent.

To what Perſons this Statute ſhall not extend.

IV. Provided alſo, That no Attainder for this Offence made Felony by this Act, ſhall make or work any Corruption of Blood, Loſs of Dower, or Diſinheriſon of Heir or Heirs.

No Corruption of Blood, Loſs of Dower or Inheritance.

## CAP. XII.

An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits. The Penalty for practiſing of Invocation or Conjuration, *&c.* Conjuration or Invocation, whereby any Perſon is killed or lamed. Declaring by Witchcraft, where any Thing is hidden, Procuring unlawful Love, *&c.* The ſecond Offence Felony. No Forfeiture of Dower or Inheritance. Trial of a Peer of the Realm.

REP. 9 Geo. 2. c. 5.
5 Eliz. c. 16.
Corpus Juris Civilis, Vol. 2. Cod. 9. Tit. 18. 3 Inſt. 45, 128. Cro. Car. 141, 282. 2 Roll 343.

## CAP. XIII.

An Act for new Executions to be ſued againſt any which ſhall hereafter be delivered out of Execution by Privilege of Parliament, and for Diſcharge of them out of whoſe Cuſtody ſuch Perſons ſhall be delivered.

An Execution againſt him who is diſcharged by Privilege of Parliament. 32 H. 8. c. 5.

'FOraſmuch as heretofore Doubt hath been made, if any Perſon being arreſted in Execution, and by Privilege of either of the Houſes of Parliament ſet at Liberty, whether the Party at whoſe Suit ſuch Execution was purſued, be for ever after barred and diſabled to ſue forth a new Writ of Execution in that Caſe':

II. For the Avoiding of all further Doubt and Trouble which in like Caſes may hereafter enſue, Be it enacted by the King's moſt excellent Majeſty, by the Lords Spiritual and Temporal, and by the Commons, in this preſent Parliament aſſembled, That from henceforth the Party at or by whoſe Suit ſuch Writ of Execution was purſued, his Executors or Adminiſtrators, after ſuch Time as the Privilege of that Seſſion of Parliament in which ſuch Privilege ſhall be ſo granted ſhall ceaſe, may ſue forth and execute a new Writ or Writs of Execution, in ſuch Manner and Form as by the Law of this Realm he or they might have done, if no ſuch former Execution had been taken forth or ſerved: (2) And that from henceforth no Sheriff, Bailiff, or other Officer, from whoſe Arreſt or Cuſtody any ſuch Perſon ſo arreſted in Execution ſhall be delivered by any ſuch Privilege, ſhall be charged or chargeable with or by any Action whatſoever, for delivering out of Execution any ſuch privileged Perſon, ſo as is aforeſaid by ſuch Privilege of Parliament ſet at Liberty; any Law, Cuſtom or Privilege heretofore to the contrary notwithſtanding.

He ſhall never be charged, out of whoſe Cuſtody ſuch Priſoner ſhall be delivered.

Cenſure inflicted upon any that ſhall arreſt a Parliament-man.

III. Provided always, That this Act, or any Thing therein contained, ſhall not extend to the Diminiſhing of any Puniſhment to be hereafter by Cenſure in Parliament inflicted upon any Perſon which hereafter ſhall make or procure to be made any ſuch Arreſt as is aforeſaid.

*Farther Proviſions relating to Executions 3 Jac. 1. c. 8. 21 Jac. 1. c. 24. 16 & 17 Car. 2. c. 5. which is made perpetual by 22 & 23 Car. 2. c. 2. and 29 Car. 2. c. 3. ſect. 16.*

## CAP. XIV.

A Remedy for a Freeman of *London* to recover a Debt not exceeding forty Shillings owing to him by another inhabiting within the ſaid City or the Liberties: A Penalty if the Debtor do not appear before the Commiſſioners upon Warning; or if the Creditor or Debtor do not perform their Order; or if the Creditor, being a Freeman of *London*, do ſue any other Freemen out of the ſame City for a Debt under forty Shillings. Repealed by 3 Jac. 1. c. 15.

## CAP. XV.

An Act for the better Relief of the Creditors againſt ſuch as ſhall become Bankrupts.

An Expoſition and Addition to the Statute of Bankrupts, made 34 & 35 H. 8. c. 4. 13 Eliz. c. 7.

'FOR that Frauds and Deceits, as new Diſeaſes, daily increaſe amongſt ſuch as live by buying and ſelling, to the Hindrance of Traffick and mutual Commerce, and to the general Hurt of the Realm, by ſuch as wickedly and wilfully become Bankrupts: (2) And for that the Deſcription of a Bankrupt in former Statutes is not ſo fully expreſſed, nor the Power given thereby to the Commiſſioners for Bankrupts ſo large, as is meet in ſuch Caſes of Deceit, to prevent the deceitful Actions of Bankrupts':

Who ſhall be adjudged a Bankrupt. 1 Bulſt. 134. In Part repealed by 10 Annæ, c. 15. ſect. 1. *Bac. Abr. v.* 1. 247. *Wood Pl.* 1. 96.

II. For Remedy whereof, Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, at this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every ſuch Perſon and Perſons uſing or that ſhall uſe the Trade of Merchandize, by way of Bargaining, Exchange, Bartry, Cheviſance, or otherwiſe in Groſs, or by Retail, or ſeeking his, her, or their Trade of living by buying and ſelling, and being a ſubject-born of this Realm or any the King's Dominions, or Denizen, who at any Time ſithence the firſt Day of this preſent Parliament, or at any Time hereafter, ſhall depart the Realm, (2) or begin to keep his or her houſe or houſes or otherwiſe to abſent him or herſelf, or take Sanctuary, (3) or ſuffer him or herſelf willingly to be arreſted for any Debt, or other Thing not grown or due for Money delivered, Wares ſold, or any other juſt or lawful Cauſe, or good Conſideration or Purpoſes, (4) or hath or will ſuffer him or herſelf to be outlawed, or yield him or herſelf to Priſon, (5) or willingly or fraudulently hath or ſhall procure him or herſelf to be arreſted, or his or her Goods, Money or Chattles to be attached or ſequeſtred, (6) or depart from his or her Dwelling-houſe, (7) or make or cauſe to be made any fraudulent Grant or Conveyance of his, her or their Lands, Tenements, Goods or Chattles, (8) to the Intent, or whereby his, her or their Creditors, being Subjects born as aforeſaid, ſhall or may be defeated or delayed for the Recovery of their juſt and true Debts, (9) or being arreſted for Debt, ſhall after his or her Arreſt lie in Priſon ſix Months or more upon that Arreſt, or upon any other Arreſt or Detention in Priſon for Debt, and lie in Priſon ſix Months upon ſuch Arreſt or Detention, (10) ſhall be accounted and adjudged a Bankrupt to all Intents and Purpoſes.

The like Commiſſions, Orders, Benefits and Remedies as be provided for

III. And be it further enacted by the Authority of this preſent Parliament, That the like Commiſſions, Orders, Benefits and Remedies which are and be provided and limited by the ſaid former Act of Parliament (made in 13 *nuper Eliz. Reginæ*) againſt any Bankrupt therein deſcribed, or for or concerning his,

his, her or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, or any of them, ſhall be had, purſued, taken and expounded againſt ſuch Perſon and Perſons that are herein expreſſed to be Bankrupts, his, her and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, in ſuch like Manner and Form as the ſame ought or might have been, if the Perſons herein deſcribed to be Bankrupts had been deſcribed to be Bankrupts according to the Intent of the ſaid former Statute.

Bankrupts by the Statute of 13 Eliz. c. 7. 2 Bulſtr. 26.

IV. And that it ſhall be lawful for any of the Creditors of the ſaid Bankrupt within four Months after any ſuch Commiſſion ſhall be ſued forth, and until Diſtribution ſhall be made by the ſaid Commiſſioners for the Payment of the Bankrupt's Debt, as in ſuch Caſe hath been uſed, to partake and join with the other Creditors that ſhall ſue forth any ſuch Commiſſion, for Satisfaction and Payment of his, her or their Debts, to him or them owing, without any Hindrance, Let or Diſturbance of any of the ſame Commiſſioners, or of any of the other Creditors of any ſuch Bankrupts, the ſame Creditors ſo coming in, to contribute to the Charges of the ſaid Commiſſion; (2) and that if the Creditors come not in within four Months, then the Commiſſioners to have Power to diſtribute.

New Creditors Partakers with the former. Hob. 287. Hutt. 37, 42.

V. Be it further enacted, That if any Perſon which hereafter is or ſhall be a Bankrupt by Intent of this Statute, ſhall convey, or procure or cauſe to be conveyed, to any of his Children or other Perſon or Perſons, any Manors, Lands, Tenements, Hereditaments, Offices, Fees, Annuities, Leaſes, Goods, Chattels, or transfer his Debts into other Mens Names; (2) except the ſame ſhall be purchaſed, conveyed or transferred for or upon Marriage of any of his or her Children, both the Parties married being of the Years of Conſent, or ſome valuable Conſideration, (3) ſhall be in the Power and Authority of the Commiſſioners on this Behalf to be appointed, or the more Part of them, to bargain, ſell, grant, convey, demiſe, or otherwiſe to diſpoſe thereof, in as ample Manner as if the ſaid Bankrupt had been actually ſeized or poſſeſſed thereof, or the Debts were in his own Name, of the like Eſtate or Intereſt to his or their own Uſe, at ſuch Time as he or ſhe became Bankrupt: (4) And that every ſuch Grant, Bargain, Sale, Conveyance and Diſpoſition of the ſaid Commiſſioners, or of the greater Part of them, ſhall be good and available to all Intents, Conſtructions and Purpoſes in the Law, againſt the Offender or Offenders, his Heirs, Executors, Adminiſtrators and Aſſigns, and ſuch Children and Perſons as ſhall be ſubject to this Statute, and againſt all other Perſon and Perſons claiming by, from or under ſuch Offender or Offenders, or ſuch ſaid other Perſons, to whom ſuch Conveyance ſhall be made by the ſaid Bankrupt, or by his Means or Procurement.

A Bankrupt conveying his Lands or Goods to others, or transferring his Debts into other Mens Names. Stile 288.

' VI. And for that the Practices of Bankrupts of late are ſo ſecret and ſo ſubtil, as that they can very ' hardly be found out or brought to Light; (2) and for that the former Statute, giving Power to the ' Commiſſioners to examine others than the Bankrupts, hath not fully or ſufficiently authorized them to ' examine the ſaid Bankrupt upon Oath:' (3) For Remedy whereof, be it further enacted by the Authority of this preſent Parliament, That the ſaid Commiſſioners may call before them, or the greater Part of them, the ſaid Bankrupt; (4) and if upon lawful Warning left or made in Writing at three ſeveral Times at the Dwelling-place or Houſe where the ſaid Bankrupt, his Wife or Family, for the moſt part of his Abode, did lodge or remain within one Year next before he, ſhe or they became Bankrupt, the ſaid Bankrupt ſhall not appear before the ſaid Commiſſioners, or the greater Part of them; that then and from thenceforth it ſhall be lawful for the greater Number of the ſaid Commiſſioners to appoint to proclaim the ſaid Party a Bankrupt, at ſuch publick Place or Places where the ſaid Commiſſioners or the greater Part of them ſhall think meet, warning him, her or them, to appear before them upon the ſaid Commiſſion at ſome Time appointed; (5) and that if upon five ſeveral Proclamations made in ſome publick Place, the Party offending appear not before the ſaid Commiſſioners, and yield his, her or their Bodies to them or ſome of them, the ſaid Commiſſioners, or the greater Part of them, ſhall or may award a Warrant to ſuch fit Perſon or Perſons as they think meet, to apprehend the Body and Bodies of the ſaid Offender and Offenders, and to bring him, her or them ſo offending, before the ſaid Commiſſioners, whereſoever the ſaid Party or Parties offending may be found, in Place privileged or not, to be examined by the ſaid Commiſſioners or the greater Part of them.

In what Caſe he that doth withdraw himſelf ſhall be proclaimed a Bankrupt.

A Bankrupt apprehended, which upon Warning refuſeth to appear.

VII. And that it ſhall be lawful for the ſaid Commiſſioners, or the greater Part of them, to examine the ſaid Offender or Offenders, upon ſuch Interrogatories touching the Lands, Tenements, Goods, Chattels, Debts, Bills, Bonds, Books of Account, and ſuch other Things, as may tend to diſcloſe his, her or their Eſtate, or their ſecret Grants, Conveyances, and eloining of his, her or their Lands, Tenements, Goods, Money and Debts, as they ſhall think meet.

The Examination of a Bankrupt.

VIII. And that if therein the Offender or Offenders ſhall refuſe to be examined or to anſwer fully to every Interrogatory to him to be miniſtred by the ſaid Commiſſioners, or the greater Part of them, it ſhall be lawful for the ſaid Commiſſioners, or the greater Part of them, to commit the ſaid Offender or Offenders to ſome ſtrait or cloſe Impriſonment, there to remain until he, ſhe or they ſhall better conform him or herſelf.

A Bankrupt refuſing to anſwer.

IX. And that if upon his, her or their Examination, it ſhall appear that he, ſhe or they have committed any wilful or corrupt Perjury, tending to the Hurt or Damage of the Creditors of the ſaid Bankrupt, to the Value of ten Pounds of lawful Money of *England*, or above, the Party ſo offending ſhall or may thereof be indicted in any of the King's Majeſty's Courts of Record, and being lawfully convicted thereof ſhall ſtand upon the Pillory in ſome publick Place by the Space of two Hours, and have one of his Ears nailed to the Pillory and cut off.

The Puniſhment of a Bankrupt committing Perjury.

' X. And whereas by the former Statute made in the ſaid thirteenth Year of the Reign of the late Queen ' *Elizabeth*, the Commiſſioners for Bankrupts have Power given to them to ſend for ſuch Perſon or Perſons as the Creditors ſhall know, ſuppoſe or ſuſpect to have, detain or keep any Part of the Money, 13 El. c. 7.

'Goods, Chattels or Debts of the ſaid Offender or Offenders, or to be indebted to the ſaid Offender or 'Offenders, to be examined by the ſaid Commiſſioners, as by the ſame Statute appeareth, but have not 'good Means or Remedy by Impriſonment or other Penalty, to procure the Perſon ſo ſent for by them 'to appear before them, nor having appeared before them, to make Anſwer upon his Oath to ſuch Inter-'rogatories as ſhall be miniſtred unto him by the ſaid Commiſſioners, for and upon the Specialty, Cer-'tainty, true Declaration and Knowledge of ſuch Lands, Tenements, Hereditaments, Goods, Debts or 'other Things, of any ſuch Offender or Offenders, as be or ſhall be, or which ſhall be ſuſpected to be, 'in his Cuſtody, Uſe or Poſſeſſion, or in the Cuſtody, Uſe or Poſſeſſion of any other to his Knowledge, 'and of all Debts owing to or for the Benefit of ſuch Offender or Offenders, by himſelf or by any other 'to his Knowledge; (2) ſo as many Times a great Part of the Offender or Offenders Lands, Tenements, 'Hereditaments, Goods, Chattels or Debts, which by the true Intent of the ſaid Statute ſhould be em-'ployed to the Satisfaction of the Creditors of the Offender or Offenders, are concealed or detained in 'the Hands of ſuch Perſon and Perſons as refuſe to come, or being come refuſe to be ſworn, before the 'ſaid Commiſſioners, to be examined in that Behalf, to the great Encouragement of all Bankrupts and 'their wicked Confederates and Acceſſories, and to the great Hindrance of the juſt Remedies of the Cre-'ditors of the ſaid Bankrupts, for their true and juſt Debts to them owing:' (3) For Remedy whereof,

Examination of ſuch as have Bankrupts Goods, or be indebted unto them.

be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons being known, ſuppoſed or ſuſpected to have or detain any Part of the Lands, Tenements or Hereditaments, Goods, Chattels or Debts of the ſaid Bankrupt, or to be indebted to or for the Benefit of the ſaid Bankrupt, ſhall after lawful Warning to the ſaid Perſon or Perſons given, to come before the ſaid Commiſſioners or the greater Part of them, to be examined according to the Intent of the ſaid Statute, refuſe to come, or ſhall not come before the ſaid Commiſſioners at the Time appointed, having no lawful Impediment (ſuch as ſhall be admitted and allowed of by the ſaid Commiſſioners or the more Part of them, and which ſhall be then ſig-

The Puniſhment of ſuch as will not appear, or not ſwear to anſwer to Interrogatories.

nified or made known to the ſaid Commiſſioners at the Time of their Aſſembly;) (4) or that any ſuch Perſon or Perſons, having Knowledge or Warning of any other Aſſembly or Meeting of the ſaid Commiſſioners again, ſhall not come and appear before them at ſuch Time as he or ſhe lawfully may come, having no ſuch lawful Impediment as ſhall be then made known to the ſaid Commiſſioners, and by them admitted and allowed of, as aforeſaid; (5) or being come before them ſhall refuſe to be ſworn, and to make Anſwer to ſuch Interrogatories as ſhall be miniſtred unto him or them, according to the true Intent and Meaning of the ſaid Statute made in the ſaid thirteenth Year of the Reign of our ſaid late Sovereign

5 Mod. 309.

Lady Queen *Elizabeth*, or of this preſent Act; (6) that then it ſhall be lawful for the ſaid Commiſſioners, or for the greater Part of them, to commit to ſuch Ward and Priſon, as to them or to the greater Part of them ſhall be thought meet, all ſuch Perſon and Perſons as ſhall ſo refuſe to be ſworn, and make Anſwer to ſuch Interrogatories as ſhall be ſo miniſtred as aforeſaid, (7) and alſo to direct their Warrants to ſuch Perſon or Perſons as to them or the greater Part of them ſhall be thought meet, to apprehend and arreſt ſuch Perſon or Perſons as ſhall refuſe to come and appear before them, as aforeſaid, and to bring him, her or them before the ſaid Commiſſioners, or the greater Part of them, to be examined as aboveſaid, (8) and upon his, her or their Refuſal to come, or to be examined before the ſaid Commiſſioners as aforeſaid, to commit the ſaid Party ſo refuſing, to ſuch Priſon as the ſaid Commiſſioners, or the greater Part of them, ſhall think meet, there to remain without Bail or Mainprize, until ſuch Time as the ſaid Perſon ſo refuſing to come, or to be ſworn to anſwer before the ſaid Commiſſioners, ſhall ſubmit him or her ſelf to the ſaid Commiſſioners, and be by them examined, according to the true Intent of the ſaid Statute and of this preſent Act.

Witneſſes allowed their Coſts. The Penalty of others beſide the Bankrupt committing Perjury.

XI. Provided always, That ſuch Witneſſes as ſhall ſo be ſent for, ſhall have ſuch Coſts and Charges as the Commiſſioners in their Diſcretion ſhall think fit; the ſame Charges to be rateably born by the Creditors of the ſaid Bankrupt, according to the Proportion of each of their ſeveral Debts: (2) And if any Perſon or Perſons, other than the Bankrupt, either by Subornation, unlawful Procurement, ſiniſter Perſwaſion, or Means of any others, or by his own Act, Conſent or Agreement, ſhall wilfully and corruptly commit any manner of wilful Perjury by his Depoſition to be taken before the ſaid Commiſſioners, or the greater Part of them, as aforeſaid; that then the Party or Parties ſo offending, and all and every Perſon and Perſons that ſhall unlawfully and corruptly procure any ſuch unlawful, wilful and corrupt Perjury, ſhall or may therefore be indicted in any of the King's Majeſty's Courts of Record, (3) and after his or their Conviction thereof, ſhall incur ſuch Forfeiture, and receive and ſuffer ſuch Pains and Puniſhment, as are limited by the Statute made concerning Perjury in the fifth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*.

5 Eliz. c. 9.

Who ſhall recover the Forfeitures, and how they ſhall imploy them.

XII. And be it further enacted, That all and every Sum and Sums of Money which ſhall be forfeited by Force of this preſent Act, ſhall be ſued for and recovered by the ſaid Creditors only, or any of them that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of the King's Majeſty's Courts of Record; and the Sum or Sums of Money ſo recovered, the Charges of Suit being deducted, ſhall be diſtributed and divided towards the Payment of the ſaid Creditors of the Bankrupt.

The Authority of Commiſſioners touching Debts due to a Bankrupt.

1 Salk. 108.

XIII. 'And for that the Power and Authority given to the Commiſſioners of Bankrupts touching the 'Debts due to the ſaid Bankrupts, is not ſo full and perfect, as that the full Benefit thereof in due Courſe might be employed to the Uſe of the ſaid Creditors, as was intended'; (2) For Remedy thereof, be it further enacted by the Authority aforeſaid, That the Commiſſioners of Bankrupts, or the geater Part of them, ſhall have Power to grant and aſſign, or otherwiſe to order or diſpoſe all or any of the Debts due or to be due to or for the Benefit of the ſaid Bankrupt, by what Perſon or Perſons ſoever, or in what Manner and Form ſoever, to the Uſe of the Creditors of the ſaid Bankrupt, according to the true Intent of the ſaid former recited Statute of Bankrupts; (3) and that the ſame Grant, Aſſignment or Diſpoſition of the ſaid Debts, in Form aforeſaid to be made by the ſaid Commiſſioners, or the greater Part of them, ſhall ſo veſt the Property, Right and Intereſt of the ſaid Debt and Debts, in the Perſon or

Perſons

Perſons of him, her or them, to whom it ſhall be granted, aſſigned or ordered by the ſaid Commiſſioners or the greater Part of them, as fully to all Intents and Purpoſes as if the ſaid Bill, Bond, Bonds, Statutes, Recognizances, Judgment or Contract, whereupon the ſaid Debt or Debts, Deed or Deeds ſhall ariſe or grow, had been made to or with, or for the ſaid Perſon or Perſons to whom the ſame ſhall be ſo granted, aſſigned or diſpoſed by the ſaid Commiſſioners; (4) and that after ſuch Grant, Aſſignment or Diſpoſition made of the ſaid Debts, that neither the Bankrupt, nor any other to whom any ſuch Debt ſhall be due, ſhall have Power to recover the ſame, nor to make any Releaſe or Diſcharge thereof; (5) neither ſhall the ſame be attached as the Debt of the Bankrupt, or ſuch ſaid other Perſon or Perſons to whom the ſame ſhall be due, by any other Perſon or Perſons, according to the Cuſtom of the City of *London* or otherwiſe, (6) but that the Party or Parties to whom the ſame Debt ſhall be ſo aſſigned, ſhall have like Remedy to recover the ſame, as fully and lawfully, in the Name or Names of the Perſon or Perſons to whom the ſame ſhall be ſo granted, aſſigned or ordered by the ſaid Commiſſioners, in all Reſpects and Purpoſes as the Party himſelf might have had; any Law, Statute, Uſe or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

The Remedy for the Creditor to recover a Bankrupt's Debt aſſigned to him by the Commiſſioners.

XIV. Provided always, That no Debtor of the Bankrupt be hereby endangered for the Payment of his or her Debt truly and *bona fide* to any ſuch Bankrupt, before ſuch Time as he ſhall underſtand or know that he is become a Bankrupt.

XV. Provided alſo, and be it further enacted, That ſuch of the ſaid Commiſſioners as ſhall put the ſaid Commiſſion in Execution, ſhall upon lawful Requeſt to them made by the ſaid Bankrupt, not only make a true Declaration to the ſaid Bankrupts, of the employing and beſtowing of his, her or their ſaid Lands, Tenements and Hereditaments, Offices, Fees, Goods, Wares, Money, Chattles and Debts which ſhall be paid and ſatisfied to their ſaid Creditors, as is in like Caſe limited or appointed by the ſaid former Statute made in the ſaid thirteenth Year of the ſaid late Queen's Majeſty's Reign, but alſo make Payment of the Overplus of the ſame, if any ſuch ſhall be, to the ſaid Bankrupts, their Executors, Adminiſtrators and Aſſigns; (2) and that the ſaid Bankrupts, after the full Satisfaction of the ſaid Creditors, ſhall have full Power and Authority to recover and receive the Reſidue and Remainder of the Debts to them owing; any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

Commiſſioners ſhall declare to the Bankrupt how they have beſtowed his Lands and Goods.

XVI. Be it further enacted, That if any Action of Treſpaſs or other Suit ſhall happen hereafter to be brought againſt any Commiſſioner authorized by the Statute made *in Decimo tertio* of our late Sovereign Lady Queen *Elizabeth*, for Bankrupts, or any other other Perſon or Perſons having Authority by Virtue or under the Commiſſion authorizing the ſaid Commiſſioner for the doing or executing of any Matter by Force of the ſaid Statute, or this preſent Statute, That the Defendant or Defendants in any ſuch Action or Suit, may plead Not guilty, (2) or otherwiſe juſtify, That the Act or Thing whereof the Plaintiff or Plaintiffs complained, was done by the Authority of the ſaid Act made in the thirteenth of *Elizabeth*, or in this preſent Act reſpectively, (3) without Expreſſing or Rehearſal of any other Matter of Circumſtance contained in either of the ſaid Acts, and without enforcing him or them to ſhew forth their Commiſſion authoriſing the ſaid Act or Thing; (4) whereunto the Plaintiff ſhall be admitted to reply, That the Defendant did the ſaid Fact ſuppoſed in the Declaration, of his own Wrong, without any ſuch Cauſe alledged by the ſaid Defendant; whereupon the Iſſue in ſuch Action ſhall be joined to be tried by Verdict of twelve Men; (5) and upon the Trial of that Iſſue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the ſame; (6) and if Verdict upon ſuch Iſſue ſhall paſs for the Defendant, the Defendant to have his Coſts.

13 Eliz. c. 7.

The Commiſſioners Plea in an Action brought againſt them.

XVII. Provided always, and be it further enacted, That after any Commiſſion of Bankrupts hereafter ſued forth, and dealt in by the Commiſſioners, the Offender happen to die before the Commiſſioners ſhall diſtribute the Goods, Lands and Debts of the Offenders or any of them, by Force of the aforeſaid Statute of the thirteenth Year of the Reign of our late Sovereign Lady Queen *Elizabeth* and this Statute or either of them, That then nevertheleſs the ſaid Commiſſioners ſhall and may in that Caſe proceed in Execution, in and upon the ſaid Commiſſion for and concerning the Offender's Goods, Lands, Tenements, Hereditaments and Debts, in ſuch Sort as they might have done if the Party Offender were living. 21 Jac. 1. c. 19. 5 Geo. 2. c. 30.

The Commiſſioners ſhall proceed to Execution though the Bankrupt die. *Farther Proviſions concerning Bankrupts*, 13 & 14 *Car.* 2. *c.* 24. 10 *Ann. c.* 15. 7 *Geo.* 1. *c.* 31.

5 *Geo.* 2. *c.* 30. *(which is continued by* 31 *Geo.* 2. *c.* 35, *to* 29 *September* 1764.) 19 *Geo.* 2. *c.* 32. *and* 24 *Geo.* 2. *c.* 57.

## CAP. XVI.

### An Act concerning Wherrimen and Watermen.

'FOraſmuch as it hath often happened, that divers and ſundry People paſſing by Water upon the River of *Thames* between *Windſor* and *Graveſend*, have been put in great Hazard and Danger of the Loſs of their Lives and Goods, and many Times have periſhed and been drowned in the ſaid River, through the Unſkilfulneſs and Want of Knowledge or Experience in the Wherrimen or Watermen, that did tranſport or carry them and their ſaid Goods from Place to Place upon the ſaid River in Wherries, Tiltboats and Barges: (2) And for that hitherto there hath not been any ſufficient Proviſion had and made for Remedy herein'; Be it now enacted and eſtabliſhed by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth no Wherriman or Waterman that now is, or that hereafter ſhall be, and ſhall row upon the ſaid River of *Thames*, and ſhall tranſport or carry any Paſſengers or Goods in any Wherries, Tiltboats or Barges, (other than Weſtern Barges, Milboats, and all other Veſſels ordinarily ſerving for other Uſes than the Carrying of Paſſengers) ſhall retain or take any Servant or Apprentice to ſerve him as a Waterman upon the ſaid River, unleſs the ſaid Wherriman or Water-

What Apprentice or Servant a Wherriman may take. His Age. 6 H. 8. c. 7. 2 & 3 Ph. & M. c. 16.

Waterman that ſo ſhall retain, take or have any ſuch Servant, ſhall have been an Apprentice to a Wherriman or Waterman by the Space of five Years before ſuch Retaining: (3) And further, That no Wherriman or Waterman that now is, or that hereafter ſhall be, upon the ſaid River of *Thames*, ſhall retain, have, keep or take any Perſon or Perſons to ſerve him to row upon the ſaid River, as his Apprentice, unleſs the ſaid Perſon ſo to be retained or to become an Apprentice, ſhall then be of the Age of eighteen Years at the leaſt, and ſhall be retained and bound to his Maſter to ſerve upon the ſaid River, for and during the Term of ſeven Years at the leaſt; (4) upon Pain that every Perſon or Perſons doing the contrary ſhall from Time to Time, for every ſuch Offence, forfeit the Sum of ten Pounds of lawful *Engliſh* Money; the one Half whereof ſhall be unto our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and the other Half unto any Perſon or Perſons that will ſue for the ſame in any of the Courts of Record of our ſaid Sovereign Lord the King, his Heirs or Succeſſors, by Action of Debt, Suit, Bill, Plaint or Information, in which no Wager of Law, Eſſoin, Protection, or other Delay ſhall be admitted or allowed.

What Watermen only may retain Servants or Apprentices, and what Sort of Perſons they may retain. In Part repealed by 4 Annæ, c. 13. ſect. 1.

II. Provided always, That this Act, nor any Thing therein contained, ſhall extend to the Son or Sons which now are, or hereafter ſhall be, of any Wherriman or Waterman aboveſaid (being of the Age of ſixteen Years at the leaſt, and of convenient Growth and Strength) that formerly hath been, or that hereafter ſhall be trained and brought up in Rowing, or have or hath accuſtomed to row upon the ſaid River, and there have uſed or ſhall uſe to tranſport or carry Paſſengers from Place to Place; (2) but that all and every ſuch Son or Sons ſhall and may from time to time from henceforth be admitted and allowed to ſerve, and may ſerve upon the ſaid River, and there tranſport or carry Paſſengers from Place to Place as an Apprentce, as heretofore they have done; any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

Wherrimens Sons excepted.

III. And be it further enacted and eſtabliſhed by the Authority aforeſaid, That the eight Overſeers or Rulers of the Society or Company of Wherrimen or Watermen that now are, and that from Time to Time hereafter ſhall be, from henceforth twice in every Year, that is to ſay, upon the firſt Day of *September*, and upon the firſt Day of *March*, ſhall openly read and publiſh, or cauſe openly to be read and publiſhed, in the Hall or Place of their common Aſſembly, where they uſually either have or hereafter ſhall appoint to aſſemble and meet together, all and every the Conſtitutions and Orders already made by them, or that at any Time hereafter ſhall be made by the Overſeers and Rulers, for the good or better Ordering or Government of the ſaid Wherrimen or Watermen; (2) upon Pain that every of them ſhall from Time to Time for every ſuch Offence forfeit to our ſaid Sovereign Lord the King, his Heirs and Succeſſors, the Sum of ſix Pound thirteen Shillings and four Pence of lawful *Engliſh* Money; the one Half whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other Half thereof unto any Perſon or Perſons that will ſue for the ſame in any of the King's Majeſty's Courts of Record, by Action of Debt, Suit, Bill, Plaint or Information, wherein no Wager of Law, Eſſoin, or other Delay ſhall be admitted or allowed. 2 & 3 Ph. & Mar. c. 16. 11 & 12 W. 3. c. 21. 4 Annæ, c. 13 & 19. 2 Geo. 2. c. 26. 4 *Geo. 2. c.* 24. 10 Geo. 2. c. 31.

The Watermens Orders ſhall be read twice in the Year.

## CAP. XVII.

An Act for the better Execution of former Laws touching the making of Hats and Felts, and for the more Reſtraint of unſkilful and deceivable Workmanſhip therein uſed, to the Wrong of all Sorts of the People of this Realm.

None ſhall make Felts or Hats, but who hath been Apprentice.

A Rehearſal of the Statute of 8 Eliz. c. 11.

WHEREAS in the Parliament by Prorogation holden at *Weſtminſter* the laſt Day of *September* in the eighth Year of the Reign of the late Queen *Elizabeth*, Queen of *England*, there was made one Statute, intituled, *An Act for the true Making of Hats and Caps*; by one Branch whereof it was enacted, That no Perſon or Perſons, by him or herſelf, or any other, ſhould, after the Feaſt of the Nativity of St. *John Baptiſt* then next coming, make, or work any Felt or Hat, of or with any foreign Wool or Stuff, unleſs ſuch Perſon ſhould firſt have been Apprentice or Covenant Servant to ſuch Myſtery of Hat and Felt making, by the Space of ſeven Years at the leaſt; (2) upon Pain to forfeit all ſuch Hats or Felts as he ſhould make or cauſe to be made, while he worketh contrary to the Form of the ſaid Act, and five Pounds in Money for every Month that he ſhould ſo continue, as by the ſaid Act (amongſt divers other Things therein contained) more plainly may appear: (3) Foraſmuch as by the ſaid Act, no Part of the Forfeitures or Penalties for ſuch as ſet up and do exerciſe the ſaid Art of Hat and Felt making, and have not been Apprentice or Covenant Servant thereunto by the Space of ſeven Years, (4) nor no Penalty nor Forfeiture at all for taking of Apprentices or Covenant Servants contrary to the Tenor of the ſaid Act, is given or appointed to any common Perſon that would ſue for the ſame; (5) The Execution of the ſaid Act hath been wholly neglected, and the ſame in theſe two Branches have been likewiſe tranſgreſſed, and divers Perſons that never were Apprentices to the ſaid Art, and ſome that have ſerved but only ſome few Years therein, have taken upon them to ſet up and exerciſe the ſame Art, and retained great Number of Apprentices, who daily go away from their Maſters, and before their Terms be ended, and being unſkilful, do make and put to ſale great Quantities of Hats and Felts very falſly and deceitfully made and wrought, to the great Damage of his Majeſty's moſt loving ſubjects:'

Who ſhall have the Forfeiture accrued by the Stat. of 8 Eliz. c. 11. and this Statute.

II. For Reformation whereof, Be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after forty Days next enſuing the End of this preſent Seſſion of Parliament, the Moiety or one Half Part of all and every the Forfeitures and Penalties contained in the ſame former Act, that ſhall ariſe or grow due after the End of the ſaid forty Days next enſuing the End of this Seſſion of Parlia-

Parliament, and alſo the Moiety or one Half-part of all and every the Forfeitures and Penalties hereafter limited and appointed in and by this preſent Act, ſhall be to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, and the other Moiety or Half-part thereof to ſuch Perſon or Perſons as will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, to be commenced or brought or proſecuted in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed for the Defendant.

Who only may be Felt-makers, and who their Servants, and how many.

III. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons from and after the ſaid forty Days ſhall make, or cauſe to be made, any Felt or Hat, of or with any Wool or Stuff whatſoever, unleſs he or they ſhall have firſt ſerved as Apprentices in the foreſaid Trade or Art of Felt-making during the Space of ſeven Years at the leaſt; neither ſhall they retain and ſet to work in the ſaid Art any other Perſon or Perſons than Journeymen that have lawfully ſerved in that Art, and Apprentices lawfully bound in the ſaid Trade or Art, nor above the Number of two Apprentices at one Time, nor thoſe for any leſs Term than ſeven Years; (2) upon Pain to forfeit five Pound for every Month that he ſhall continue offending contrary to the true Meaning of this Act, and to be recovered to the Uſes and in Manner aforeſaid.

No Stranger ſhall be ſet on work in making of Hats.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons from and after the ſaid forty Days, ſhall retain or ſet on work in the ſaid Art of Hat or Felt-making, any Perſon or Perſons born out of his Majeſty's Realms and Dominions of *England*, *Scotland*, and *Ireland*, upon Pain to forfeit five Pound for every Month wherein ſuch Perſon or Perſons ſhall ſo offend contrary to the Meaning of this Act, and to be recovered to the Uſes and in Manner and Form aforeſaid.

Hat-makers Sons.

V. Provided always, That nothing in this Act or in the ſaid former Act contained ſhall extend to charge any Perſon or Perſons lawfully exerciſing the ſaid Art, with any Pain or Forfeiture, for ſetting or uſing his or their own natural Son or Sons to the Making or Working of Hats or Felts, in his or their own Houſe or Houſes, ſo as every ſuch Son or Sons be bound by Indenture of Apprenticehood for the Term of ſeven Years at the leaſt, which Term ſhall not be to expire before he ſhall be of the full Age of two and twenty Years; any Thing aboveſaid to the contrary notwithſtanding.

Felt-makers at the Time of this Statute, and their Servants, may ſo continue.

VI. Provided always, and be it enacted by the Authority aforeſaid, That every Felt-maker that now is, and by the Space of one Year laſt paſt before the Beginning of this preſent Parliament was, a Maker or Worker of Felts, and being an Houſholder, and all ſuch as now are Apprentices, Covenant-ſervant or Journeyman in the ſame Art or Myſtery of Felt-making (ſo as the ſame Apprentice ſerve the Reſidue of ſeven Years at the leaſt) ſhall or may, during ſuch Perſon's natural Life, continue making of Hats and Felts, albeit the ſame Perſon were not bound Apprentice to the ſame Art for the Space of ſeven Years; any Thing in this Act or elſewhere to the contrary notwithſtanding.

## CAP. XVIII.

### An Act for Avoiding of deceitful Buying and Spending corrupt and unwholſom Hops.

The Penalty for bringing into this Realm corrupted Hops, or for brewing with them.

Several Falſhoods practiſed by Strangers in packing of Hops.

'FOraſmuch as of late great Frauds and Deceits are generally practiſed and uſed by Foreigners, Merchants, Strangers and others in foreign Parts beyond the Seas, in the falſe Packing of all foreign Hops brought into this Realm of *England* from foreign Parts, by Way of Merchandize here to be uttered and ſold, with Leaves, Stalks, Powder, Sand, Straw, and with Loggets of Wood, Droſs and other Soil in very many Sacks of Hops for Increaſe of the Weight thereof, ſelling the ſame together for ſo much Money as the Hops are ſold for, to the enriching of themſelves by Deceit: (2) By Means of which falſe Packing of foreign Hops, the Subjects of this Realm have been of late Years abuſed and deceived unto the Value of twenty thouſand Pounds yearly at the leaſt, beſides the Danger of the Subjects Healths, for that in many Sacks of foreign Hops there is not found ſcarce one third Part to be good and clean Hops, the Reſt being Droſs and Soil':

II. For Reformation whereof, Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Foreigner, Stranger, native *Engliſhman*, Denizen, Merchant or any other Perſon or Perſons whoſoever, do at any Time or Times from or after the Feaſt of St. *Michael* the Archangel next coming after the End of this preſent Seſſion of Parliament, bring or cauſe to be brought, into this Realm of *England*, out from any other foreign Realm or Dominions from beyond the Seas, any Hops being deceitfully or corruptly unclean, corrupt or mixt with any Powder, Duſt, Droſs, Sand or any other Soil whatſoever, that every Perſon ſo offending therein contrary to this Act, ſhall forfeit the ſame Hops ſo brought into this Realm.

The Forfeiture for brewing Ale or Beer to be ſold with corrupt or mingled Hops.

III. And for the better Avoiding of the Danger of Sickneſs by uſing of the falſe packed, unclean and corrupt Hops; (2) Be it therefore further enacted by the Authority aforeſaid, That if any Brewer of Beer or Ale, or any other Perſon which ſhall buy the ſame Hops ſo brought from beyond the Seas or growing within this Realm, and ſhall imploy and ſpend the ſame about the Making or Brewing of Beer or Ale to be ſold, being unclean, corrupt or mixt with any Powder, Duſt, Droſs, Sand or any other Soil whatſoever, every Perſon ſo offending therein contrary to the Intent of this Act, ſhall in like Sort forfeit for the ſame Offence, the Value of thoſe Hops ſo bought, imployed or ſpent in Brewing; (3) the one Moiety of all which Forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, the other Moiety thereof to him or them that will ſeize the ſame, or ſue for the ſame by Bill, Plaint, Information or Action of Debt in any of the King's Courts of Record; in which no Eſſoin, Protection or Wager of Law ſhall be allowed, &c.

IV. This Act to continue to the End of the firſt Seſſion of the next Parliament. [3 Car. 1. c. 4. Continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. cap. 4.]

CAP.

## CAP. XIX.

An Act for the well Garbling of Spices. Repealed by 6 Annæ, c. 16. §. 1.

## CAP. XX.

### An Act for Redreſs of certain Abuſes and Deceits uſed in Painting.

A Plaiſterer ſhall not uſe the Occupation of a Painter in London.

WHEREAS the Art or Myſtery of Painters is an ancient Art and Myſtery, and hath Time out of Mind been an ancient Company and Fellowſhip within the City of *London*; (2) and of late upon due Conſiderations, the Freemen of the ſaid City of that Faculty, Art or Myſtery (by Letters Patents under the Great Seal of *England*, dated at *Weſtminſter* the nineteenth Day of *July* in the three and twentieth Year of the Reign of Queen *Elizabeth*) were incorporate by the Name of Maſter, Wardens and Commonalty of the Freemen of the Art and Myſtery of Painters, commonly called Painters-Stainers within the City of *London* and the Suburbs and Liberties of the ſame City: (3) And furthermore, by the ſaid Letters Patents it is prohibited, enjoined and commanded, that no Perſon or Perſons of whatſoever Eſtate, Degree or Condition they were, ſhould uſe, exerciſe or occupy the ſaid Art or Myſtery of Painters, commonly called Painters-Stainers, or any Work or Works, Colour or Colours, Painting or Paintings in the ſaid Art or Myſtery occupied, unleſs ſuch Perſon or Perſons before that Time had been brought up and inſtructed, or ſhould from that Time forwards be brought up and inſtructed, by or with ſome one Perſon of the ſaid Art or Myſtery as an Apprentice by the Space of ſeven Years at the leaſt:

Incorporated by Queen Elizabeth.

Who only may occupy that Myſtery.

Searching of Painting-work, and ſeizing the Deceitful.

'II And whereas for the Avoiding of Deceit to be uſed in the ſaid Art or Myſtery of Painting, the ſaid late Queen by the aforeſaid Letters Patents, did grant unto the ſaid Maſter and Wardens, and to their Succeſſors, That they ſhould have full Power and Authority for ever, to make or cauſe to be made due Search of all and ſingular the Works, Colours, Paintings and other Things whatſoever to the ſaid Art or Myſtery of Painting in any wiſe appertaining, or touching or concerning the ſame, as well upon the Freemen of the ſaid Myſtery as upon any Perſon or Perſons whatſoever, ſelling, making or working the ſame within the City of *London* or the Liberties or Suburbs of the ſame: (2) And the ſaid Works, Colours and Paintings whatſoever ſo deceitfully made, to ſeize and take away, and the Offenders therein to puniſh and correct, as by the ſame Letters Patents more at large it doth and may appear.

Plaiſterers do uſe the Art of Painters-Stainers.

'III. And whereas the Plaiſterers within the City of *London*, of old Time uſing nothing but Lathing, Dawbing, Plaiſtering and Liming, did and yet do procure thereby for themſelves and their Families a convenient Living and Maintenance: (2) Yet not ſatisfied with that reaſonable Living that they do make of their ſaid proper Faculties and Trades, wherewith and wherein they have been brought up as Apprentices, have now of late uſed and practiſed the Art and Myſtery of Painters-Stainers, as well with Oil-Colours, as Size-Colours, and that ſince the Making of the ſaid Letters Patents more uſually than in former Times they have uſed or did; (3) whereby not only many of the ſaid Art and Myſtery of Painters, who have well and honeſtly as Apprentices to the ſame ſerved for the ſpace of ſeven Years and upwards, and by their Labours and Induſtries have attained to the full and perfect Skill and Knowledge thereof, are not only diſabled to get any competent Living thereby, for the Relief of themſelves, their poor Wives and Children, but alſo for that the ſaid Plaiſterers, not having been trained up in the ſaid Art or Myſtery of Painting, neither can or do make any ſuch good Work or ſuch ſure and perfect Colours, as others having been trained up in the ſame Trade and Apprentices thereunto, and yet utter the ſame for good and perfect Colours, and being no Freemen of the ſaid Company of Painters-Stainers, eſcape therefore unpuniſhed, to the great Abuſe and Deceit of his Majeſty's moſt loving Subjects, and whereby the ſaid Art or Myſtery of Painting is likely in ſuch Sort in ſhort Time to decay, as that there will not be ſufficient Workmen of Skill in and about the ſaid City to ſerve in the ſaid Art his Majeſty or any other his Majeſty's Subjects.'

No Plaiſterer ſhall uſe the Art of a Painter-Stainer in London, &c.

IV. For Remedy whereof, Be it enacted by the Authority of this preſent Parliament, That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord God one thouſand ſix hundred and ſix, next coming after the End of this preſent Seſſion of Parliament, no manner of Perſon or Perſons, being or pretending to be a Plaiſterer, or hereafter to become or to be a Plaiſterer, or being or which ſhall be a Servant, or ſet on Work by any Plaiſterer, ſhall uſe, exerciſe or ſet up the Art, Myſtery or manual Occupation of a Painter, commonly called a Painter-Stainer, or any Part thereof, in the City of *London*, or the Liberties or Suburbs of the ſame; or ſhall within the Places aforeſaid make any Manner of Work or Works, or lay any Manner of Colour or Colours, Painting or Paintings whatſoever, in the ſaid Art or Myſtery of Painters-Stainers aforeſaid at any Time heretofore occupied or uſed, unleſs he or they be or ſhall be the Servant or Servants, Apprentice or Apprentices of a Painter, otherwiſe called a Painter-Stainer, or have ſerved or ſhall ſerve as an Apprentice or as Apprentices by the Space of ſeven Years at the leaſt to a Painter, otherwiſe called a Painter-Stainer; (2) upon Pain that every ſuch Perſon or Perſons as ſhall hereafter do or offend contrary to the true Intent and Meaning of this preſent Act, ſhall forfeit for every Time that he or they ſhall ſo do or offend, the Sum of five Pounds of lawful Money of *England*; (3) the one Moiety of all which Forfeitures ſhall be to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that will ſue for the ſame in any of the King's Majeſty's Courts of Record, by Action of Debt, Bill, Plaint or Information; in which ſaid Suit, no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed for the ſaid Defendant; any Law, Uſage or Cuſtom heretofore had or uſed to the contrary thereof in any wiſe notwithſtanding.

The Forfeiture of an Offender.

V. Provided nevertheleſs, That it ſhall and may be lawful to and for any of the Company of Plaiſterers, or their Servants or Apprentices, to lay and uſe Whiting, Blacking, Redlead, Red-okar, Yellow-okar, and Ruſſet, mingled with Size only, and not with Oil; this preſent Act or any Thing therein contained to the contrary notwithſtanding. What Things a Plaiſterer may uſe in his Work.

VI. Provided alſo, That no Painter or Painter's Servant or Apprentice ſhall have or take above Sixteenpence by the Day for laying of any flat Colour whatſoever, mingled or mixed with Oil or Size, upon any Timber, Stone, Iron or Lead. The Day Wages of a Painter.

## CAP. XXI.

### An Act againſt Brokers.

'FOraſmuch as of long and ancient Time by divers hundred Years there have been uſed within the City of *London* and Liberties thereof, certain Freemen of the City, to be ſelected out of the Companies and Myſteries whereof they are free and Members, and the ſame Perſons to be preſented at leaſt by ſix approved and known honeſt Perſons of the ſame Myſtery, to the Lord Mayor of *London* for the Time being, and to the Aldermen his Brethren, and to be recommended by ſuch Preſentors to be Perſons for their known approved Honeſty, Integrity and Faithfulneſs, Perſons meet for to be Broker or Brokers, and upon ſuch Relation made to the Mayor and Aldermen, and partly by their own Knowledge and diligent Enquiries made of the ſaid Perſons, and of their honeſt Fame, Report, Fidelity and Skill, have been thereupon admitted, allowed and approved by the Lord Mayor of the City and Aldermen in the Court of Aldermen, to be Brokers within the ſaid City and Liberties of the ſame, and have taken their corporal Oaths before the ſaid Mayor and Aldermen, from Time to Time as they were ſo preſented and admitted, to uſe and demean themſelves uprightly and faithfully between Merchant *Engliſh* and Merchant Strangers, and Tradeſmen, in the contriving, making and concluding Bargains and Contracts to be made between them concerning their Wares and Merchandizes to be bought and ſold and contracted for within the City of *London*, and Monies to be taken up by Exchange between ſuch Merchant and Merchants, and Tradeſmen; and theſe kind of Perſons ſo preſented, allowed and ſworn to be Brokers, as aforeſaid, have had and born the Name of Brokers, and been known, called and taken for Brokers, and dealing in Brokerage or Brokery; (2) who never of any ancient Time uſed to buy and ſell Garments, Houſhold-Stuff, or to take Pawns and Bills of Sale of Garments and Apparel, and all Things that come to hand, for Money laid out and lent upon Uſury, or to keep open Shops, and to make open Shews, and an open Trade, as now of late Years hath and is uſed by a Number of Citizens, aſſuming unto themſelves the Name of Brokers and Brokerage, as though the ſame were an honeſt and lawful Trade, Myſtery or Occupation, terming and naming themſelves Brokers, whereas in Truth they are not, abuſing the true and honeſt ancient Name and Trade of Broker or Brokerage. Sale of Goods purloined in London, &c. ſhall not alter the Property. The Manner to preſent and allow of Brokers in London. Stat. Civ. Lond. 13 E. 1. Stat. 5. The Differences between the ancient and preſent Brokers.

'II. And foraſmuch as many Citizens Freemen of the City, being Men of manual Occupations and Handicraftſmen, and others inhabiting and remaining near the City and Suburbs of the ſame, have left and given over, and daily do leave and give over, their handy and manual Occupations, and have and daily do ſet up a Trade of buying and ſelling and taking to Pawn of all kind of worn Apparel, whether it be old, or little the worſe for wearing, Houſhold-Stuff and Goods, of what kind ſoever the ſame be of, finding thereby that the ſame is a more idle and eaſier kind of Trade of living, and that there ariſeth and groweth to them a more ready, more great, more profitable, and ſpeedier Advantage and Gain, than by their former manual Labours and Trades did or could bring them: The Abuſe of Brokerage in theſe later Years.

'III. And foraſmuch as the ſaid kind of counterfeit Brokers, and Pawn-takers upon Uſury or otherwiſe for ready Money, are grown of late to many Hundreds within the City of *London*, and other Places next adjoining to the City and Liberties of the ſame, and are like to increaſe to far greater Multitudes, being Friperers, and no Brokers, nor exerciſing of any honeſt and lawful Trade, and within the Memory of many yet living, ſuch kind of Perſons Tradeſmen were very few, and of ſmall Number: Friperers and no Brokers.

'IV. And foraſmuch as there are not any Garments, Apparel, Houſhold-Stuff, or other Goods of any kind whatſoever the ſame be of, either being ſtoln or robbed from any, or badly or unlawfully purloined or come by, but theſe kind of upſtart Brokers, under Colour and Pretence they be Freemen of the ſaid City of *London*, or inhabiting in *Weſtminſter*, where they pretend to have the like Overt Market as the City of *London*, and thereby preſuming to be lawful for them to uſe and ſet up the ſame idle and needleſs Trades, being the very Means to uphold, maintain and embolden all kind of bad and lewd Perſons, to rob and ſteal, and unlawfully to get and come by true mens Goods, knowing and finding that no ſooner the ſame Goods can be ſtoln, or unlawfully come by, but that they ſhall and may preſently utter, vent, ſell and pawn the ſame to ſuch kind of new upſtart Brokers, for ready Money: (2) For Remedy whereof, and for the avoiding of the ſaid Miſchiefs and Inconveniences, and for repreſſing and aboliſhing of the ſame idle and needleſs Trades and upſtart Brokers, and for the avoiding of Thefts, Robberies and Felonies, and bad People, and for the repreſſing of ſuch kind of Nouriſhers and Aiders of Thieves and bad People, and for the Defence of honeſt and true Mens Properties and Intereſts in their Goods:' By what Means upſtart Brokers do come by their Goods. The Inconveniencies enſuing by upſtart Brokers.

V. Be it enacted and declared by our Sovereign Lord the King, with the Aſſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Sale, Exchange, Pawn or Mortgage of any Jewel, Plate, Apparel, Houſhold-Stuff, or other Goods, of what Kind, Nature or Quality ſoever the ſame ſhall be of, and that ſhall be wrongfully or unjuſtly purloined, taken, robbed or ſtoln from any Perſon or Perſons, or Bodies Politick, and which at any Time hereafter ſhall be ſold, uttered, delivered, exchanged, pawned or done away, within the City of *London* or Liberties thereof, or within the City of *Weſtminſter* in the County of *Middleſex*, or within The Sale of Goods wrongfully gotten ſhall not alter the Property of them. Kelyng 60. 1 *Hale's P. C.* 545.

*Southwark* in the County of *Surrey*, or within two Miles of the ſaid City of *London*, to any Broker or Brokers, or Pawn-takers, by any Way or Means whatſoever, directly or indirectly, ſhall work or make any Change or Alteration of the Property or Intereſt of and from any Perſon or Perſons, or Body Politick, from whom the ſame Jewels, Plate, Apparel, Houſhold-Stuff or Goods were or ſhall be wrongfully purloined, taken, robbed or ſtoln; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

VI. And for the better maintaining of true and honeſt Dealing, and for the eſchewing and avoiding of Falſhood, Fraud and Deceit, in ſuch kind of Brokers and Pawn-takers:

A Broker upon Requeſt ſhall declare what Goods be come to his Hands.

VII. Be it furthermore enacted and eſtabliſhed by the like Authority, That if any Perſon or Perſons, or Bodies Politick, from whom any Jewels, Plate, Apparel, Houſhold-Stuff, or any kind of Goods whatſoever, ſhall be wrongfully purloined, taken, ſtolen or robbed, ſhall require and demand of any ſuch Broker or Pawn-taker to declare whether any ſuch Goods be come to his or their Poſſeſſions, and to declare, ſhew and manifeſt the ſame, and how and by what Means he had them, or came by the ſame, and how, when, and to whom he hath delivered, conveyed or beſtowed and employed the ſame; and that ſuch Broker, upon any ſuch Requeſt and Demand to be made, ſhall deny and refuſe to diſcloſe, tell or manifeſt the ſame truly and juſtly, ſhall forfeit unto the true Owner or Owners of ſuch Jewels, Plate, Apparel, Houſhold-Stuff and other Goods, from whom the ſame were wrongfully purloined, taken, ſtolen or robbed, double the Value thereof that ſhall be denied and refuſed to be diſcloſed, told and manifeſted, as aforeſaid; the ſame double Value to be recovered by the true Owner or Owners of ſuch Goods from whom the ſame were wrongfully purloined, taken, robbed or ſtolen, to be recovered by Action of Debt, Bill or Plaint, in any of the King's Majeſty's Courts of Record at *Weſtminſter*, or within the City of *London*, in which no Eſſoin, Wager of Law or Protection ſhall be allowed.

The ancient Trade of Brokers.

VIII. Provided always, That this Act, nor any Thing therein contained, ſhall not be prejudicial or hurtful to the ancient Trade of Brokers within the City of *London*, uſing and exerciſing the ancient Trade of Brokers between Merchant and Merchant or other Traders or Occupiers within the ſaid City and the Liberties of the ſame, being ſelected as aforeſaid.

*Further Proviſions relating hereto 6 Ann. c. 16. 3 Geo. 2. c. 31. & 30 Geo. 2. c. 24.*

## CAP. XXII.

### An Act concerning Tanners, Curriers, Shoe-makers, and other Artificers occupying the Cutting of Leather.

Enforced by 9 Annæ, c. 11. ſect. 10. 1 W. & M. Stat. 1. c. 33. 12 Geo. 2. c. 25.

The Duty of Tanners, Curriers, Shoemakers, and of others cutting of Leather.

The Cauſes that former Statutes made againſt the Abuſes of Tanners, Curriers, &c. have not been performed. Lutw. 181, 1409.

'WHEREAS the Laws and Statutes formerly eſtabliſhed and made for the true and juſt Tanning, Currying and Working of Leather, have not taken that good Effect which was expected, as well for that divers of the ſaid Statutes did not ſufficiently provide for the Redreſs of thoſe Deceits and Abuſes which have been and are commonly practiſed by the Tanners, Curriers and Workers of Leather; (2) as for that other of the ſame Statutes have been too ſharp and rigorous, tying and binding the Perſons occupying the ſeveral Myſteries or Trades aforeſaid, to divers Inconveniences, and ſundry Matters and Things impoſſible for them to perform; by reaſon of which too much Strictneſs and Rigour, the ſame Statutes have not been put in Execution, but have been in Effect wholly diſpenſed withal: (3) To the Intent therefore that a reaſonable and indifferent Courſe for the true and well Tanning, Currying and Working of Leather, may be from henceforth eſtabliſhed and appointed, and yet the Perſons uſing and occupying the ſeveral Crafts and Myſteries aforeſaid may not be further or more ſtrictly bound, reſtrained or limited, than the neceſſary Regard of the Commonwealth and general Commodity of all Sorts of Subjects within this Realm requireth:'

27 H. 8. c. 14. 5 & 6 Ed. 6. c. 15. 1 M. Seſſ. 3. c. 8. 5 Eliz. c. 22. 8 Eliz. c. 14. 18 Eliz. c. 9. 2 Salk. 609. Mod. Caſes in Law 62.

The Penalty for gaſhing or watering of a Hide, or ſelling a rotten Hide.

II. Be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons, of this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Feaſt of St. *Bartholomew* the Apoſtle next coming, no Butcher by himſelf, or by any other Perſon, ſhall gaſh, ſlaughter or cut any Hide of any Ox, Bull, Steer or Cow, in flaying thereof, or otherwiſe, whereby the ſame ſhall be impaired or hurt, upon Pain of Forfeiture for every Hide ſo gaſhed, ſlaughtered or cut, Twenty-pence. (2) And that no Butcher ſhall water any Hide, except only in the Months of *June*, *July* and *Auguſt*, nor ſhall offer or put to Sale any Hide being putrified or rotten, upon Pain of Forfeiture for every Hide ſo watered, and for every Hide ſo putrified or rotten, and offered or put to Sale, three Shillings and Four-pence.

Killing of Calves under five Weeks old. Repealed by 22 & 23 Car. 2. c. 19. ſect. 13.

III. And be it further enacted by the Authority aforeſaid, That no Butcher or other Perſons, after the Feaſt of St. *Bartholomew* next coming, ſhall kill any Calf to ſell, being under five Weeks old, upon Pain to forfeit for every Calf ſo to be killed and ſold, ſix Shillings and Eight-pence.

No Butcher ſhall be a Tanner.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons occupying the Craft or Myſtery of a Butcher, ſhall after the Feaſt of St. *Bartholomew* the Apoſtle next coming, occupy or uſe by himſelf, or any other Perſon or Perſons, the Feat, Craft or Myſtery of a Tanner, during the Time that he ſhall uſe the Craft or Occupation of a Butcher; upon Pain of Forfeiture of ſix Shillings eight-pence for every Day that he ſhall ſo uſe the Feat, Craft or Myſtery of a Tanner.

Who may be a Tanner.

V. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall from and after the Feaſt of St. *Bartholomew* next coming, tan any Leather, or ſhall uſe, take or have any Profit, Gain or Commodity, of or by the ſaid Craft or Myſtery of Tanning of Leather, except ſuch Perſon or Perſons as had a Tan-houſe at the Beginning of this preſent Seſſion of Parliament, and did then occupy the Myſtery of Tanning of Leather; (2) and except ſuch as have been or hereafter ſhall be brought up, inſtructed or taught

taught as Apprentices, or covenant or hired Servants for that Purpoſe, by the Space of ſeven Years, in the Myſtery of Tanning of Leather: (3) And except the Wife, and ſuch Son or Sons of a Tanner as hath been brought up, and hath uſed the Myſtery of Tanning of Leather by the Space of four Years, or the Son or Daughter of a Tanner, or ſuch Perſon who ſhall marry ſuch Wife or Daughter, to whom he hath or ſhall leave a Tan-houſe and Fats; (4) upon Pain of Forfeiture of all ſuch Leather by him or them ſo tanned, or whereof he or they ſhall receive any Profit or Commodity by Tanning, or the juſt Value thereof.

No Tanner ſhall be a Cutter of Leather. Cro. Car. 587.

VI. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons uſing the Myſtery of Tanning of Leather by himſelf, or by any other Perſon or Perſons, from and after the ſaid Feaſt of St. *Bartholomew*, ſhall, during that Time that he ſhall uſe the ſaid Myſtery, occupy or uſe the Craft or Myſtery of a Shoemaker, Currier, Butcher, or of any other Artificer, uſing or exerciſing Cutting or Working of Leather; (2) upon Pain to forfeit and loſe all and every ſuch Hide and Hides, Skin and Skins ſo by them or any of them wrought or tanned, during the Time that he ſhall uſe the Myſtery or Craft of Tanning aforeſaid, or the juſt Value thereof.

Who may buy rough Hides or Calves-ſkins.

VII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons after the Feaſt of St. *Bartholomew* next coming ſhall bargain, buy, make any Contract for, or beſpeak any rough Hide, or Calve-skin in the Hair, but only ſuch Perſon or Perſons as by Virtue of this Act may lawfully uſe the Craft or Myſtery of Tanning of Leather, and ſhall tan the ſame, or ſuch Perſon or Perſons which ſhall taw the ſame, (except Salt-hides for the neceſſary Uſe of Ships;) (2) upon Pain to forfeit and loſe all and every ſuch Hides and Skins ſo bought, or the juſt Value thereof: (3) And that no Tanner or other Perſon or Perſons ſhall foreſtall any Hides coming towards any Fair or Market, nor ſhall buy any Hide any other where than in open Fair or Market, unleſs it be of ſuch Perſon or Perſons as ſhall kill the ſame Beaſt whereof the ſaid Hide ſhall be, for the Proviſion of his or their own Houſe or Houſes; (4) upon Pain of Forfeiture for every Hide ſo foreſtalled or bought contrary to the true Meaning of this preſent Act, ſix Shillings eight Pence.

Foreſtalling of Hides.

Who may buy tanned Leather not wrought.

VIII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall or may after the Feaſt of the Nativity of our Lord God next coming buy, ſell, bargain, beſpeak, or take Promiſe to have, exchange, or put away any tanned Leather, not wrought and converted into made Wares, but only ſuch Perſon and Perſons as will and ſhall work and convert the ſame Leather into made Wares, upon Pain of Forfeiture of the Leather ſo bought, ſold, exchanged, or put away, or the Value thereof.

Buying Leather at Leaden-Hall in London.

IX. Provided always, and be it enacted by the Authority aforeſaid, That all and every Artificer, and other Perſon and Perſons uſing to convert tanned Leather into made Wares, as well Strangers born as others, may lawfully buy all kind of tanned Leather, to make or convert the ſame into made Wares, at *Leaden-hall* in *London*, upon every *Monday*, the ſame being firſt duly ſearched, ſealed and regiſtred, as is hereafter limited.

Sadlers and Girdlers may ſell their Necks, &c.

X. Provided alſo, That the Sadlers and Girdlers may ſell their Necks, Shreds of tanned Leather red, without incurring any Pain or Forfeiture for the ſame.

How Hides ſhall be uſed in Tanning.

XI. And be it further enacted by the Authority aforeſaid, That after the ſaid Feaſt of St. *Bartholomew* next coming, no Perſon or Perſons whatſoever, which ſhall after the ſaid Feaſt occupy or uſe by him or themſelves, or by any other Perſon or Perſons, the Craft or Myſtery of Tanning of Leather, ſhall ſuffer any Hide or Skin to lie in the Limes till the ſame be overlimed, nor ſhall put any Hides or Skins into any Tan-fats, before the Lime be well and perfectly ſokened and wrought out of them and every of them; (2) nor ſhall uſe, imploy, occupy, or put, by themſelves or by any other Perſon or Perſons, any Thing or Stuff in or about the Workmanſhip or Tanning of Leather, but only Aſh-bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung or Hen-dung; (3) nor ſhall willingly ſuffer his or their Leather to be laid, or to hang, or to lie wet in any Froſt, until the ſame be frozen; (4) nor ſhall dry or parch the ſaid Leather with the Heat of the Fire, or of the Summer-Sun; (5) nor ſhall tan, or cauſe to be tanned any Hide or Skin being putrified or rotten by long lying, either before the putting of it into the Limes, or after in the Water or Liquor, or by any other Means; (6) nor ſhall ſuffer the Hides for utter Sole-leather to lie in the Woozes any leſs Time than twelve Months at the leaſt; (7) nor the Hides for Upper-leathers in the like Woozes any leſs Time than nine Months at the leaſt; (8) nor ſhall negligently work the Hides in the Woozes, but ſhall renew and make ſtrong their Woozes, as often as ſhall be requiſite; (9) nor ſhall after the ſaid Feaſt of St. *Bartholomew* put to Sale any tanned Hide or Skin, which ſhall be after the ſaid Feaſt wrought and tanned in any other Sort than by this Statute is limited and appointed; (10) upon Pain of Forfeiture of every Ox-hide, Bull-hide, Steer-hide, Cow-hide, or Skin tanned or wrought, and offered to be put to Sale, contrary to the true Meaning of this preſent Act, or the juſt Value thereof.

'XII And foraſmuch as much Damage hath redounded to the Commonwealth, by Reaſon that di-
'vers Tanners for their private Lucre have uſed to convert to Sole-leather ſuch Hides as are altogether in-
'ſufficient for that Uſe, which Hides they do raiſe in the Workmanſhip by divers Mixtures, thereby
'making the ſame to ſeem very ſtrong and ſubſtantial Leather, whereas the ſame doth in the wearing prove
'hollow, deceitful, and altogether unprofitable for the Commonwealth:'

Raiſing of Hide with Mixtures.

XIII. Be it enacted by the Authority aforeſaid, That no Perſon or Perſons, uſing or which hereafter ſhall uſe the Craft or Myſtery of Tanning of Leather, ſhall after the ſaid Feaſt of St. *Bartholomew* next coming, raiſe with any Mixtures any Hide, to be imployed and converted to Backs, Bend-leather, Clouting-leather, or any other Sole-leather, except the ſame Hides be for Largeneſs, State and Growth, fit and ſufficient for that Uſe and Purpoſe; the ſame to be tried by the Triers hereafter in this preſent Act to be appointed; (2) upon Pain of Forfeiture of all ſuch Hides which ſhall be raiſed and converted to Sole-leather contrary to the true Meaning of this preſent Proviſion.

Sale of tanned Leather red and unwrought.

XIV. And be it further enacted by the Authority aforeſaid, That from the ſaid Feaſt of St. *Bartholomew* next coming, no Perſon or Perſons whatſoever ſhall put or cauſe to be put to Sale, exchange, or otherwiſe depart with any kind of tanned Leather red and unwrought, but in open Fair or Market in the Places there-

therefore commonly accuſtomed, and therefore prepared, unleſs the ſame Leather have been before lawfully ſearched and ſealed in ſome open Fair or Market, or other Place lawfully appointed to and for the Searching and Sealing of Leather; (2) nor ſhall after the ſaid Feaſt offer or put to Sale any tanned Leather red and unwrought, before the ſame be ſearched and ſealed according to the Laws and Order of this Statute hereafter mentioned; (3) upon Pain of Forfeiture for every Hide or Piece of Leather ſo ſold, exchanged, or otherwiſe departed with, contrary to the true Meaning of this Act, ſix Shillings eight Pence, and for every Dozen of Calves-ſkins or Sheep-ſkins, three Shillings four Pence, and the Hide or Hides, Skin or Skins, and Leather in any other wiſe ſold, exchanged or bought, or the Value thereof.

Altered by 4 Jac. 1. c. 6. ſect. 2.

Leather nor ſufficiently tanned or dried.

XV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons uſing, or which ſhall uſe, the Myſtery or Faculty of Tanning, ſhall at any Time or Times hereafter offer or put to Sale any Kind of Leather which ſhall be inſufficiently or not throughly tanned, or which ſhall not then have been after the Tanning thereof well and throughly dried; ſo that the ſame by the Triers of Leather lawfully appointed according to this preſent Act, for the Time being, ſhall be found to be inſufficiently or not throughly tanned, or not throughly dried as aforeſaid; That then all and every ſuch Perſon and Perſons ſo offending ſhall forfeit and loſe ſo much of his or their ſaid Leather as ſhall be ſo found inſufficiently and not throughly tanned, or not throughly dried as aforeſaid; that is to ſay, the whole Hide, Back or Skin, or other Piece of Leather, if the Whole be inſufficiently or not throughly tanned, or not throughly dried: (2) And if the whole Hide, Back, Skin, or other Piece of Leather be not ſufficiently or not throughly tanned, or not throughly dried, then only ſo much of the Hide, Back, Skin, or other Piece of Leather, as ſhall be inſufficiently or not throughly tanned, or not throughly dried; the ſame to be cut out by the Over-ſight, Diſcretion and Direction of the Triers hereafter in this Act to be appointed, upon the Oaths of the ſaid Triers.

Crafty Means to overhaſten the Tanning of Leather.

'XVI. And whereas divers Tanners for Greedineſs of Gain do overmuch haſten the Tanning of their 'Leather, and for that Purpoſe do uſe divers crafty and ſubtile Practices, ſometimes laying their Leather in 'their Fats, ſet in their old Tanhills, where it may be tanned in the hot Woozes, taking unkind Heat in 'the ſame Hill, and ſometimes by putting of hot Woozes into their Tan-fats where the ſame Hides or 'Leather lie, by which and other like fraudulent Practices they make their Leather to ſeem both fair and 'well and ſufficiently tanned, within a very ſhort Space:'

Leather ſhall not take unkind Heats.

XVII. For Reformation whereof, Be it enacted by the Authority aforeſaid, That after the ſaid Feaſt of St. *Bartholomew* next coming, no Perſon or Perſons ſhall ſet their Fats in Tanhills, or other Places, where the Woozes or Leather that ſhall be put to tan in the ſame, ſhall or may take any unkind Heats, or ſhall put any Leather into any hot or warm Woozes, or ſhall tan any Hide, Calve-ſkin or Sheep-ſkin, with any hot or warm Woozes whatſoever; (2) upon Pain that every Perſon ſo offending ſhall forfeit for every ſuch Offence ten Pounds, and ſhall alſo for every ſuch Offence ſtand upon the Pillory three ſeveral Market-Days in the Market-Town next to the Place where the ſaid Offence ſhall be committed.

'XVIII. And foraſmuch as Bark is of late become very dear and ſcarce, which happeneth partly by 'Reaſon that divers Perſons do ingroſs and buy great Quantities thereof, and then do ſell the ſame again 'at exceſſive and unreaſonable Prices, and partly by the unſeaſonable felling of Oak out of the Barking-'time:'

There ſhall be no Regrating or Ingroſſing of Oaken Bark.

XIX. Be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall regrate, ingroſs, or get into his or their Hands by Buying, Contracting or Promiſe-taking, any Oaken Bark, before it be ſtripped, or after, to the Intent to ſell the ſame again; (2) upon Pain of Forfeiture of all ſuch Barks ſo by him or them regrated, ingroſſed or bought, contrary to the true Meaning of this preſent Branch, or the full Value thereof.

At what Time Oaken Trees to be barked ſhall be felled.

XX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall from and after the ſaid Feaſt of St. *Bartholomew* next coming, fell or cauſe to be felled any Oaken Trees meet to be barked, where Bark is worth two Shillings a Cart-load, over and above the Charges of Barking and Pilling, (Timber to be imployed to and for the neceſſary and needful Building or Reparation of Houſes, Ships or Mills, only excepted) but between the firſt Day of *April* and the laſt Day of *June*; upon Pain of Forfeiture of every ſuch Oaken Tree ſo felled, or the double Value thereof.

When Purveyors ſhall fell Timber. OBS. 12 Car. 2. c. 24.

'XXI. And for the better Preſervation of Timber, which by the Takers of Timber is ſpoiled through 'the greedy Deſire of Gain of the Lops, Tops or Bark of Timber-trees'; Be it therefore enacted by the Authority aforeſaid, That no Taker or Takers, Purveyor or Purveyors of Timber, or his or their Deputy or Deputies, ſhall fell or cauſe to be felled for the Uſe of the King's Majeſty, his Heirs or Succeſſors, any Oaken Timber-tree or Trees meet to be barked, but in barking Time, (Trees to be felled for the needful and neceſſary Building or Repairing of any his Majeſty's Houſes or Ships only excepted); (2) or ſhall in any wiſe take or receive any Manner of Profit, Gain or Commodity by any Lops, Tops or Bark of any Trees, to be taken by them or any of them; (3) or ſhall in any wiſe take, carry, away, give, ſell or diſpoſe from the Owner, any more of any Tree to be taken as is aforeſaid, than only the Timber of the ſame Tree or Trees to be uſed and beſtowed, or imployed only in, upon or about the King's Majeſty's Buildings or Ships; (4) upon Pain of Forfeiture to the Party grieved, for every Tree, and for the Lops, Tops or Bark of every Tree, taken contrary to the Meaning of this Article, forty Shillings; (5) and that it ſhall be lawful to the Party of whom ſuch Tree or Trees ſhall be taken, or to any other for and in his Name, to take, retain, withhold and keep to himſelf all the Bark, Lop and Top of ſuch Tree or Trees, any Commiſſion or other Matter whatſoever notwithſtanding.

No taking of Lops.

Currying of Leather.

'XXII. And foraſmuch as no Leather can be ſo well tanned, but it may be marred in the Currying,' Be it therefore enacted by the Authority aforeſaid, That from and after the Feaſt of St. *Michael* the Archangel next coming, no Perſon or Perſons ſhall curry any Kind of Leather in the Houſe of any Shoemaker

or other Perſon, but only in his own Houſe ſituate in a Corporate or Market-Town; (2) nor ſhall curry any Kind of Leather, except it be well and perfectly tanned; (3) nor ſhall after the ſaid Feaſt of St. *Bartholomew* curry any Hide or Skin being not throughly dry, after his wet Seaſon, in which wet Seaſon he ſhall not uſe any ſtale Urine, or any other deceitful or ſubtile Mixture, Thing, Way or Means, to corrupt or hurt the ſame; (4) nor ſhall curry any Leather meet for Utter-ſole-leather with any other Stuff than with hard Tallow, nor with any leſs of that than the Leather will receive; (5) nor ſhall curry any Kind of Leather meet for Over-leather and Inner-ſoles, but with good and ſufficient Stuff, being freſh and not ſalt, and throughly liquored till it can receive no more; (6) nor ſhall burn or ſcald any Hide or Leather in the Currying; (7) nor ſhall ſhave any Leather too thin; nor ſhall gaſh or hurt any Leather in the Shaving, or by any other Means; (8) but ſhall work the ſame ſufficiently in all Points and Reſpects: Upon Pain of Forfeiture for every ſuch Offence or Acts done contrary to the true Meaning of this Article (other than in gaſhing or hurting in Shaving) ſix Shillings eight Pence, and the Value of every ſuch Skin or Hide marred by his evil Workmanſhip; (9) and for every Offence to be done againſt this Article in gaſhing or hurting by Shaving, double ſo much to the Party grieved, as the Leather ſhall be impaired thereby, by the Judgment of the Wardens of the Curriers, and the Wardens of the Company whereof the Party grieved ſhall be.

The Currier's Forfeiture for miſuſing of Leather. 2 Salk. 609.

XXIII. And be it further enacted, That no Cordwainer, Shoemaker, or other Perſon or Perſons dwelling or inhabiting within the City of *London* or the Liberties of the ſame, or dwelling within three Miles of the ſaid City, and occupying wet curried Leather in his Art or Occupation, ſhall put or cauſe to be put any Leather to be curried, but to ſuch Perſon or Perſons as be or ſhall be free of the Company of the Curriers of the City of *London*, upon Pain of Forfeiture of all ſuch curried Leather or the Value thereof. [Rep. 12 Geo. 2. c. 25.]

Who ſhall curry Leather in or near London.

XXIV. And be it further enacted, That no Perſon or Perſons ſhall by any Means occupy or put in any made Wares within the City of *London*, or three Miles of the ſame City, any curried Leather, before the ſame ſhall be ſearched and allowed by the Wardens of the Curriers of *London* for the Time being, or ſuch Perſons as they ſhall thereto aſſign, and be ſealed with a Seal therefore to be prepared; (2) upon Pain that every Shoemaker, and other Artificer Cutter of Leather, offending againſt this Article, ſhall forfeit for every Hide or Skin otherwiſe curried or imployed as is aforeſaid, ſix Shillings eight Pence, and the Value of every ſuch Hide or Skin. [Rep. 12 Geo. 2. c. 25.]

Curried Leather ſhall be ſearched and ſealed. Enforced by 13 & 14 Car. 2. c. 7. ſect. 14.

XXV. And be it further enacted, That no Perſon occupying the Feat or Myſtery of a Currier, ſhall uſe or exerciſe the Feat or Myſtery of a Tanner, Cordwainer, Shoemaker, Butcher or other Artificer uſing cutting of Leather, during the Time that he ſhall ſo uſe or occupy the Myſtery of a Currier; (2) upon Pain of Forfeiture of ſix Shillings and eight Pence for every Hide or Skin that he ſhall curry, during the Time that he ſhall occupy or uſe any of the Myſteries aforeſaid contrary to the Meaning of this Article.

A Currier ſhall not be Tanner, Shoemaker, Butcher, &c.

XXVI. And further be it enacted, That no Currier or Curriers ſhall after the ſaid Feaſt of St. *Bartholomew* refuſe to curry any Leather to him or them for that Purpoſe brought, by any ſuch Artificer as is or ſhall be a Cutter of Leather, the ſame Artificer or his Servant bringing with him or them good and ſufficient Stuff as is before mentioned, for the perfect Liquoring of the ſame Leather, and that the ſaid Leather in the Preſence of the ſaid Artificers, Cutters of Leather, his Servant or Servants (if he or they will be preſent) ſhall be liquored and curried in all Things and Degrees perfectly; and if he or they will not be preſent, it ſhall nevertheleſs be likewiſe liquored and curried in his or their Abſence perfectly, with as convenient Speed as may be, not exceeding eight Days in the Summer, and ſixteen Days in the Winter, after he ſhall or may take it in Hand; (2) upon Pain to forfeit to the Party grieved, for every Hide or Piece of Leather not in this Manner curried, and well and ſpeedily dreſſed, ten Shillings.

Within what Time Leather ſhall be curried.

XXVII. And be it further enacted by the Authority aforeſaid, That the Wardens of the Curriers for the Time being, or ſuch Perſons as they ſhall aſſign and appoint, ſhall from Time to Time ſearch and try all ſuch curried Leather as ſhall be brought to any of their Company to be curried, and ſhall with a Seal therefore to be prepared, with convenient Speed, not exceeding one Day after the Currying and Requeſt made, ſeal ſuch Leather as they ſhall find ſufficiently curried; (2) taking for every Hide ſo ſealed, after the Rate of a Peny for the Dicker, and for every ſix Dozen of Calves-skins, one Peny, and not above, to be paid by the Currier; (3) upon Pain of Forfeiture for every Hide which ſhall not be ſearched and ſealed as is aforeſaid, ſix Shillings and eight Pence.

Curried Leather ſhall be ſearched and ſealed.

'XXVIII. And foraſmuch as Leather well tanned and curried, may by the Negligence, Deceit, or 'evil Workmanſhip of the Cordwainer or Shoemaker, be uſed deceitfully, to the Hurt of the Occupier 'or Wearer thereof'; (2) Be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, which after the ſaid Feaſt of St. *Bartholomew* next coming ſhall occupy the Myſtery or Occupation of a Cordwainer or Shoemaker, ſhall make or cauſe to be made any Boots, Shoes, Buſkins, Startops, Slippers or Pantofles, or any Part of them, of *Engliſh* Leather wet curried, (other than Deer-skins, Calve-skins or Goat-skins, made or dreſſed or to be made or dreſſed like unto *Spaniſh* Leather) but of Leather well and truly tanned and curried in Manner and Form aforeſaid, or of Leather well and truly tanned only, and well and ſubſtantially ſewed with good Thread well twiſted and made, and ſufficiently waxed with Wax well roſened, and the Stiches hard drawn with Hand-leathers, as hath been accuſtomed, without mixing or mingling Over-leathers, that is to ſay, Part of the Over-leather being of Neats-leather, and Part of Calves-leather; (3) nor ſhall put into any Part of any Shoes, Boots, Buſkins, Startops, Slippers or Pantofles, any Leather made of a Sheep-ſkin, Bull-hide or Horſe-hide, (4) nor into the upper Leather of any Shoes, Startops, Slippers or Pantofles, or into the nether Part of any Boots (the inner Part of the Shoe only excepted) any Part of any Hide from which the Sole-leather is cut, called the Wombs, Neck, Shank, Flank, Powle or Cheek; (5) nor ſhall put into the Utter-ſole any other Leather than the beſt of the Ox or Steer Hide; (6) nor into the Inner-ſole any other Leather than the Wombs, Neck, Powle or Cheek;

The Cordwainer's Duty in making of Boots, Shoes, Buſkins, Slippers, &c.

nor in the Treſwels of the double ſoled Shoes, other than the Flanks of any the Hides aforeſaid: (7) nor ſhall make or put to ſale in any Year, between the laſt of *September* and the twentieth of *April*, any Shoes, Boots, Buſkins, Startops, Slippers or Pantofles, meet for any Perſon to wear exceeding the Age of four Years, wherein ſhall be any dry *Engliſh* Leather, other than Calves-ſkins or Goat-ſkins, made or dreſſed or to be made or dreſſed like unto *Spaniſh* Leather, or any Part thereof: (8) nor ſhall ſhew, to the Intent to put to ſale, any Shoes, Boots, Buſkins, Startops, Slippers or Pantofles upon the *Sunday*; (9) upon Pain of Forfeiture for every Pair of Shoes, Boots, Buſkins, Startops, Slippers and Pantofles, made, ſold, ſhewed or put to ſale, contrary to the true Meaning of this Act, three Shillings and four Pence, and the juſt and full Value of the ſame.

No Sale or ſhewing of Boots, Shoes, &c. upon the Sunday.

XXIX. And be it further enacted for the true Execution of this Statute, That the Maſter and Wardens of the ſeveral Myſteries of Cordwainers, Curriers, Girdlers and Sadlers of the City of *London* for the Time being, by what Name or Names ſoever they be incorporated or entitled, or the more Part of the ſaid Maſter and Wardens of every of the ſaid ſeveral Myſteries, upon Pain to forfeit forty Pounds for every Year that they make Default, the one Half thereof to be to the King's Majeſty, his Heirs and Succeſſors, and the other Half to him or them that will ſue for the ſame, (2) ſhall by Virtue of this Act four Times in the Year at the leaſt, that is to ſay, once every Quarter of the Year, or oftner if need require, as they ſhall think good, make true Search and View of and for all Boots, Shoes, Buſkins, and other Wares and Things whatſoever made of tanned Leather, in all and every Houſe and Houſes, Place and Places, privileged or not privileged, as well within the City of *London* and Suburbs thereof, as in every other Place within three Miles of the ſame City, where any Shoemaker, Sadler, Girdler, Currier, or other Artificer, uſing cutting, working or dreſſing of Leather, doth or ſhall dwell, or occupy any of the Occupations of cutting, working or dreſſing of Leather, whether the ſame Boots, Shoes, Wares, Stuff, and other Things be made of tanned Leather, and be wrought according to the Purport, Effect and true Meaning of this Statute, or not: (3) And that it ſhall and may be lawful to and for the ſaid ſeveral Maſters and Wardens of the ſaid ſeveral Myſteries, which ſhall be for the Time being, to take, ſeize and carry away to their ſeveral common Halls, all ſuch Boots, Shoes, Wares, Stuff or other Things, which the ſaid ſeveral Maſters and Wardens ſhall find in their ſeveral Searches inſufficiently made, curried or wrought.

Wares made and tanned Leather in or near London ſhall be ſearched. Explained by 1 W. & M. Seſſ. 1. c. 33. ſect. 3.

Wares of Leather that be inſufficient may be ſeized and carried away.

XXX. Provided always, That none of the ſaid ſeveral Maſters and Wardens of the ſaid ſeveral Companies of Cordwainers, Curriers, Girdlers or Sadlers, ſhall ſearch any Perſon or Perſons, but ſuch as uſe and exerciſe the Myſtery or Occupation of the ſaid Maſter and Wardens; (2) and that the Coachmakers dwelling within the ſaid City of *London*, or three Miles from the ſame, ſhall be under the Survey and Search of the Maſter and Wardens of the Company of the Sadlers of *London*.

Who may ſearch and be ſearched.

XXXI. And be it further enacted, That the ſaid Mayor of the City of *London* and the Aldermen for the Time being, upon like Pain of forty Pounds likewiſe to be levied and imployed, ſhall likewiſe yearly appoint eight of the moſt ſubſtantial, honeſt and expert Perſons, being Freemen of ſome of the Companies of Cordwainers, Curriers, Sadlers or Girdlers within the City of *London*, whereof one ſhall be a Sealer, and keep a Seal for the Sealing of Leather, to be prepared, who ſhall alſo be ſworn before the ſaid Mayor and Aldermen for the Time being, to do their Office truly; (2) which ſaid Searchers and Sealers ſhall view and ſearch all and every tanned Hide, Skin or Leather, which ſhall be brought as well to the Market at *Leaden-hall*, as to any other lawful Fair or Market therefore uſually appointed within three Miles of the ſaid City, whether the ſame be ſufficiently and throughly tanned and throughly dried, according to the Purport and true Meaning of this Statute, or no; (3) and finding it ſufficiently and throughly tanned and throughly dried, in ſuch Manner and Form as by this Statute is appointed, ſhall ſeal the ſame with the ſaid Seal.

Searchers and Sealers of Leather ſhall be appointed by the Mayor, &c. of London.

XXXII. And be it further enacted by the Authority aforeſaid, That all Mayors, Bailiffs and other Head Officers for the Time being, in all other Cities, Boroughs and Market-Towns of this Realm, and all Lords of Liberties, Fairs and Markets out of the Circuit or Compaſs of the ſaid three Miles, ſhall upon like Pain of forty Pounds likewiſe to be levied and imployed every Year that they make Default therein, appoint and ſwear yearly two, three or more Perſons, of the moſt honeſt and ſkilful Men within their ſeveral Offices or Liberties, by their Diſcretion, to ſearch and view within the Precinct of their ſaid Offices, Liberties and Authorities, (2) which ſhall, as often as they ſhall think good, or need ſhall be, make like Search within their Limits, and ſhall have a Mark or Seal prepared for that Purpoſe: And that the ſaid Searchers, or one of them, ſhall keep the ſame Seal or Mark, and with the ſame ſhall ſeal and mark ſuch Leather as they ſhall find ſufficient, and no other: (3) And if the ſaid Searchers, or any of them, do find any Leather ſold or offered to be ſold, or brought to be ſearched or ſealed, which ſhall be tanned, wrought, converted or uſed contrary to the true Intent and Meaning of this Statute, or any Leather inſufficiently curried, or any Boots, Shoes, Bridles, or any other Thing made of tanned or curried Leather, inſufficiently tanned, curried or wrought, contrary to any Proviſion in this preſent Act, it ſhall be lawful to the ſaid Searchers, or any of them, to ſeize all ſuch Leather, Shoes or other Wares made of Leather: (4) and to retain the ſame in their Cuſtody, until ſuch Time as the ſame be tried by ſuch Triers, and in ſuch Manner and Form, as is hereafter in this Statute appointed.

Searching and ſealing of Leather in all other Parts of the Realm.

XXXIII. And to the End there may be an indifferent and equal Courſe eſtabliſhed for the Trying of all ſuch Leather, Boots, Shoes, and other Wares made of Leather, as ſhall be ſeized by Virtue of this Act; (2) Be it enacted by the Authority aforeſaid, That the Mayor of the City of *London* for the Time being, within ſix Days after Notice to him given of any Seizure made of any Leather, red and unwrought, within the Juriſdiction of the ſaid City, or three Miles diſtant from the ſame, either by the Owner or Owners, or by the Seizers of the ſaid Leather, ſhall elect and appoint ſix honeſt and expert Men, whereof there ſhall be of the better Sort of the Company of Cordwainers of *London* two, of the better Sort of the Curriers of *London* two, and other two of the better Sort of Tanners uſing *Leaden-hall* Market, who ſhall be no Kin

Six Triers of Leather ſhall be appointed in London.

or

or of Affinity to the ſaid Owner or Owners; (3) who upon their corporal Oaths to be taken before the ſaid Mayor, ſhall on the ſecond or third Market-day at the furtheſt, to be holden upon the *Monday* for Leather next after the ſaid Seizure, in the Afternoon of the ſame Day (to the Intent the Owner or Owners may conveniently be preſent) enquire, ſtraitly examine and try, whether the ſaid Leather ſo ſeized ſhall be ſufficient and ſerviceable, or not, according to the Intent and true Meaning of this preſent Act.

Triers of tanned Leather in other Places.

XXXIV. And be it further enacted, That every other Mayor, Bailiff, or other Head Officer or Lord of Liberty, or his ſufficient Deputy, out of the ſaid Compaſs of the ſaid three Miles, within whoſe Precincts or Liberties any ſuch Seizure of any Kind of tanned Leather, red or curried, or of any Shoes, Boots or other Wares made of tanned Leather, ſhall happen to be, ſhall with all convenient Speed, after Notice unto him given of any ſuch Seizure, appoint ſix honeſt and expert Men to try whether the ſame Leather, Boots, Shoes or other Wares ſo ſeiſed, be ſufficient and according to the true Intent of this Statute, or not; the ſame Trial to be made openly upon ſome Market-day, and within fifteen Days at the furtheſt next after ſuch Seizure made, upon the Oaths of the ſaid Triers.

1 Lutw. 181.
2 Lutw. 1402.

The Forfeiture of Chief Officers for not appointing Triers.

XXXV. And be it further enacted by the Authority aforeſaid, That if the ſaid Mayor of the City of *London* for the Time being, or any other Mayor, Bailiff, or other Head Officer of any other City, Borough, Corporate or Market-Town, or any Lord of any Liberty, Fair or Market, ſhall make Default in the Nomination or Appointment of any the aforeſaid Triers to be nominated and appointed in ſuch Manner and Form as is before ordained; That then every ſuch Mayor, Bailiff or other Head Officer, or Lord of Liberty, Fair or Market, making ſuch Default, ſhall forfeit and loſe for every ſuch Default five Pounds; the one Moiety thereof ſhall be to the King's Majeſty, his Heirs or Succeſſors, and the other Half to him or them that will ſue for the ſame, in any of the King's Majeſty's Courts of Record, by Bill, Plaint, Information or otherwiſe: (2) And that the ſaid Perſons ſo elected and appointed for Trial of the ſaid Leather, Shoes, Boots or other Wares made of tanned Leather, ſo to be ſeized as aforeſaid, ſhall proceed and do their Duties therein without Delay, according to the true Intent and Meaning of this preſent Act; (3) upon Pain that every of them making Default therein, ſhall for every ſuch ſeveral Default forfeit and pay five Pounds.

The Searchers and Sealers of Leather ſhall be changed yearly in London.

XXXVI. And be it further enacted, That four of the ſaid eight Searchers and Sealers ſo to be appointed within the ſaid City of *London* as aforeſaid, ſhall be at the End of every Year changed and removed, and ſo many new choſen in their Rooms and Places; (2) and that no Perſon or Perſons ſhall remain, continue or be in the ſaid Office of Searching or Sealing of Leather within the ſaid City of *London*, above the Space of two Years together; (3) and he or they which ſhall ſerve or be employed in the ſaid Office of Searching and Sealing of Leather two Years, ſhall not in the ſaid Office be choſen, ſerve or imployed again, until the End of three Years at the leaſt then next following; (4) upon Pain that every Perſon offending or doing the contrary, ſhall forfeit and loſe for every Month that he ſhall ſo contrarily uſe and exerciſe the ſaid Office, ten Pounds.

The Forfeiture of a Searcher or Sealer omitting his Duty, or taking of Bribes.
Skin. 366.

XXXVII. And be it further enacted by the Authority aforeſaid, That if any Searcher or Sealer of Leather ſhall refuſe with convenient Speed to ſeal any Leather ſufficiently tanned, wrought and uſed, according to the true Meaning of this preſent Act, or do allow that which ſhall be inſufficient; That then every Searcher and Sealer ſhall forfeit for every ſuch Offence forty Shillings: (2) And further, That if any Searcher of Leather ſhall receive any Bribe, or exact any other Fee for the Execution of his ſaid Office than is by this preſent Statute limited, for the Searching, Sealing and Regiſtring of Leather, that then every ſuch Searcher or Sealer ſo offending ſhall forfeit for every ſuch Offence twenty Pounds: (3) And that if any Perſon or Perſons duly elected according to the true Meaning of this preſent Act, to and for the Execution of the ſaid Office of Searching or Sealing of Leather, refuſe to execute the ſaid Office, that then the ſaid Perſon or Perſons ſo refuſing ſhall forfeit and pay ten Pounds.

Leather brought to Leaden-hall to be viewed and regiſtred.

XXXVIII. And be it further enacted by the Authority aforeſaid, That all red tanned Leather which ſhall be brought into the City of *London* or within three Miles Compaſs from the ſame, whether it be to be ſold, or be bought before-hand, or no, ſhall be brought to *Leaden-hall* before it be houſed in his or their own Houſes, and there viewed whether it hath been ſearched or ſealed or no, and ſhall alſo be regiſtred by the Searchers to be appointed as is aforeſaid, with Half ſuch Fees to be paid for ſuch of the ſaid tanned Leather as ſhall be bought out of the ſaid City of *London* or three Miles Compaſs from the ſame, and ſhall be duly ſearched and ſealed before it be brought within the ſaid City, as is hereafter expreſſed for Leather to be ſold in *Leaden-hall*; (2) upon Pain that every Perſon houſing, or not bringing his Leather to *Leaden-hall* as is aforeſaid, ſhall forfeit for every Hide or Skin ſix Shillings eight Pence. (3) Provided, That this Article ſhall not extend to any Leather to be bought in *Bartholomew-Fair*, or *Southwark-Market*, being ſearched, ſealed and regiſtered according to the true Meaning of this Act.

Leather bought in Bartholomew Fair or Southwark Market.

Searching and ſealing of Leather in or near London.

XXXIX. And be it alſo further enacted by the Authority aforeſaid, That no tanned Leather ſhall be ſold within the City of *London* or three Miles diſtant from the ſame before the ſame have been ſearched and ſealed by the Searchers and Sealers, by Virtue of this Act to be appointed to and for the Searching and Sealing of Leather within the ſaid City and three Miles diſtant from the ſame, upon Pain of Forfeiture of all ſuch tanned Leather otherwiſe ſold or the full Value thereof.

The Penalty for denying of Search or Seizing of inſufficient Wares.

XL. And alſo be it further enacted, That if any Perſon will after the ſaid Feaſt of St. *Bartholomew* next coming, wilfully withſtand or deny any ſuch Search to be made according to the Tenor of this Act as is aforeſaid, or will not ſuffer the ſaid ſeveral Maſters and Wardens of the ſeveral Companies of Cordwainers, Curriers, Girdlers or Sadlers or other Searchers ſo appointed, to enter into his or their Houſe or Houſes or other Place, to view and ſearch at their Will and Pleaſure, all Manner of tanned Leather and all Manner of Shoes, Boots, Mails, Saddles, Coach-coverings and Harneſs, and all Manner of Wares wrought and made or to be wrought and made of Leather, and to ſeize and carry away all ſuch Leather, Shoes and Wares as they ſhall find inſufficiently tanned, curried or wrought or made of

of ill Stuff; that then all and every ſuch Perſon or Perſons ſo denying and withſtanding, and not ſuffering the ſaid Maſters and Wardens, and Searchers, or any of them, ſo appointed for the Time being, to enter and make ſearch, and ſeize as aforeſaid, ſhall loſe and forfeit for every Time ſo denying and withſtanding, five Pounds.

Regiſtring of Leather ſold and bought, and the Fees thereof.

XLI. And be it further enacted, That ſuch Perſon and Perſons, as hereafter ſhall be aſſigned and appointed Searchers and Sealers of tanned Leather by Virtue of this Act, ſhall within the Limits and Precincts of every of their Searches keep one Book or Regiſter, wherein they ſhall enter all ſuch Bargains as ſhall be made for Leather, Hides or Skins, by any Perſon or Perſons, during and by all the Time of the Fair or Market, being thereunto required by the Buyer or the Seller, and alſo the Prices of ſuch Leather bought and ſold, with the Names and Dwelling-places of the Buyer and Seller; (2) taking for the Searching, Sealing and Regiſtring of every ten Hides, Backs or Butts of Leather, with the Necks, Wombs and Dibbings, or other Pieces or Offal cut off from the ſaid Backs or Butts of Leather, of the Seller of every ſuch ten Hides, Backs or Butts of Leather ſo entred, two Pence, and ſo after the Rate; and for every ſix Dozen of Calves-ſkins or Sheep-ſkins two Pence; and of the Buyer, after the ſame Rate, and no more, greater, or other Sum or Sums of Money to be paid for Searching, Sealing or Entring of any tanned Leather.

The Penalty for ſelling of tanned Leather not regiſtred.

XLII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall, after the ſaid Feaſt of St. *Bartholomew* next coming, ſell, exchange, or put away, or cauſe to be ſold, exchanged or put away, any Manner of tanned Leather, red and unwrought, except he or they regiſter or cauſe to be regiſtered the ſaid tanned Leather, and every Part and Parcel thereof, and the Price thereof; (2) upon Pain of Forfeiture of the Value of the Leather ſo ſold, exchanged or put away, and not regiſtred.

The Penalty for buying of Leather not ſealed or regiſtred.

XLIII. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful to or for any Perſon or Perſons to buy any tanned Leather before the ſame ſhall be ſearched and ſealed, nor to carry or cauſe to be carried out of the Fair or Market any Leather, till it be regiſtred as aforeſaid; (2) upon Pain to forfeit the ſaid Leather or the Value thereof ſo bought, and not ſearched and ſealed, or carried away and not regiſtred.

The Penalty of the Currier or Cordwainer omitting his Duty.

XLIV. And be it further enacted by the Authority aforeſaid, That if any Currier within the ſaid City of *London* or three Miles compaſs of the ſame, after the Feaſt of St. *Bartholomew* next coming, do curry any Leather inſufficiently tanned, or after the ſaid Feaſt do not curry ſuch Leather as he doth or ſhall curry, ſubſtantially and well, according to the Meaning and Purport of this Act; (2) or if any Shoemaker, Cordwainer or Cobler within the City of *London* or three Miles Compaſs of the ſame, after the ſaid Feaſt of St. *Bartholomew* next, put any tanned Leather into any Shoes, Boots, Buſkins, Startops, Slippers, Pantofles or other Things made of tanned Leather, which ſhall not be well and perfectly tanned according to the Purport and true Meaning of this Act; (3) or after the ſaid Feaſt do put any curried Leather into any Boots, Buſkins, Startops, Shoes, Slippers, Pantofles or other Things made of Leather, which ſhall not be well and ſufficiently tanned and curried, and alſo ſealed as is aforeſaid; (4) or do make Boots, Buſkins, Shoes, Startops, Slippers, Pantofles or other things made of *Engliſh* tanned Leather, in other Manner than is above ſpecified and ordained: (5) Or if any Shoemaker, Sadler or their Artificers, uſing Cutting or Working of Leather, do make any Wares of any tanned Leather inſufficiently tanned, or of tanned or curried Leather, being not ſufficiently tanned and curried as is aforeſaid, (6) or do not make their Wares belonging to their ſeveral Occupations ſufficiently and ſubſtantially: (7) That then every Perſon ſo offending ſhall forfeit for every ſuch ſeveral Offence or Default, the ſaid Wares and the juſt Value thereof.

Mod. Caſes in Law 165.

No ſelling of Wares in London but in open Shop, Fair or Market.

XLV. Provided always, and be it enacted, That no manner of Perſon or Perſons ſhall after the ſaid Feaſt of St. *Bartholomew* utter or ſell, or cauſe to be uttered or ſold, within the ſaid City of *London* or within three Miles Compaſs of the ſame, any Manner of Wares appertaining to the Craft or Myſtery of any Artificer uſing Cutting of Leather, but only in open Shop, common Fair or Market, whereby the ſaid Wardens may have the true Search of the ſame; (2) upon Pain of Forfeiture of all ſuch Wares ſo ſold, and ten Shillings for every Time.

All Cutters of Leather in or near London ſhall be under Search.

XLVI. Provided alway, and be it enacted, That all and every Perſon and Perſons whatſoever now being, or that hereafter ſhall be, free of the ſaid City of *London*, of what Company ſoever, and all Foreigners, *Engliſh*, or Aliens and Strangers born, dwelling or inhabiting, or which hereafter ſhall dwell or inhabit, within the City of *London* or three Miles Compaſs of the ſame, as well within Places privileged as not privileged, uſing or exerciſing any manual Occupation of cutting or working of Leather into made Wares, ſhall be under the Survey and Search of the Maſters and Wardens of ſuch Companies of the ſaid City of *London*, as the Artificers commonly uſing the ſame Myſtery or Occupation, being Freemen of the City of *London* and of the ſame Company, be, touching or concerning only their Wares and Stuff made of or with Leather, in like Manner and Form as other Freemen of the ſame Company be or ſhall be, (2) and ſhall contribute and pay to the ſeveral Maſters and Wardens of the ſaid ſeveral Companies for the Time being within the ſaid City, as the Artificers uſing the ſame Myſtery, being Freemen of the ſaid City and of the ſame ſeveral Companies, ſhall contribute and pay; the ſame to be recovered by Diſtreſs or Action of Debt, in any of the King's Majeſty's Courts of Record; in which no Wager of Law for the Defendant to be allowed: (3) All which Pains, Penalties and Forfeitures aforeſaid, of Sums of Money aforeſaid, (except ſuch Pains, Penalties and Forfeitures, as are before, or hereafter by this Act ſhall otherwiſe be diſpoſed) ſhall be divided into three equal Parts; one Part whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and another Part to him or them that ſhall ſue for the ſame in any of the Courts of Record of the King's Majeſty, his Heirs and Succeſſors, by Action of Debt, Bill, Plaint, Information or otherwiſe; in which Suit no Wager of Law or Eſſoin ſhall be admitted or allowed; and the third

Who ſhall have the Money forfeited by this Statute.

Part

Part thereof ſhall go to the City, Borough, Town or Lord or Lords of Liberties, where the Offence ſhall be committed or done: (4) And all ſuch Leather, Shoes, Boots, Buſkins, Startops, Slippers, Pantofles, Wares, Stuff and other Things whatſoever, made of tanned Leather or curried Leather, which ſhall be ſeiſed by Virtue of this Act, and ſhall be found by the Triers to be appointed as is aforeſaid, or by the Maſters and Wardens of the ſeveral Companies aforeſaid, to be inſufficient, ſhall be forfeited and diſtributed as hereafter followeth: That is to ſay, ſuch Leather or Stuff ſo ſeized within the City of *London* or within three Miles Compaſs of the ſame, to be brought to *Guild-Hall* in *London*, there to be prized by indifferent Perſons, and the Value thereof to be divided into three Parts; whereof one Part to be to the firſt Seiſor and Seiſors of the ſaid unlawful Stuff, and another Part to the Uſe of the Chamber of *London*, and the other Part to be diſtributed to the poor Folks, as well being within the New Hoſpital of St. *Bartholomew*'s in *London*, as to ſuch poor Houſholders as ſhall be inhabiting within the City of *London* or the Circuit aforeſaid, at the Diſcretions of ſuch Perſons as the Mayor of the ſaid City and four Aldermen of the ſame for the Time being, ſhall appoint for the ſame: (5) And that all ſuch Leather, Boots, Shoes, Saddles, Wares, Stuff and Things made of or with Leather as is aforeſaid, which ſhall be found within any other City, Borough, Town or Place within this Realm, out of the ſaid City of *London* and three Miles Compaſs, inſufficiently wrought, tanned or curried as is aforeſaid, and ſhall be ſeiſed and tried to be forfeited in Manner and Form aforeſaid, ſhall be brought to the Common Hall of every ſuch City, Borough and Town, or to ſome convenient and open Place to be appointed by the Lord of the Liberty or his Deputy, where no Common Hall is, there to be prized as is aforeſaid: (6) One Part of the ſaid Value thereof to be diſpoſed unto the Poor, and in other Deeds of Charity in thoſe Parts, after the Diſcretion of the Mayors, Bailiffs, Headboroughs, and Lords of Liberties; another Part to be delivered to the Mayors, Bailiffs and other Head Officers of any City, Borough or Town Corporate, to the Uſe of the Commonalty of ſuch City, Borough or Town Corporate; and where no ſuch Officers be, then to the Lord or Lords of the Liberty where any ſuch Forfeiture ſhall be committed, or Seiſure had; and the third Part to the Seiſor or Seiſors of ſuch Leather, Stuff or Wares inſufficiently tanned, curried or wrought, as is aforeſaid, for his and their Pains.

How the Wares made of tanned Leather, forfeited in London, ſhall be diſtributed.

How the Wares made of tanned Leather, forfeited in other Places, ſhall be diſtributed.

XLVII. Provided always, That no Perſon to whom any ſuch unlawful Leather or Stuff ſhall be given by this Act, ſhall give or ſell any ſuch Leather or Stuff to any Perſon or Perſons that ſhall ſell the ſame, upon Pain that the Buyer ſhall forfeit for every Parcel of ſuch unlawful Leather or Stuff to be ſold, contrary to the true Meaning of this laſt Clauſe, three Shillings Four-pence.

Forfeited Ware ſhall not be ſold to him that will ſell it again.

XLVIII. Provided always, That this Act, nor any Thing therein contained, ſhall not in any wiſe be prejudicial or hurtful to the Chancellors, Vice-Chancellors, Proctors, Taxors and Scholars, their Officers, Miniſters, Aſſigns or Farmers, of the Univerſities of *Oxford* and *Cambridge*, or any of them, of, for or concerning the Authority of Search of tanned Leather, or any of the Forfeitures of the ſame, which they lawfully had or might have had before the making of this preſent Act; ſo as they do in all Things obſerve ſuch Order in, about, or for Searching, Sealing and Regiſtring of Leather, as by this Act is preſcribed and appointed, upon the Pain therein contained; any Thing herein contained to the contrary notwithſtanding.

The Authority of the Officers in Oxford and Cambridge for Search of Leather reſerved.

XLIX. 'And for the avoiding of all Ambiguities and Doubts which may and do grow upon the 'Definition and Interpretation of this Word Leather,' (2) It enacted and declared by theſe Preſents, That the Hides and Skins of Ox, Steer, Bull, Cow, Calf, Deer red and fallow, Goats and Sheep, being tanned or tawed, and every ſalt Hide, is, ſhall be and ever hath been reputed and taken for Leather.

What ſhall be reputed Leather.

L. And for the better Execution of this Act, be it further enacted, That all Juſtices of Aſſiſe, Juſtices of Gaol-Delivery, Juſtices of Peace, and Stewards of Franchiſes, Leets and Law-days, within their ſeveral Precincts, Juriſdictions and Liberties, and Mayor of *London* for the Time being, within the ſaid City, and within three Miles Compaſs of the ſame City, and all other Mayors, Bailiffs and other Head Officers of Cities, Boroughs and Towns, within their ſeveral Juriſdictions, Liberties, Precincts, Offices and Authorities, ſhall enquire of all the Premiſſes in their Seſſions, Leet or Law-Day, and hear or determine the ſame, and alſo by their Diſcretions examine all Perſons ſuſpected to offend this Act or any Parcel thereof.

What Officers may inquire of and puniſh the Offences aforeſaid.

LI. And be it further enacted, That where any Manor, Liberty or Franchiſe immediately appertaineth to the King's Majeſty, his Heirs or Succeſſors, the Steward for the Time being of every ſuch Manor, Liberty and Franchiſe, ſhall have the like Authorities, Powers, Juriſdictions and Advantages, and alſo ſhall bear and pay all the like Pains, Penalties and Forfeitures, as are given, appointed, limited or laid by this Statute to or upon the Lords of Liberties and Franchiſes, as in this Statute is expreſſed.

The Steward's Authority of a Manor of the King's.

LII. And be it further enacted, That all Currying and Dreſſing of Leather, commonly called Dry-currying and Frizing, ſhall be conſtrued to be Dreſſing and Currying of the manner of *Spaniſh* Leather, of what Colour ſoever it be; and that to all Artificers (other than Shoe-makers yearly between the laſt of *September* and the twentieth of *April*) it ſhall be lawful to uſe all kinds of Leather dreſſed and curried in that Manner of Dry-currying and Frizing as they lawfully might before the making of this Act, ſo that the ſame Leather ſo to be uſed be well and ſufficiently tanned, according to the Form preſcribed in this Act, and alſo well and ſubſtantially dreſſed, curried and frized, in the Manner of Dry-currying and Frizing aboveſaid.

Dry-currying and Frizing of Leather, and who may uſe it.

LIII. And be it enacted by the Authority aforeſaid, That this Act, and every Part thereof, ſhall be conſtrued and adjudged to extend to *Wales* as amply as it doth to this Realm, to all Intents, Conſtructions and Purpoſes.

This Act ſhall extend to Wales.

LIV. 'And foraſmuch as (notwithſtanding the good Laws and great Penalties in that Behalf pro-'vided) great Quantities of Leather are daily tranſported out of this Realm, and eſpecially by the Negli-'gence and Corruption of Comptrollers, Cuſtomers, Searchers, and all their Deputies;' Be it therefore enacted by the Authority aforeſaid, That if any Leather wrought, cut, or unwrought, to the Intent to

The Forfeiture of Cuſtomers, &c. ſuffering Leather to be tranſported, and not to ſeiſe or diſcloſe it.

to be ſold or bartered, ſhall hereafter unlawfully be tranſported, or purpoſed to be tranſported, into the Parts beyond the Sea, from and out of any Port, Haven or Creek of this Realm, or *Wales*; every Comptroller, Cuſtomer, Surveyor, Collector of Tonnage and Poundage, and the Searchers, and the Deputy of any of them, or any other Perſons hearing or knowing by any Ways of any Leather meant to be tranſported from any Place within his Office, and do not his beſt Endeavours to ſeiſe the ſame, or being tranſported, do not diſcloſe or cauſe to be diſcloſed the ſame, within forty Days next after ſuch Knowledge or Hearing of the ſame, in ſome Court of Record, ſo as the Offender may be puniſhed according to the Laws in that Caſe provided, ſhall for every the firſt Offence committed againſt this Article, forfeit an hundred Pounds; (3) and for the ſecond Offence ſhall alſo forfeit his Office.

LV. And be it further enacted, That every Cuſtomer, Officer or Officer's Deputy, that ſhall make any falſe Certificate of the Arrival of any Leather in any Port, Creek or Place of this Realm, ſhall alſo forfeit for every ſuch Offence an hundred Pounds.

This Act ſhall not extend to Scotiſh Hides brought to Berwick.

LVI. Provided alway, That neither this Act, nor any Article, Expoſition or Thing therein contained, ſhall extend to any *Scotiſh* Hides to be brought into the Town of *Berwick* out of the Realm of *Scotland*, being regiſtred in a Book therefore to be kept by ſuch Perſon or Perſons as the Mayor of the ſaid Town for the Time being ſhall thereunto name and appoint, with the Name and Surname of the Buyer and Seller, to the Intent the *Engliſh* Hides might be known from the *Scotiſh*; but that the Inhabitants of the ſaid Town of *Berwick* may ſend, carry and tranſport ſuch *Scotiſh* Hides as they lawfully might tranſport before the making of this Act.

Licences to diſpenſe with the Offences prohibited by this Act ſhall be void.

LVII. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time hereafter procure or obtain any Grant or Letters Patents, purporting to give Licence or Authority to any Perſon or Perſons to diſpenſe with or tolerate any Offence againſt any Clauſe, Proviſion or Article in this preſent Act, that then and immediately from and after ſuch Letters Patents or Grant obtained, all and every ſuch Clauſes, Articles and Proviſions, ſo by the ſaid Letters Patents or Grant authorized or licenced to be diſpenſed with or tolerated as aforeſaid, ſhall be utterly repealed, void and of no Effect; any Thing in this preſent Act contained to the contrary in any wiſe notwithſtanding: (2) This Act to endure until the End of the next Seſſion of the next Parliament.

Continued until the End of the next Seſſion of Parliament.

A Repeal of the Statute of 5 Eliz. c. 8. and of all former Statutes repealed by the ſame.

LVIII. And be it further enacted by the Authority aforeſaid, That as well one Statute made in the fifth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, intituled, 'An Act concerning 'Tanners, Curriers, and other Artificers occupying Cutting of Leather,' as all former Statutes, and every Part or Parts of any former Statute or Statutes thereby repealed, ſhall from henceforth be utterly repealed for ever. [3 Car. 1. c. 4. Continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

*Farther Proviſions relating hereto* 13 & 14 *Car.* 2. *c.* 7. 1 *W. & M. Seſſ.* 1. *c.* 33. 9 *Ann. c.* 6. *ſect.* 4. 12 *Ann. St.* 2. *c.* 9. 3 *Geo.* 1. *c.* 4. 5 *Geo.* 1. *c.* 2. *and* 12 *Geo.* 2. *c.* 25.

## CAP. XXIII.

### An Act for the better Preſervation of Fiſhing in the Counties of *Somerſet*, *Devon* and *Cornwal*, and for the Relief of Balkers, Condors and Fiſhermen, againſt malicious Suits.

To what End Balkers, Condors and Directors did watch upon Hills in Fiſhing-time.

WHEREAS the Trade of Fiſhing for Herrings, Pilchards and Sean-fiſh, within the Counties of *Somerſet*, *Devon* and *Cornwal*, is and of late Time hath been very great and profitable, as well 'to divers of the Fiſhermen and Inhabitants which dwell near the Sea-Coaſts within the ſaid Counties, 'as in the Cities of *London* and *Exeter*, and elſewhere within the Realm of *England* and the Dominions 'thereof: (2) And whereas alſo for the neceſſary Uſe of the taking of the ſaid Herrings, Pilchards and 'other Sean-fiſh, divers Perſons within the ſaid Counties called Balkers, Huors, Condors, Directors or 'Guidors at the Fiſhing-times for the ſaid Herrings, Pilchards and other Sean-fiſh within the ſaid Counties, 'Time out of Mind have uſed to watch and attend upon the high Hills and Grounds near adjoining to 'the Sea-Coaſts within the ſaid Counties, for the Diſcovery and giving Notice to the Fiſhermen and 'Inhabitants near adjoining, when the ſaid Herrings, Pilchards and Sean-fiſh come towards or near the 'Sea-Coaſts there, and for the guiding and directing of the Fiſhermen in their Boats upon the Sea-Coaſts for the taking of the ſaid Herrings, Pilchards and other Sean-fiſh.

Suits commenced againſt Balkers, Condors and Fiſhers, for entering into the Grounds of others.

'II. And whereas alſo now of late divers Perſons having Lands, Tenements and Hereditaments near 'or adjoining to the Sea-Coaſts within the ſaid Counties where the Fiſhing Places for the taking of the 'ſaid Herrings, Pilchards and other Sean-fiſh are, have brought their Actions of Treſpaſs at the Com-'mon Law, as well in the High Courts of Record at *Weſtminſter*, as in inferior Courts within the ſaid 'Counties, not only againſt ſuch Balkers, Huors, Condors, Directors and Guidors, but alſo againſt ſuch 'Fiſhermen and other Perſons, for breaking of their Cloſe, as have attended their Seans or Nets for the 'Drawing and Carrying of the ſaid Fiſh on Land or Shore, and have recovered againſt them Coſts and 'Damages, to their great Loſs and Expences; (2) by reaſon whereof, ſuch Watchmen, Balkers, Huors, 'Condors, Directors and Guidors, and ſuch other Perſons as heretofore have attended the ſaid Seans and 'Fiſhing, have forborn to enter into or go upon the Lands, Tenements and Hereditaments near adjoin-'ing to ſuch Fiſhing Places within the ſaid Counties, for the Watching or Diſcovery of the ſaid Herrings, 'Pilchards and other Sean-fiſh, or to balk, hue, cond or direct, or to attend the Seans or Nets as hereto-'fore they have done, and will likewiſe forbear the ſame hereafter, if Proviſion be not had and made 'that they may lawfully enter into and upon ſuch Lands, Tenements and Hereditaments as do lie near 'or adjoining to the ſaid Sea-Coaſts and Places of Fiſhing as aforeſaid, for their Watching, Balking, 'Directing and Attending of the Seans, as is aforeſaid;

'III. For

'III. For Remedy whereof, and for the Maintenance of the ſaid Trade of Fiſhing, which doth ſo greatly tend to the Profit of many of the Inhabitants within the ſaid Counties, and others,' (2) Be it therefore enacted by our Sovereign Lord the King, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That it ſhall and may be lawful at all Time and Times hereafter to and for all and every ſuch Watchmen, Balkers, Huors, Condors, Directors and Guidors, and all ſuch Fiſhermen and other Perſons as ſhall neceſſarily attend the ſaid Seans or Nets, as aforeſaid, at the Times of Fiſhing for Herrings, Pilchards and other Sean-fiſh within the ſaid Counties where ſuch Fiſh ſhall hereafter be taken, to enter and go into and upon any Lands, Tenements and Hereditaments which do lie or adjoin near unto any ſuch Fiſhing Places, and fit, convenient and neceſſary to watch and balk in, or to draw and carry the ſaid Fiſh on Shore, and there to watch for the ſaid Fiſh, and to balk, hue, cond, direct and guide the Fiſhermen which ſhall be upon the ſaid Sea and Sea-Coaſts for the taking of the ſaid Fiſh, and to draw and carry the ſaid Fiſh on Land or Shore; any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

Balkers, Condors and Fiſhers may enter into the Grounds of others to take or diſcover Fiſh.

IV. And be it further enacted by the Authority aforeſaid, That if any Action of Treſpaſs or other Suit ſhall at any Time hereafter happen to be attempted and brought againſt any Perſon or Perſons for entring and going on the Land for watching of the ſaid Fiſh, or for balking, huing, conding, directing or guiding of the ſaid Fiſhermen in their Boats upon Sea or Sea-Coaſts for taking of the ſaid Fiſh, or for the Landing of the ſaid Fiſh, as aforeſaid, by Authority of this preſent Act, the Defendant or Defendants in any ſuch Action or Suit ſhall and may plead Not guilty for any Thing doing by Virtue of this Act: (2) And upon the Trial of that Iſſue, the whole Matter to be given on both Parties in Evidence according to the very Truth of the ſame: (3) And after ſuch Iſſue tried for the Defendant or Defendants, or Nonſuit of the Plaintiff or Plaintiffs after Appearance, the ſame Defendant or Defendants to recover his or their Damages, by reaſon of his or their wrongful Vexation in that Behalf, with Coſts alſo in that Behalf ſuſtained; (4) and that to be aſſeſſed by the ſame Jury that ſhall try the ſaid Iſſue; or elſe by Writ to enquire of the Damages as the Caſe ſhall require; (5) for which Coſts and Damages ſuch Defendant ſhall and may by Virtue of this Act take and ſue forth ſuch Execution as the Defendant in a *Replevin* may do.

The Plea for a Condor, Balker or Fiſher in an Action of Treſpaſs brought againſt him.

## CAP. XXIV.

### An Act againſt the Deceitful and falſe Making of Mildernix and Powle-Davies, whereof Sail-Clothes for the Navy and other Shipping are made.

'WHEREAS the Clothes called Mildernix and Powle-Davies, whereof Sail-Clothes and other Furniture for the Navy and Shipping are made, were heretofore altogether brought out of *France* and other Parts beyond the Seas, and the Skill and Art of making and weaving of the ſaid Clothes never known or uſed in *England*, until about the two and thirtieth Year of the Reign of the late Queen of famous Memory Queen *Elizabeth*, about what Time, and not before, the perfect Art and Skill of making and weaving of the ſaid Clothes was attained unto, and ſithence practiſed and continued in this Realm, to the great Benefit and Commodity thereof:

First made in France, and after learned and practiſed in England. 9 Geo. 2. c. 37. *which is continued by* 24 *Geo.* 2. c. 52.

'II. And whereas of late many of the King's Majeſty's Subjects, not trained nor brought up in the ſaid Art, nor any ways ſkilful therein, have notwithſtanding, upon Deſire of Gain, made and weaved, or cauſed to be made and weaved, many Clothes in Likeneſs and Shew of Mildernix and Powle-Davies, but in Truth neither made of ſuch Stuff as the ſaid Mildernix and Powle-Davies are and ought to be made of, nor ſo well driven or weaved, nor yet of that Length nor Breadth, as the true Clothes called Mildernix and Powle-Davies are and ought to be; (2) inſomuch that the ſaid Clothes do yearly and daily grow worſe and worſe, and are made more thinner, ſleighter and meaner, than heretofore they have been, to the great Deceit and Hurt of all his Highneſs loving Subjects that are to uſe and imploy the ſame about the Sails and other Furniture of their Ships and ſailing Veſſels, and to the great Damage of his Highneſs Navy, the chiefeſt Strength of this Realm, (next unto God and his Highneſs) and within ſhort Time like utterly to overthrow the Art and Trade of making Cloth of that Kind within this Realm; whereupon his Highneſs ſaid Subjects, as well the Makers as Uſers of the ſaid Clothes are much hurt and impoveriſhed through the Deceitfulneſs, Unſkilfulneſs and Ignorance of the Weavers and Makers of the ſaid Clothes.'

Mildernix made in England neither of good Stuff, nor well weaved.

III. For Remedy and Redreſs whereof, be it enacted by the King's moſt excellent Majeſty, with the Aſſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons reſiant, inhabitant or dwelling within this Realm, ſhall at any Time after the firſt Day of *Auguſt* next coming make, weave or cauſe to be made and weaved, any ſuch Cloth or Clothes for Sails, or Furniture of Ships, or other ſailing Veſſels, called, termed or known by the Name or Names of *Mildernix* and *Powle-Davies*, or any of them, but ſuch as now do uſe the ſame, or any of their Servants, or ſuch as ſhall hereafter be Apprentices, and trained and brought up in the Trade and Art of making of the ſaid Clothes by the Space of ſeven Years together at the leaſt; nor ſhall ſet any Man to work in the making or weaving of any ſuch Clothes, being not a Workman trained up before the firſt Day of *Auguſt* next coming in the ſaid Art and Myſtery; (2) upon Pain that every ſuch Perſon offending or doing the contrary, ſhall forfeit and loſe for every Default twenty Shillings for every Month.

IV. And further, That no Perſon or Perſons from and after the ſaid firſt Day of *Auguſt* ſhall make or weave the ſaid Clothes of any other Stuff than of good and ſufficient Hemp, nor of any leſs Length than three and thirty Yards, nor of any leſs Breadth than three Quarters of a Yard: (2) Nor that the Weaver, or other Perſon or Perſons, ſhall ſell or offer to ſell any of the ſaid Clothes before the Stuff be well beaten, ſcowred, bleached, and the Cloth well driven with a brazen or iron Shuttle; (3) upon Pain that every

Of what Stuff, Goodneſs, Length and Breadth, Mildernix and Powle-Davies ſhall be made.

Perſon offending or doing the contrary herein, ſhall forfeit and loſe for every ſuch Piece of Cloth woven, made or ſold contrary to the Form of this Act, five Shillings.

Who ſhall have the Forfeitures.

V. And be it further enacted by the Authority aforeſaid, That the one Moiety of the Benefit of all the Forfeitures and Penalties in this Act contained ſhall come and be unto the King's moſt excellent Majeſty, his Heirs and Succeſſors, and the other Moiety thereof unto ſuch as will ſue for the ſame in any of the King's Majeſty's Courts, by Bill, Plaint, Action of Debt, Information or otherwiſe; in which Actions, Suits, Plaints or Informations, no Wager of Law, Eſſoin or Protection ſhall be allowed.

## CAP. XXV.

### An Act for continuing and reviving of divers Statutes, and for repealing of ſome others.

Ships. 21 H. 8. c. 12.

BE it enacted by Authority of this preſent Parliament, That one Act made in the one and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, 'An Act for the true making of Cables, Halſers and Ropes:'

Cattle. 24 H. 8. c. 9.

II. And that an Act made in the four and twentieth Year of the Reign of the ſaid King *Henry* the Eighth, intituled, 'An Act againſt killing of young Beaſts called Weanlings:'

Cattle. 3 & 4 Ed. 6. c. 19. Victual. 3 & 4 Ed. 6. c. 21.

III. And that two Acts made in the Parliament holden at *Weſtminſter* by Prorogation, the fourth Day of *November*, and continued until the firſt Day of *February* next after, in the third and fourth Years of the Reign of the late King *Edward* the Sixth, the one concerning the Buying and Selling of Rother Beaſts and Cattle; the other intituled, 'An Act for the Buying and Selling of Butter and Cheeſe:'

Fiſh. 1 Eliz. c. 17.

IV. And that one Act made in the firſt Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for Preſervation of Spawn and Fry of Fiſh:

Merchants. 5 Eliz. c. 7.

V. And that an Act made in the fifth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for avoiding divers Foreign Wares made by Handicraftſmen beyond the Seas:'

Fiſh. 5 Eliz. c. 5.

VI. And ſo much of another Act made the ſame Year, intituled, 'An Act touching certain politick 'Conſtitutions made for the Maintenance of the Navy,' as is not repealed by any later Statute, nor doth concern the Tranſportation of Herring or other Sea-fiſh, nor Freedom of Cuſtom, Subſidy or Tonnage for the ſame, nor Tranſportation of Corn; together with all and every other Additions, Explanations and Alterations made thereunto or thereof, or of any Part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and now ſtanding in Force:

Games. 8 Eliz. c. 10.

VII. And that an Act made in the eighth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for Bowyers, and the Prices of Bows:'

Purveyors. 13 Eliz. c. 21. Eccleſiaſtical Perſons. 13 Eliz. c. 10. Leaſes. 13 Eliz. c. 20. 14 Eliz. c. 11. 18 Eliz. c. 11. 43 Eliz. c. 9. Ways. 18 Eliz. c. 20.

VIII. And that three Acts made in the thirteenth Year of her late Majeſty's Reign: One intituled, 'An 'Act that Purveyors may take Grain, Corn and Victuals, within five Miles of Cambridge and Oxford, 'in certain Caſes; (2) Another, 'An Act againſt Frauds defeating Remedies for Delapidations; (3) The Third, 'An Act touching Leaſes of Benefices and other Eccleſiaſtical Livings with Cure,' together with all and every Explanations, Additions and Alterations thereof, or of any of them, or to any of them, made by ſeveral Statutes of the fourteenth, eighteenth and three and fortieth Years of her ſaid late Majeſty's Reign:

Poor. 18 Eliz. c. 3.

IX. And that an Act made in the eighteenth Year of her ſaid Majeſty's Reign, intituled, 'An Act 'for the Repairing and Amending of Bridges and Highways near unto the City of Oxford:'

X. And ſo much of one other Act made the ſame eighteenth Year, intituled, 'An Act for ſetting the 'Poor on Work, and avoiding of Idleneſs,' as concerneth Baſtards begotten out of lawful Matrimony:

Franchiſes. 27 Eliz. not printed. Corn. 27 Eliz. c. 14. Corn. 39 Eliz. c. 16. Sewers. 27 Eliz. c. 24. Meaſures. 31 Eliz. c. 8. Franchiſe. 23 Eliz. not printed.

XI. And that two Acts made in the ſeven and twentieth Year of her ſaid Majeſty's Reign, the one intituled, 'An Act for the good Government of the City or Borough of *Weſtminſter*;' (2) the other, 'An 'Act for reviving a former Statute for true Making of Malt;' (3) together alſo with an Act made in the nine and thirtieth Year of her ſaid Majeſty's Reign, intituled, 'An Act to reſtrain the exceſſive Making 'of Malt;' (4) And a third Act made in the ſaid ſeven and twentieth Year of her ſaid Majeſty's Reign, intituled, 'An Act for keeping the Sea-Banks and Sea-Works in the County of Norfolk:'

Pope. 35 Eliz. c. 1. Drapery. 35 Eliz. c. 10. Merchants. 35 Eliz. c. 11.

XII. And two Acts made in the one and thirtieth Year of her ſaid Majeſty's Reign; the one intituled, 'An Act for the true Gaging of Veſſels brought from beyond the Seas, converted by Brewers for the 'Utterance and Sale of Ale and Beer;' (2) the other, 'An Act for reviving and enlarging of a Statute 'made in the three and twentieth Year of her ſaid Majeſty's Reign, for the Relief of the City of Lin- 'coln:'

Huſbandry. 39 Eliz. c. 1.

XIII. And that three Acts made in the five and thirtieth Year of her ſaid Majeſty's Reign; one intituled, 'An Act to retain the Queen's Majeſty's Subjects in their due Obedience;' (2) 'Another for 'Reformation of ſundry Abuſes in Clothes called Devonſhire Kerſies or Dozens, according to a Procla- 'mation of the four and thirtieth Year of her ſaid Majeſty's Reign;' (3) The Third, An Act for 'the bringing in of Clap-board from the Parts of beyond the Seas, and the reſtraining of the Tranſ- 'porting of Wine-Caſk, for the ſparing and preſerving of Timber within the Realm:'

Huſbandry. 39 Eliz. c. 2. 43 Eliz. c. 9.

XIV. And the ſeveral Acts hereafter mentioned, made in the nine and thirtieth Year of her ſaid Majeſty's Reign, that is to ſay, An Act intituled, 'An Act againſt the decaying of Towns, and Houſes of 'Huſbandry;'

XV. An Act intituled, 'An Act for the Maintenance of Huſbandry and Tillage;' together with ſuch Explanations and Proviſions as thereunto are added by the Statute made in the three and fortieth Year of her ſaid Majeſty's Reign:

Fiſh. 39 Eliz. c. 10. Fiſh. 23 Eliz. c. 7.

XVI. An Act intituled, 'An Act for the Increaſe of Mariners, and for Maintenance of the Naviga- 'tion,' repealing a former Act made in three and twentieth Year of her ſaid Majeſty's Reign, bearing the ſame Title:

XVII. An Act intituled, 'An Act for Explanation of the Statute made in the fifth Year of her 'ſaid Majeſty's Reign, concerning Labourers:' Apprentice. 39 Eliz. c. 12. 5 Eliz. c. 4.

XVIII. An Act, intituled, 'An Act prohibiting the Bringing into this Realm of Foreign Cards for Wool:' Drapery. 39 Eliz. c. 14.

XIX. An Act, intituled, 'An Act againſt lewd and wandering Perſons, pretending to be Soldiers 'or Mariners:' Poor. 39 Eliz. c. 17.

XX. An Act intituled, 'An Act for the Puniſhment of Rogues, Vagabonds and Sturdy Beggars,' (2) with this Proviſion to be annexed thereunto by Authority of this preſent Parliament, That the ſaid laſt mentioned Act, nor any Thing therein contained, ſhall impeach, avoid, prejudice, or reſtrain ſuch Liberty and Inheritance as *John Dutton* of *Dutton* in the County of *Cheſter*, Eſquire, and his Anceſtors, whoſe Heir he is, have lawfully uſed and exerciſed, in allowing Minſtrels in the County Palatine and County of the City of *Cheſter*, and for Government of Minſtrels there, and keeping a Court yearly for that Purpoſe. Poor. 39 Eliz. c. 4. 1 Jac. 1. c. 7.

XXI. And that the ſeveral Acts hereafter mentioned, made in the three and fortieth Year of the Reign of the ſaid late Queen *Elizabeth*, that is to ſay, an Act intituled, 'An Act for the neceſſary Relief 'of Soldiers and Mariners;' Poor. 43 Eliz. c. 3.

XXII. An Act, intituled, 'An Act to avoid trifling and frivolous Suits in Law in her Majeſty's Courts 'at Weſtminſter;' Suits. 43 Eliz. c. 6.

XXIII. An Act, intituled, 'An Act for the Relief of the Poor;' with this Addition, *viz.* Be it enacted, That all Perſons, to whom the Overſeers of the Poor ſhall, according to this Act, bind any Children Apprentices, may take and receive, and keep them as Apprentices; any former Statute to the contrary notwithſtanding; Poor. 43 Eliz. c. 2.

XXIV. An Act, intituled, 'An Act for the true Making and Working of Woollen Clothes;' (2) An Act, intituled, 'An Act to prevent Perjury and Subornation of Perjury, and unneceſſary Expences in 'Suits in Law; (3) ſhall be continued and remain in Force until the end of the firſt Seſſion of the next Parliament. Drapery. 43 Eliz. c. 10. Certiorari. 43 Eliz. c. 5. All the aforeſaid Statutes continued until the End of the firſt Seſſion of the next Parliament. EXP.

XXV. Provided nevertheleſs, That ſo much of every of the ſaid Acts as by any new Act made in this Seſſion of Parliament, ſhall be altered or repealed, ſhall ſtand diſcontinued.

XXVI. Provided alſo, and be it farther enacted by the Authority of this preſent Parliament, That when the Prices of Corns or Grains exceed not the Rates hereafter following, at the Times, Havens and Places, where and when the ſame Corn or Grain ſhall be ſhipped or loaded, *viz.* The Quarter of Wheat at ſix and twenty Shillings eight Pence; the Quarter of Rye, Peaſe and Beans at fifteen Shillings; the Quarter of Barley or Malt, at fourteen Shillings of current *Engliſh* Money; That then it ſhall be lawful for all and every Perſon and Perſons, being Subjects of the King's Majeſty, his Heirs or Succeſſors, to tranſport of his own, (2) and to buy and tranſport any of the ſaid Corns and Grains unto any Parts beyond the Seas in Amity with his Majeſty, to ſell as Merchandize, in Ships, Crayers or other Veſſels, whereof any *Engliſh* born Subject or Subjects then ſhall be the Owner or Owners; any Law, Uſage, or Statute to the contrary hereof notwwithſtanding; and that the King's Majeſty, his Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of his Ports for the Cuſtom or Poundage of every Quarter of Wheat to be tranſported by Force of this Statute, two Shillings; of every Quarter of other Grain, Sixteen pence: Which ſaid ſeveral Sums ſo to be had and taken as Cuſtom or Poundage, to be in full Satisfaction of all manner of Cuſtom or Poundage for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken, for tranſporting of any ſuch manner of Corn or Grain. Corn. When Grain may be tranſported. Altered by 3 Jac. 1. c. 11. and 21 Jac. 1. c. 28. 1 W. & M. Stat. 1. c. 24. The King's Cuſtom and Poundage of Corn tranſported.

XXVII. Provided always, and be it enacted by the Authority of this preſent Parliament, That the King's Majeſty, his Heirs and Succeſſors, may at all Times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of the Realm where any Port-Towns are, command, That no Perſon ſhall by Virtue of this Act tranſport or convey any Manner of Grain out of his Highneſs Dominions generally, or out of any ſpecial Ports, to be in the ſame Proclamation particularly named, for ſuch Time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any Perſon to carry out any ſuch Grain, contrary to the Tenor of the ſame Proclamation, upon ſuch Pains and Forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that Behalf; this Act or any Thing therein contained to the contrary notwithſtanding. Corn.

XXVIII. Provided alſo, and be it enacted, That no Perſon or Perſons ſhall incur any Penalty for want of Length, Breadth or Weight of *Welſh* Cottons, under the Price of Fifteen-pence the Yard, or two Shillings the Goad, ſo as they be not mixt with Hair or other deceitful Stuff; (2) nor for any others above that Price, except they be mixt as aforeſaid, or ſhall ſhrink above the Rate of Half a Yard in twelve Yards of Length, or weigh leſs than fourteen Ounces the Yard, or hold not full three Quarters of a Yard broad. Drapery. For farther Proviſions relating hereto, ſee 3 Jac. 1. c. 17.

XXIX. And alſo be it enacted, That an Act made in the fifth Year of the Reign of the ſaid late Queen *Elizabeth*, for Puniſhment of Perjury, ſhall be revived and continued until the End of the firſt Seſſion of the next Parliament. 21 Jac. 1. c. 28. §. 8. Oath. 5 Eliz. c. 9.

XXX. And that one Act made in the fourteenth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act againſt the Deceit of Under-Collectors of the Tenths and Subſidies of the Clergy:' First fruits. 14 Eliz. c. 7.

XXXI. And one other Act made in the ſeven and twentieth Year of the Reign of the ſaid late Queen, intituled, 'An Act for the Explanation of the Statute made in the thirteenth Year of the 'Reign of the ſaid late Queen, intituled, An Act to make the Lands, Tenements, Goods and 'Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts;' (2) ſhall from the End of this preſent Seſſion of Parliament be revived and ſtand in Force; any Repeal heretofore made thereof, or of any of them, to the contrary notwithſtanding. Accountant. 27 Eliz. c. 3. 13 Eliz. c. 4.

XXXII. And that ſo much of one Act made in the fourteenth Year of the Reign of the ſaid late Queen Poor. 14 Eliz. c. 5.

Queen *Elizabeth*, intituled, 'An Act for the Puniſhment of Vagabonds, and for the Relief of the 'Poor and Impotent,' as concerneth the taxing, rating, levying, receiving and employing of Gaol Money, ſhall be revived from henceforth, and ſtand and continue until the End of the firſt Seſſion of the next Parliament.

Sewers. 27 Eliz. not printed.

XXXIII. And be it alſo further enacted by the Authority aforeſaid, That the Statute made in the ſeven and twentieth Year of the ſaid Queen *Elizabeth*, intituled, 'An Act for the Maintenance of the Pier 'and Cob of *Lyme-Regis* in the County of *Dorſet*,' ſhall be continued and ſtand in Force and Strength for and during the Space of ten Years next enſuing the firſt Day of this preſent Parliament, and from thence to the End of the next Seſſion of Parliament.

Sanctuaries extinct.

XXXIV. And be it alſo enacted by the Authority of this preſent Parliament, That ſo much of all Statutes as concerneth abjured Perſons and Sanctuaries, or ordering or governing of Perſons abjured, or in Sanctuaries, made before the five and thirtieth Year of the late Queen *Elizabeth*'s Reign, ſhall alſo ſtand repealed and be void.

Apparel. 22 Ed. 4. c. 5.

XXXV. And alſo that an Act made in the two and twentieth Year of the Reign of King *Edward* the Fourth againſt Fulling of Hats, Bonnets and Caps in Fulling-mills:

Apparel. 3 H. 8. c. 15.

XXXVI. And an Act made in the third Year of King *Henry* the Eighth, intituled, 'An Act con-'cerning the making of Caps and Hats:'

Apparel. 21 H. 8. c. 9.

XXXVII. And an Act made in the one and twentieth Year of King *Henry* the Eighth, intituled, 'An Act limiting the Price of Hats and Caps brought from beyond the Seas:

Apparel. 7 Ed. 6. c. 8.

XXXVIII. And an Act made in the ſeventh Year of King *Edward* the Sixth, intituled, 'An Act 'for the true Fulling and Thicking of Caps:'

Apparel. 1 & 2 Ph. & M. c. 2.

XXXIX. And an Act made in the firſt Year of Queen *Mary*, intituled, 'An Act for the Sale of Hats 'and Caps made beyond the Sea:'

Wood. 4 H. 5. c. 3. Wood. 4 Ed. 4. c. 9.

XL. An Act made in the fourth Year of King *Henry* the Fifth, that Patten-Makers ſhould make no Pattens nor Clogs of Timber called Aſp, together with an Act made in the fourth Year of King *Edward* the Fourth, That Patten-makers might make Pattens or Clogs of ſuch Pieces of Timber called Aſp, as was not convenient or ſufficient for Shafts:

Metal. 15 R. 2. c. 11.

XLI. And an Act made in the fifteenth Year of King *Richard* the Second, touching Girdlers garniſhing their Girdles with white Metal:

Poor. 5 & 6 Ed. 6. c. 21.

XLII. And an Act made in the fifth Year of King *Edward* the Sixth, intituled, 'An Act againſt 'Pedlars and Tinkers:'

Wine. 7 Ed. 6. c. 5.

XLIII. And ſo much of an Act made in the ſeventh Year of the Reign of the ſaid King *Edward* the Sixth, intituled, 'An Act made to avoid the great and exceſſive Prices of Wines, as doth concern the 'ſelling of Wine at certain Prices, or forbidding or reſtraining the having of Wines in Mens Houſes:'

Trades. 4 Ed. 4. c. 8.

XLIV. And an Act made in the fourth Year of King *Edward* the Fourth, That no Stranger or Alien ſhould buy any *Engliſh* Horns unwrought, and that the Wardens of the Horners ſhould have Power to ſearch all Manner of Wares pertaining to their Myſtery in *London*, and four and twenty Miles on every Side of it: [In Part revived by 7 Jac. 1. c. 14.]

Apparel. 24 H. 8. c. 13. 1 & 2 Ph. & M. c. 2. All Statutes that concern Apparel repealed. 3 Inſt. 199.

XLV. And that an Act made in the four and twentieth Year of the late King *Henry* the Eighth for Reformation in Exceſs of Apparel; together with another Act bearing the ſame Title, made in the firſt and ſecond Years of the Reign of the late King *Philip* and Queen *Mary*, and all other Acts heretofore made concerning Apparel:

Wars. 4 & 5. Ph. & M. c. 2. Leather. 5 Eliz. c. 8. Continuance. 1 M. Seſſ. 2. c. 2.

XLVI. And an Act made in the fourth and fifth Years of the late King *Philip* and Queen *Mary*, for the having and keeping of Horſe, Armour and Weapon:

XLVII. And a Statute made in the fifth Year of the Reign of our late ſovereign Lady Queen *Elizabeth*, intituled, 'An Act touching Tanners, Curriers, Shoemakers and other Artificers occupying the 'cutting of Leather:' (2) ſhall likewiſe henceforth be repealed and void.

The 15 laſt Statutes repealed. Marriage of Prieſts. 2 & 3 Ed. 6. c. 21.

XLVIII. And be it further enacted by the Authority of this preſent Parliament, That an Act made in the firſt Year of the Reign of Queen *Mary*, intituled, 'An Act for the Repeal of certain Statutes 'made in the Time of King *Edward* the Sixth,' ſhall ſtand repealed and void.

Eccleſiaſtical Perſons. 5 & 6 Ed. 6. c. 12. made perpetual.

XLIX. And that an Act made in the Seſſion of Parliament, holden upon Prorogation at *Weſtminſter* the fourth Day of *November* in the ſecond Year of the Reign of the late King *Edward* the Sixth, and there continued and kept to the fourteenth Day of *March* in the third Year of the ſaid late King's Reign, intituled, 'An Act to take away all poſitive Laws made againſt the Marriage of Prieſts:

The Children of Eccleſiaſtical Perſons ſhall be legitimate and inheritable.

L. And an Act made in the Seſſion of Parliament holden upon Prorogation at *Weſtminſter* the three and twentieth Day of *January* in the fifth Year of the Reign of the ſaid King *Edward* the Sixth, and there continued and kept until the fifteenth Day of *April* in the ſixth Year of his Reign, intituled, 'An Act 'made for Declaration of a Statute made for the Marriage of Prieſts, and for the Legitimation of their 'Children;' (2) ſhall ſtand revived, and be in Force for ever, the ſaid Act of Repeal notwithſtanding: (3) And the Children of Eccleſiaſtical Perſons in the ſaid Act mentioned, ſhall be and continue legitimate and inheritable to all Intents and Purpoſes, in ſuch Sort as Children of Lay Perſons do enjoy and may inherit; any Canon or Conſtitution to the contrary notwithſtanding.

## CAP. XXVI.

An Act for the Continuance and due Obſervation of certain Orders for the Exchequer, firſt ſet down and eſtabliſhed by Virtue of a Privy Seal from the late Queen *Elizabeth*.

A Confirmation of certain Orders before made for the Exchequer.

'MOST humbly pray your excellent Majeſty, your moſt loving and faithful Subjects the Lords 'Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That whereas 'the late Queen *Elizabeth* in the thirteenth Year of her happy Reign, out of her Princely Grace and

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'meer Motion, by her gracious Privy Seal, to the then Lord Treaſurer, Chancellor and Barons of her 'Majeſty's Exchequer directed, did authorize and command them to ſet down and eſtabliſh certain Or-'ders touching the Awarding of Proceſs, Diſcharge without Pleading, Diſcharge of Iſſues, and the Rates 'of Fees within the Office of the Lord Treaſurer's Remembrancer in the Exchequer: By Virtue of 'which her Royal Commandment, upon grave Deliberation, and with the Privity and Conſent of 'her Majeſty's then learned Council thereunto called, divers Orders, being moſt honourable and agree-'able to Juſtice, were conceived and eſtabliſhed; which Orders be to this Bill annexed:

II. May it pleaſe your moſt excellent Majeſty, for the Eſtabliſhment, Continuance and Furtherance of her ſaid Majeſty's then moſt gracious Intention, and of your Majeſty's moſt abundant Grace and favourable Inclination to the Good and Eaſe of your Highneſs Subjects, that it may be enacted, and by the Authority of this preſent Parliament, be it enacted by the King's moſt excellent Majeſty, with the Aſſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That all manner of Iſſues loſt and forfeited, or hereafter to be loſt and forfeited, which by the true Intent of the ſame late Queen's moſt gracious Privy Seal, and the ſaid Orders hereunto annexed, ought to be remitted and diſcharged againſt her ſaid Majeſty, be, and at all Times for ever hereafter ſhall be accordingly, by Virtue of this preſent Act, clearly diſcharged and acquitted againſt your Majeſty, your Heirs and Succeſſors. Certain Iſſues forfeited ſhall be remitted.

III. And be it further enacted by the Authority aforeſaid, That if the Lord Treaſurer's Remembrancer for the Time being, or any of his Clerks, ſhall from and after the laſt Day of this preſent Seſſion of Parliament award any Proceſs, exact any Pleading, or take any Fees, or otherwiſe in any Point demean him or themſelves contrary to the true Meaning of any the ſaid Orders, that then for every ſuch Offence which the ſaid Lord Treaſurer's Remembrancer or his Deputy, or any of his or their Clerks ſhall commit, the Perſon ſo offending, (2) or in Caſe any ſuch Perſon ſo offending be unable to ſatisfy, the ſaid Lord Treaſurer's Remembrancer himſelf, ſhall forfeit and loſe the Sum of twenty Pounds; (3) whereof the one Moiety to be to your Majeſty, your Heirs and Succeſſors, and the other Moiety to the Party grieved, to be ſued for within two Years of the Offence committed, by Action of Debt, Bill, Plaint or Information, in any your Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Wager of Law or Privilege ſhall be allowed. The Forfeiture of him that offends contrary to the ſaid Orders.

'IV. The Orders ſet down for Reſpect of Homage, by the Right Honourable Sir *William Cecil* of the 'Honourable Order of the Garter, Knight, Baron of *Burghley*, Lord Treaſurer of *England*, and Maſter 'of the Court of Wards and Liveries, Sir *Walter Mildmay* Knight, Chancellor and Vice-Treaſurer of 'her Highneſs Court of the Exchequer, Sir *Edward Saunders* Knight, Lord Chief Baron of the ſaid 'Court, and other the Barons of the ſame, calling unto them *Gilbert Gerrard* Eſquire, her Majeſty's At-'torney General, and *Thomas Bromley* Eſquire, her Highneſs Solicitor General, and made the fifteenth 'Day of *June* in the Year of our Lord God one thouſand five hundred threeſcore and thirteen, and in 'the fifteenth Year of the Reign of our Sovereign Lady ELIZABETH, by the Grace of God, Queen of '*England*, *France* and *Ireland*, Defender of the Faith, &c. according to her Majeſty's Privy Seal to the 'ſaid Treaſurer and Barons in that Behalf directed, and witneſſed under their Hands as followeth: The Orders for Reſpect of Homage.

'V. Firſt, That no Proceſs, *Ad faciend. Homagium & fidelitatem*, or *Ad faciend. fidelitatem*, or any Writ 'of *Scire facias*, *Capias* or Diſtreſs, from the Fines ſtreated out of the Court of Common Pleas, ſhall 'go out of the Treaſurer's Remembrancer's Office upon any Suppoſal, upon Pain by former Laws and 'Statutes limited, and by the Orders of the ſaid Court in that Caſe provided, but upon a good and 'juſt Ground; (2) and the ſame ſhall be vouched in every of the ſaid Proceſſes according to the Book, 'Term, Year, Roll and Record thereof, that it may be certainly found: (3) And yet if by any known 'Record remaining in that Office it may appear the ſame Tenure have been traverſed, then the ſaid 'Proceſſes to be diſcharged by the ſaid Traverſe without Pleading. Fines ſtreated out of the Common Pleas. 12 Car. 2. c. 24.

'VI. 2. Upon the Streat of the Original of the Chancery, of the firſt Grants of any Lands or Te-'nements holden in Chief, or by Knights-Service, or Socage in Chief, or of any Licence of Aliena-'tion, Pardon of Alienation, *Ouſter le main*, general or ſpecial Livery, or Inrolment of any of them, 'Proceſs ſhall be made only for the Service due thereupon, (2) and the Parties upon the ſame ſhall be 'admitted without Pleading, as it hath been accuſtomed, to make their Fine for reſpect of Homage, 'or to do their Fealty forthwith, whenſoever they will appear, and pray to be received for the ſame, 'paying the Charges of their ſaid Fine, as hereafter is appointed. Proceſs upon the firſt Streat of the Original.

'VII. 3. Where the firſt Tenant in any ſuch Writ from the ſaid Original or ſuch Inrolment is re-'turned by the Sheriff, *Mort* or *Nihil habet*, then ſhall go out according to the ancient Courſe of the 'ſaid Court, a *Diſtring. tenent.* againſt the Tenants of the ſame Land, to the Sheriff, to do their Ser-'vice due to the King, and to ſhew their Entry into the ſame; (2) who returning the Name of the 'Tenant of the Lands in the Writ, there ſhall go Proceſs then every Term againſt the ſaid new Te-'nants to do their ſaid Service, and alſo to ſhew their Entry, and they to loſe Iſſues thereupon, until 'they come in, and make their Fine for reſpect of Homage or Fealty, or do their Fealty upon the ſame, 'according to the ancient Courſe of the Exchequer. Upon a Writ the firſt Tenant returned Mort, or Nihil habet.

'VIII. 4. To avoid the Charges of Pleading, upon ſhewing of any Man's Entry, it ſhall be lawful for 'every Perſon that by Force of any Licence of Alienation doth come to any Lands or Tenements holden 'in Chief, aſſured to him in Fee-ſimple, Fee-tail general or ſpecial, or for Term of Life, by any Manner 'of Conveyance in Law from the Party in the firſt Original or the Inrolment of the ſame, to bring the 'ſame Licence and Conveyance to the ſaid Treaſurer's Remembrancer, and thereupon the ſaid Barons A Mean to avoid the Charge of pleading in certain Caſes.

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of the Exchequer, or the ſaid Treaſurer's Remembrancer, finding the ſaid Licence of Alienation to be good and agreeable to the Aſſurance thereupon made, and likewiſe agreeable to and from the ſaid Original, and from and with all the Vouchers of the ſame, the Party to whom ſuch Licence of Alienation is made, ſhall be received to inroll the ſaid Licence only, and to make his Fine thereupon for reſpect of Homage, without any further Pleading, or other ſhewing of his Title for the ſame: (z) And likewiſe whoſoever ſhall enter into any Lands by Livery general, ſpecial, or *Ouſter le main*, bringing the ſame and the Schedule of his Livery with him, he ſhall be received to like Inrolment, and making of his Fine without any Pleading.

Inrolling a Livery or Ouſter le maine.

A Licence of Alienation of Lands aſſured by Fine.

IX. 5. Likewiſe whoſo that hath a Licence of Alienation of Lands and Tenements holden in Chief, which thereby are aſſured unto him by Fine, the ſame Perſon may alſo bring in his ſaid Licence and Aſſurance thereupon, to be examined as before in the fourth Article is mentioned, and the ſame agreeing together, and alſo agreeing from and with the Original, and from and with the Vouchers of the ſame, then the Party to be diſcharged without Pleading.

Writ of Reverſion.

X. 6. Where any Writ of Reverſion ſhall be made upon any Record for Lands or Tenements wherein the Prince is in Reverſion, if it do appear by any ſufficient Matter of Record within the Court, that the Grant or Record whereupon the ſaid Writ of Reverſion is made, is clearly avoided or determined; in ſuch Caſe the Party upon ſhewing forth of ſuch Record, ſhall be diſcharged without Pleading.

Manors of the ſame Name in one County.

XI. 7. Where there be two Manors or more, or other Lands and Tenements, of one Name in one County, and the one holden of the Prince in Chief, or by Knight's Service, and the other not, in ſuch Caſes where the Matter ſhall ſo appear of Record, the Party that hath the Manor or Lands ſo not holden, ſhall be diſcharged of the Proceſs without Pleading, and the Iſſues thereupon loſt, to be ſaved.

Which be the Iſſues loſt that ſhall be diſcharged.

XII. 8. The Iſſues loſt by her Majeſty's Subjects, which her Highneſs of her gracious Favour and Goodneſs hath appointed by her Majeſty's Privy Seal to be diſcharged, be as followeth, viz.

Some returned Tenants of Lands which they have not.

XIII. All Iſſues loſt and to be loſt, upon any that are or ſhall be returned Tenants of Lands which they have not, ſhall be now diſcharged, though they have other Lands within the Shire; that could not ſo have been before the ſaid Privy Seal was granted.

Iſſues loſt upon an Heir or Ward within Age.

XIV. All Iſſues loſt or to be loſt upon any Heirs or Ward being within Age, or in Cuſtody, or committed to any, ſhall be now as before diſcharged, that were wont to remain while the Heir come to full Age.

The Committees of Wards by Leaſe.

XV. All Iſſues loſt or to be loſt upon the Committees of any Wards Lands by Leaſe, as returned Tenant thereof, ſhall be now diſcharged, that otherwiſe ſhould have been paid by the ſaid Committees, if they had any Lands or Tenements, Goods or Chattels within the ſaid County.

Lands in the Queen's Hand by Extent.

XVI. All Iſſues loſt or to be loſt upon any Lands in the Queen's Majeſty's Hands, by Extent or otherwiſe, ſhall be now diſcharged, that otherwiſe could not have been by the Courſe of the Court.

Iſſues loſt by Tenants for Life, Years, or at Will.

XVII. All Iſſues loſt or to be loſt upon the Farmers and Tenants of any Lands for Life, Years, or at Will, ſhall be now diſcharged, that were wont to pay them being returned Tenants thereof by the Sheriffs, if they had any Lands or Goods within the Shire.

Lands of Tenants in Chief.

XVIII. All Iſſues loſt or to be loſt upon Tenants of Lands in Chief by Extent, ſhall be now as afore diſcharged, and could not ſo have been before, but were always leviable upon the Lands.

Iſſues loſt by the Sheriff's Vexation.

XIX. All Iſſues loſt or to be loſt by ſundry other Vexations, as well by untrue Returns and Miſreturns of Sheriffs and Under-Sheriffs, ſhall or may be diſcharged, moderated or otherwiſe ordered, as the Court ſhall think meet, that were infinite before, and could not be diſcharged, but the Party was driven to take his Remedy againſt the Sheriff.

Lands holden in Chief, and after by another Tenure.

XX. All Iſſues loſt or to be loſt upon any former Grant of Lands and Tenements in Chief, that are afterwards given not to be holden in Chief, ſhall be now diſcharged by this Privy Seal, and could no way have been remitted, until the ſecond Grant had been laid and pleaded.

Iſſues loſt by Jurors.

XXI. All Iſſues loſt or to be loſt by any Perſon returned in any Jury in the Exchequer, or in any Attaint or Jury in the King's Bench or Common Pleas at *Weſtminſter*, or in any Jury before the Juſtices of Aſſize in any Court within the Realm, which at the Time of their Appearance appointed, were beyond Sea in her Majeſty's Service, or by ſpecial Licence in Writing, or were or ſhall be in Priſon, or in Ordinary of her Majeſty's Chamber or Houſhold, and bound to their Perſonal Attendance there, ſhall be now diſcharged clear, that before could by no Means be holpen.

XXII.

XXII. Rata finium pro homag. tenent. Dominæ Reginæ per unum annum integrum reſpectuand. cum feod. Rememorat. Theſaur. & pro intrac. finium cum record. inde fact. ac pro feod. Attorn. pro eodem anno integro exhibit. Parliament.

| Valor terrarum. | Fines reginæ. | Feod. Rem. Theſ. | Pro. intrac. | Pro feod. Attorn. |
|---|---|---|---|---|
| Li. Li. A C. ad lx. | s. x. | d. xx. | d. iv. | d. By ſome xl. |
| Li. Li. A lx. ad xxx. | marc. dim. | d. xx. | d. iv. | d. By ſome xx. |
| Li. Li. A xxx. ad xx. | s. v. | d. xx. | d. iv. | By ſome nil. |
| Li. Li. A xx. ad xv. | d. xl. | d. xx. | d. iv. | |
| Li. Li. A xv. ad. x. | s. ii. | d. xx. | d. iv. | By ſome voluntary Annuities for all Matters. s. xl. s. xx. s. d. xiii. iv. s. x. s. d. vi. viii. s. v. |
| Li. marc. A x. ad x. | d. xx. | d. xx. | d. iv. | |
| marc. s. A x. ad C. | d. xii. | d. xii. | d. iv. | |
| s. s. A C. ad lx. | d. viii. | d. viii. | d. iv. | |
| s. A lx. & infr. | d. iv. | d. iv. | d. iv. | Theſe never loſe Iſſues, but have their Fines paid, whether they come or come not. |

'XXIII. *Item*, That the ſaid Fines ſhall be paid after the ſaid Rate exhibited to the Parliament Houſe, and not otherwiſe.

'(2) According to the ſaid Treaſurer's Remembrancer's own Offer, for himſelf and the Clerks of his Office, it is ordered, That he himſelf ſhall pay every Subject's Charges, as by the Court of Exchequer ſhall be ſet and ordered, that ſhall be vexed by any Writ upon a Suppoſal, and not upon a good and juſt Ground vouched and ſet down in every Writ, as before is declared. Charges for Vexation by a Writ upon a Suppoſal.

'XXIV. The Clerks of the ſaid Treaſurer's Remembrancer's Office ſhall pay all Iſſues that any of her Majeſty's Subjects ſhall loſe, after he hath paid his ordinary Fine for Reſpect of Homage to any of them for any Lands or Tenements, and ſo may be proved by any of their Acquittances, *W. Burleigh*, *Walter Myldemaie*, *Edward Sanders*, *George Frevile*, *John Birche*. *Ex. per G. Gerrard*, *Thomas Bromley*. *Ex. per John Osbourne*, *decimo ſeptimo Novemb.* 1601.' Iſſues loſt after the ordinary Fine paid for Reſpite of Homage.

XXV. Provided always nevertheleſs, and be it enacted by the Authority aforeſaid, if in caſe it ſhall be thought fit, for the true Knowledge and Preſervation of the Tenures appertaining to the Crown, and ſo ordered in the open Court of Exchequer, that Proceſs ſhould iſſue out of the ſaid Court againſt any, That in every ſuch Caſe the ſaid Treaſurer's Remembrancer, or any his Clerks, may ſend out the ſaid Proceſs without incurring any the Penalties of this Act: In which caſe, no ſuch Tenure appearing to the Court, the Party ſhall be clearly diſmiſſed without any Manner of Pleading or paying any Fees at all. Proceſs awarded for the Preſervation of the Tenures of the Crown. *Farther Proviſions concerning the Exchequer, &c.*

1 *W. & M. St.* 2. *c.* 1. 8 & 9 *W.* 3. *c.* 28. 16 *Geo.* 2. *c.* 12. 23 *Geo.* 2. *c.* 26. 33 *Geo.* 2. *c.* 1, 18, 21 & 23. 1 *Geo.* 3. *c.* 18 & 20.

## CAP. XXVII.

An Act for the better Execution of the Intent and Meaning of former Statutes made againſt ſhooting in Guns, and for the Preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow.

'FOraſmuch as there be divers good and neceſſary Laws and Statutes which do inflict and impoſe divers great and heavy Penalties, Puniſhments and Forfeitures upon ſuch as ſhould with any Guns, Nets, Croſs-bows, or other Inſtruments or Engines, ſpoil or deſtroy the Game of Pheaſants, Partridges, Hearn, Mallard, and ſuch like, and upon ſuch as kill or deſtroy Hares with Hare-pipes, Cords or other Engines, or ſhould kill any Hare by tracing and courſing them with Dogs in the Snow: (2) And nevertheleſs of late Years, the ſeveral Games above mentioned have been more exceſſively and outragiouſly ſpoiled and deſtroyed, than hath been in former Ages, eſpecially by the vulgar Sort, and Men of ſmall Worth, making a Trade and a Living of the Spoiling and Deſtroying of the ſaid Games, who are not of Sufficiency to pay the ſaid Penalties in the ſaid Statutes mentioned, nor to anſwer the Coſts and Charges of any that ſhould inform and proſecute againſt them in any of his ſaid Majeſty's Courts of Record at *Weſtminſter*, Penalties for deſtroying of Pheaſants, Partridges, Pigeons, Hares. 13 R. 2. Stat. 1. c. 13. 11 H. 7. c. 17. 19 H. 7. c. 11. 32 H. 8. c. 8. 5 Eliz. c. 21. 23 Eliz. c. 10. 3 Jac. 1. c. 13. 7 Jac. 1. c. 13. 13 Car. 2. Stat. 1. c. 10.

22 & 23 Car. 2. c. 15. 5 Annæ, c. 14. 9 Annæ, c. 25. 3 Geo. 1. c. 11. 8 Geo. 1. c. 19.

'*minſter*, upon any of the ſaid Penal Laws and Statutes; (3) by Reaſon whereof few Suits have been attempted upon the ſaid Laws, and for the ſaid Forfeitures, whereby the Good thereby meant and hoped hath not ſucceeded, and thereby great Scarcity of the ſaid Games in all, or in the moſt Parts of this Realm, hath followed, and preſently is, and ſo is like to be, if ſome Remedy be not in that Behalf provided:'

*Burn* v. 1. 490 & 485.

II. Be it therefore enacted by the Authority of this preſent Parliament, That all and every Perſon and Perſons, which from and after the firſt Day of *Auguſt* next following ſhall ſhoot at, kill or deſtroy with any Gun, Croſs-bow, Stone-bow or Long-bow, any Pheaſant, Partridge, Houſe-dove or Pigeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouſe, Heath-cock, Moregame, or any ſuch Fowl, or any Hare; (2) or after the ſaid firſt Day of *Auguſt* ſhall take, kill or deſtroy any Pheaſant, Partridge, Houſe-dove or Pigeon, with Setting-dogs and Nets, or with any Manner of Nets, Snares, Engines or Inſtruments whatſoever; or ſhall take the Eggs of any Pheaſant, Partridge or Swans out of the Neſts, or willingly break, ſpoil or deſtroy the ſame in the Neſt; (3) or after the ſaid firſt Day of *Auguſt* ſhall trace or courſe any Hares in the Snow, or at any Time take or deſtroy any Hares with any Hare-pipes, Cords, or with any ſuch Inſtruments or other Engines: (4) And the ſame Offence or Offences being proved, by the Confeſſion of the Party, or by the Teſtimony of two ſufficient Witneſſes upon Oath before two or more Juſtices of Peace of the ſame County, City or Town Corporate, wherein the Offence ſhall be committed, or the Party offending apprehended, ſhall be by the ſaid Juſtices of Peace, for every ſuch Offence committed to the common Gaol of the ſaid County, City or Town Corporate, where the Offence ſhall be committed, or the Parties apprehended, there to remain for three Months without Bail or Mainpriſe, unleſs that the ſaid Offender do or ſhall forthwith upon the ſaid Conviction, pay or cauſe to be paid, to the Churchwardens of the ſaid Pariſh where the ſaid Offence ſhall be committed, or the Party apprehended, to the Uſe of the Poor of the ſaid Pariſh, the Sum of twenty Shillings for every Pheaſant, Partridge, Houſe-dove Pigeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouſe, Heath-cock, Moregame or any ſuch Fowl, and for every Egg of Pheaſant, Partridge or Swans, and for every Hare, which any and every ſuch Perſon and Perſons ſo offending and convicted as aforeſaid, ſhall take, kill, or willingly deſtroy, contrary to the true Purport and true Meaning of this Statute; (5) or after one Month after his Commitment, together with two ſufficient Sureties, become bound by Recognizance in the Sum of twenty Pounds a-piece to the King's Majeſty's Uſe, his Heirs and Succeſſors, with Condition that he the ſaid Party ſo offending ſhall not at any Time thereafter ſhoot at, kill, take or deſtroy any of the ſaid Games before-mentioned, by any of the Means aforeſaid: (6) Which ſaid Recognizances ſhall be taken by any two or more Juſtices of Peace of the ſaid County, City or Town Corporate, where the Offender ſhall be ſo impriſoned as aforeſaid, and ſhall be returned to the then next Quarter-Seſſions, and there to remain of Record as other Recognizances taken for the Peace.

One Witneſs ſufficient. 7 Jac. 1. c. 11. ſect. 8.

The Penalty for keeping a Greyhound, a Setting-dog, with Nets to take Pheaſants, &c.

III. And for the better Preſervation of Deer, Hares and other the Games aforeſaid, Be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons which from or after the ſaid firſt Day of *Auguſt* ſhall have or keep any Greyhound for courſing of Deer or Hare, or Setting-dog or Dogs, (2) or Net or Nets, to take Pheaſants or Partridges, (3) except ſuch Perſon or Perſons which ſhall be ſeiſed in their own Right or in the Right of their Wives, of Lands, Tenements or Hereditaments, of the clear yearly Value of ten Pounds by the Year or more, over and above all Charges and Repriſes, of ſome Eſtate of Inheritance; (4) or of Lands, Tenements or Hereditaments in his own Right or in Right of his Wife, for Term of Life or Lives, of the yearly Value of thirty Pounds over and above all Charges and Repriſes; (5) or be poſſeſs'd of Goods or Chattels to the full Value of two Hundred Pounds to his own Uſe; (6) or be the Son or Sons of any Knight, or of any Baron of Parliament, or of ſome Perſon of higher Degree, or the Son and Heir apparent of any Eſquire; (7) and being thereof convicted as aforeſaid, ſhall by the ſaid Juſtices of the Peace be committed and impriſoned in Manner and Form as in and by this preſent Act before is expreſſed, ſpecified and declared: Except ſuch Perſon and Perſons ſo offending and thereof convicted as aforeſaid, do forthwith pay or cauſe to be paid to the Churchwardens of the ſaid Pariſh where the ſaid Offence ſhall be committed, or the Party apprehended, to the Uſe of the Poor of the ſaid Pariſh, the Sum of forty Shillings of good and lawful Money of *England*.

The Penalty for ſelling or buying to ſell again Deer, Hare, Partridge or Pheaſant.

IV. And be it further enacted by the Authority aforeſaid, That every Perſon and Perſons which at any Time after the ſaid firſt Day of *Auguſt* ſhall ſell or buy to ſell again, any Deer, Hare, Partridge or Pheaſant, (except Partridge and Pheaſants reared and brought up in Houſe or Houſes, or brought from beyond the Seas) ſhall forfeit for every Deer ſo bought and ſold, forty Shillings, for every Hare ten Shillings, and for every Partridge ten Shillings, and for every Pheaſant ſo to be bought and ſold twenty Shillings: (2) Of all which Forfeitures the one Moiety ſhall be to him or them that will ſue for the ſame by Bill, Indictment or Information, and the other Moiety to the Poor of the Pariſh where the ſaid Offence or Offences ſhall be committed.

No Puniſhment by any former Law where it is inflicted by this.

V. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall or may after the ſaid firſt Day of *Auguſt* be puniſhed by Force of any former Statute or Law, for any of the ſaid Offences for which by Force of this Law any Puniſhment ſhall be inflicted: (2) And that all Juſtices of Aſſize in their ſeveral Circuits, and all Juſtices of the Peace in their General Quarter-Seſſions, and any two Juſtices of Peace or more together out of any Seſſions, ſhall and may by Force of this preſent Act have full Power and Authority to examine, hear, puniſh and determine all Offences to be committed againſt this preſent Statute, and to adminiſter Oaths as aforeſaid, and perform and execute all and every Act and Thing fit or requiſite for the due Execution of this preſent Act.

Which Officers may hear and determine theſe Offences.

Who may take Pheaſants and Partridges with Nets, and when.

VI. Provided always, That it ſhall and may be lawful for every Perſon or Perſons which have or ſhall have free Warren, and to and for every Lord of a Manor, and to every Freeholder which is or ſhall be ſeiſed in his own Right or in the Right of his Wife, of Lands, Tenements or Hereditaments to the clear yearly

yearly Value of ten Pounds or more by the Year, over and above all Charges or Repriſes, of ſome Eſtate of Inheritance; (2) or of Lands, Tenements or Hereditaments in his own Right or in the Right of his Wife, for Term of Life or Lives, of the yearly Value of thirty Pounds over and above all Charges and Repriſes; (3) or be or which ſhall be worth in Goods or Chattels two hundred Pounds: (4) by him or themſelves, or by his or their menial Servants (ſufficiently authoriſed from his or their Maſter for that Purpoſe) (5) to take Pheaſants and Partridges in the Day-time only with Nets, in and upon his and their own or his and their Maſters free Warren, Manor and Freehold or on any Part of them, betwixt the Feaſt of St. *Michael* the Archangel and the Feaſt of the Birth of our Lord God yearly; any Thing in this Law to the contrary notwithſtanding. Repealed by 7 Jac. 1. c. 11. ſect. 6.

VII. And be it alſo further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for every Perſon and Perſons keeping any Hawk or Hawks, which at the General Quarter-Seſſions of the County (where he and they ſhall dwell) ſhall be licenſed, to ſhoot Hail-ſhot in Hand-guns or Birding-pieces, at Crow, Chough, Pye, Rook, Ring-dove, Jey or ſmaller Birds, for Hawks-meat only, to ſhoot and kill Hawks-meat, according to the ſaid Licence only: (2) ſo that ſuch Party ſo to be licenſed do at the ſame Quarter-Seſſions wherein he ſhall be licenſed, become bound to the King's Majeſty by Recognizance in twenty Pounds not to ſhoot at any the Fowl or Game at which ſhooting is prohibited by this Law; (3) and ſo that he or they ſhall not ſhoot in any Hand-gun or other Gun, within ſix hundred Paces of any Hernery, nor within one hundred Paces of any Pigeon-houſe, nor in any Park, Foreſt or Chaſe, whereof the Party ſo licenſed or his Maſter, is or ſhall not be the Owner, Keeper, or Governor: (4) for which Licence and Recognizance the Clerk of the Peace is to take only twelve Pence and no more. (5) This Law to continue to the end of the firſt Seſſion of the next Parliament. [3 Car. 1. c. 4. continued until the End of the firſt Seſſion of the next Parliament; and farther continued by 16 Car. 1. c. 4. Licence to ſhoot in a Gun for Hawks-meat. Continuance of this Statute. *Farther Proviſions relating to Game*, 10 *Geo.* 2. *c.* 32. *and* 28 *Geo.* 2. *c.* 12.

## CAP. XXVIII.

A Confirmation of the King's Letters Patents, bearing Date at *Weſtminſter* 30 *die Aprilis*, *Anno* 2 *Regis Jacobi*, granted to the Mayor, Bailiffs and Burgeſſes of the Borough of *Berwick upon Tweed*, and of the Franchiſes, Liberties and Cuſtoms of the ſaid Borough. PR. 22 Ed. 4. c. 8.

## CAP. XXIX.

To what Sorts of Fleſh, Licences to eat Fleſh in *Lent* ſhall not extend. What Sort of Fleſh ſhall not be killed in *Lent* to be put to Sale. EXP. 5 El. c. 5. 35 El. c. 7.

## CAP. XXX.

The Inhabitants of *Melcomb-Regis* in the County of *Dorſet*, within the Dioceſe of *Briſtol*, may at their own Coſts build a Church upon the Ground where the Chapel now ſtandeth, and the Grounds adjoining, convenient to receive the Inhabitants of *Radipol*, and incloſe the waſte Grounds adjoining, to make a Church-yard for a Place of Burial; after which Church is builded it ſhall be called the Parochial Church of *Radipol*; and the new Parſon of *Radipol* and his Succeſſors ſhall be Parſons thereof: And the old Pariſh Church of *Radipol* ſhall be but a Chapel of Eaſe: And the Patron of the old Pariſh Church of *Radipol* ſhall be Patron of the new. And a new Manſion-Houſe in *Melcomb-Regis* aſſigned to the ſaid Parſon and his Succeſſors for ever. P R.

## CAP. XXXI.

### An Act for the charitable Relief and ordering of Perſons infected with the Plague.

'FOraſmuch as the Inhabitants of divers Cities, Boroughs, Towns Corporate, and of other Pariſhes and Places, being viſited with the Plague, are found to be unable to relieve the poorer Sort of ſuch People ſo infected, who of Neceſſity muſt be by ſome charitable Courſe provided for, leſt they ſhould wander abroad and thereby infect others: (2) And foraſmuch as divers Perſons infected with that Diſeaſe, and others inhabiting in Houſes and Places infected, as well poor People and unable to relieve themſelves that are carefully provided for, as others which of themſelves are of Ability, being commanded by the Magiſtrate or Officer of or within the Place where the Infection ſhall be, to keep their Houſes, or otherwiſe to ſeparate themſelves from Company for the avoiding of further Infection, do notwithſtanding very dangerouſly and diſorderly miſdemean themſelves:' Several Proviſions made for thoſe that be infected with the Plague.

II. Be it therefore enacted by the Authority of this preſent Parliament, That the Mayor, Bailiffs, Head Officers and Juſtices of Peace of every City, Borough, Town Corporate and Places privileged, where any Mayor and Bailiffs, Head Officers or Juſtices of Peace are or ſhall be, or any two of them, ſhall have Power and Authority from Time to Time, to tax and aſſeſs all and every Inhabitant, and all Houſes of Habitation, Lands, Tenements and Hereditaments within the ſaid City, Borough, Town Corporate and Places privileged, or the Liberties or Precincts thereof, at ſuch reaſonable Taxes and Payments as they ſhall think fit for the reaſonable Relief of ſuch Perſons infected, or inhabiting in Houſes and Places infected in the ſame Cities, Boroughs and Towns Corporate, and Places privileged, (2) and from Time to Time to levy the ſame Taxes of the Goods of every Perſon refuſing or neglecting to pay the ſaid Taxes, by Warrant under the Hand and Seal of the Mayor and Bailiffs, and Head Officers aforeſaid, or two ſuch Juſtices of Peace, to be directed to any Perſon or Perſons for the Execution thereof. Taxing the Inhabitants for Relief of the Sick of the Plague. 3 *Co. Inſt.* 90.

III. And if the Party to whom ſuch Warrant is or ſhall be directed ſhall not find any Goods to levy

The Penalty of any Party taxed refuſing to pay, and having no Goods.

the ſame, and the Party taxed ſhall refuſe to pay the ſame Tax, That then upon Return thereof the ſaid Mayor, Bailiffs, Head Officers or Juſtices of Peace or any two of them, ſhall by like Warrant under their Hands and Seals cauſe the ſame Perſon ſo taxed to be arreſted and committed to the Gaol without Bail or Mainprize, until he ſhall ſatisfy the ſame Taxation and the Arrearages thereof.

A Proviſion if the Inhabitants of the Town infected be not able to relieve the Sick.

IV. And if the Inhabitants of any ſuch City, Borough, Town Corporate or Place privileged, ſhall find themſelves unable to relieve their ſaid poor infected Perſons and others as aforeſaid, That then upon Certificate thereof by the Mayor, Bailiff, Head Officers and other the ſaid Juſtices of Peace, or any two of them, to the Juſtices of Peace of the County of or near to the ſaid City, Borough Town Corporate or privileged Place ſo infected, or any two of them to be made, the ſaid Juſtices of or near the ſaid County or any two of them, ſhall or may tax and aſſeſs the Inhabitants of the County within five Miles of the ſaid Place infected, at ſuch reaſonable weekly Taxes and Rates as they ſhall think fit, to be levied by Warrant from any ſuch two Juſtices of Peace of or near the County, by Sale of Goods, and in Default thereof by Impriſonment of the Body of the Party taxed as aforeſaid.

A Proviſion if the Infection ſhall be where there are no Juſtices of Peace.

V. And if any ſuch Infection ſhall be in any Borough, Town Corporate or privileged Place where there are or ſhall be no Juſtices of Peace, or in any Village or Hamlet within any County, That then it ſhall and may be lawful for any two Juſtices of Peace of the ſaid County wherein the ſaid Place infected is or ſhall be, to tax and aſſeſs the Inhabitants of the ſaid County within five Miles of the ſaid Place infected, at ſuch reaſonable weekly Taxes and Rates as they ſhall think fit, for the reaſonable Relief of the ſaid Places infected, to be levied by Warrant from the ſaid Juſtices of Peace of the ſame County by Sale of Goods, and in Default thereof by Impriſonment of the Body of every Party ſo taxed as aforeſaid: (2) The ſame Taxes made by the ſaid Juſtices of Peace of the County for the Relief of ſuch Cities, Boroughs, Towns Corporate and Places privileged where there are no Juſtices of Peace, to be diſpoſed as they ſhall think fit; and where there are Juſtices of Peace then in ſuch Sort as to the Mayors, Bailiffs, Head Officers and Juſtices of Peace there or any two of them ſhall ſeem fit and convenient.

The Taxes aſſeſſed ſhall be certified at the next Quarter-Seſſions.

VI. All which Taxes and Rates made within any ſuch City, Borough, Town Corporate or Place privileged, ſhall be certified at the next Quarter-Seſſions to be holden within the ſaid City, Borough, Town Corporate or Place privileged; (2) and the ſaid Taxes and Rates made within any Part of the ſaid County, ſhall in like Sort be certified at the next Quarter-Seſſions to be holden in and for the ſaid County; (3) and that if the Juſtices of Peace at ſuch Quarter-Seſſions reſpectively, or the more Part of them, ſhall think it fit the ſaid Tax or Rate ſhould continue, or be enlarged or extended to any other Parts of the County, or otherwiſe determined, then the ſame to be ſo enlarged, extended or determined, encreaſed or taxed and levied in Manner and Form aforeſaid, as to the ſaid Juſtices at the Quarter-Seſſions reſpectively ſhall be thought fit and convenient: (4) And every Conſtable and other Officer that ſhall wilfully make Default in levying ſuch Money as they ſhall be commanded by the ſaid Warrant or Warrants, ſhall forfeit for every ſuch Offence ten Shillings, to be employed on the charitable Uſes aforeſaid.

The Forfeiture of Officers making Default to levy the Money aſſeſſed.

An infected Perſon commanded to keep his Houſe, diſobeyeth.

VII. And be it further enacted, That if any Perſon or Perſons infected, or being or dwelling in any Houſe infected, ſhall be by the Mayor, Bailiffs, Conſtable or other Head Officer of any City, Borough, Town Corporate, privileged Place or Market-Town, or by any Juſtice of Peace, Conſtable, Headborough or other Officer of the County (if any ſuch Infection be out of any City, Borough, Town Corporate, privileged Place or Market-Town) commanded or appointed, as aforeſaid, to keep his or their Houſe, for avoiding of further Infection, and ſhall notwithſtanding wilfully and contemptuouſly diſobey ſuch Direction and Appointment, offering and attempting to break out and go Abroad, and to reſiſt, or going Abroad and reſiſting ſuch Keepers or Watchmen as ſhall be appointed, as aforeſaid, to ſee them kept in; that then it ſhall be lawful for ſuch Watchmen with Violence to inforce them to keep their Houſes: And if any Hurt come by ſuch Inforcement to ſuch diſobedient Perſons, that then the ſaid Keepers, Watchmen and any other their Aſſiſtants, ſhall not be impeached therefore: (2) And if any infected Perſon as aforeſaid, ſo commanded to keep Houſe, ſhall, contrary to ſuch Commandment, wilfully and contemptuouſly go Abroad, and ſhall converſe in Company, having any infectious Sore upon him uncured, that then ſuch Perſon and Perſons ſhall be taken, deemed and adjudged as a Felon, and to ſuffer Pains of Death as in Caſe of Felony: (3) But if ſuch Perſon ſhall not have any ſuch Sore found about him, then for his ſaid Offence to be puniſhed as a Vagabond in all Reſpects ſhould or ought to be, by the Statute made in the nine and thirtieth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, for the Puniſhment of Rogues and Vagabonds; and further, to be bound to his or their Good Behavior for one whole Year.

39 Eliz. c. 4.

VIII. Provided, That no Attainder of Felony by Virtue of this Act ſhall extend to any Attainder or Corruption of Blood, or Forfeiture of any Goods, Chattels, Lands, Tenements or Hereditaments.

Attendants ſhall be appointed upon the Infected.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for Juſtices of Peace, Mayors, Bailiffs and other Head Officers aforeſaid, to appoint within their ſeveral Limits Searchers, Watchmen, Examiners, Keepers and Buriers, for the Perſons and Places reſpectively infected as aforeſaid, and to miniſter unto them Oaths for the Performance of their Offices of Searchers, Examiners, Watchmen, Keepers, and Buriers, and give them other Directions, as unto them for the preſent Neceſſity ſhall ſeem good in their Diſcretions; (2) and this Act to continue no longer than until the End of the firſt Seſſion of the next Parliament.

The Continuance of this Act.

The Univerſities, Cathedral Churches, Eaton, Wincheſter College.

X. Provided always, and be it enacted by Authority of this preſent Parliament, That no Mayors, Bailiffs, Head Officers, or any Juſtices of Peace, ſhall by Force or Pretext of any Thing in this Act contained, do or execute any Thing before-mentioned within either the Univerſities of *Cambridge* or *Oxford*,

*Oxford*, or within any Cathedral Church, or the Liberties or Precincts thereof, in this Realm of *England*, or within the Colleges of *Eaton* or *Winchester*; (2) but that the Vice-Chancellor of either of the Universities for the Time being, within either of the same respectively, and the Bishop and Dean of every such Cathedral Church, or one of them, within such Cathedral Church, and the Provost or Warden of either of the said Colleges within the same, shall have all such Power and Authority, and shall do and execute all and every such Act and Acts, Thing and Things in this Act before-mentioned, within their several Precincts and Jurisdictions aboveſaid, as wholly, absolutely and fully, to all Intents and Purposes, as any Mayor, Bailiffs, Head Officers or Justices of Peace, within their several Precincts and Jurisdictions may elsewhere by Force of this Act do and execute. [3 Car. 1. c. 4. Continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. XXXII.

From the end of this Session of Parlirment, during seven Years and no longer, there shall be paid by the Master or Owner of every Ship, Vessel or Crayer (saving of *Lime-Regis* in the County of *Dorset*) whereof any of the King's Subjects shall be Owners or Part-Owners, of the Burden of twenty Tons or upwards, for every Voyage loading or discharging within this Realm, or to or from any foreign Country beyond the Seas, and passing to or from *London*, or from, to or by *Dover*, or coming into the Harbour there, (not having a Cocquet testifying his Payment before) Three-pence for every Ton of the Burden of every such Vessel, *&c.* except Vessels loaden with Sea coals or Grind-Stones; and for every Chaldron of Sea-Coals or Grind-Stones i. d. ob. which shall be paid to the Customer, Collector of Customs or Subsidies, or their Deputies, *&c.* EXP. Dover, Rast. 5. 13 & 14 Car. 2. c. 27.

## CAP. XXXIII.

An Act of a Subsidy of Tonnage and Poundage. A Subsidy granted to the King of Tonnage, Poundage, Wools, *&c.* What Subsidies the Kings of this Realm have had, and for what Causes. EXP. 2 Roll 383.

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# Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, *viz.* Angliæ, Franciæ & Hiberniæ tertio, & Scotiæ tricesimo nono.

'AT the second Session of Parliament begun and holden by Prorogation at *Westminster* the fifth Day of *November* in the third Year of the Reign of our most gracious Sovereign Lord *James*, by the Grace of God, of *England*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and of *Scotland* the nine and thirtieth: And there continued until the seven and twentieth of *May:* (And from this second Session of Parliament, ending the said seven and twentieth of *May*, the said Parliament was prorogued until the eighteenth of *November* next following, one thousand six hundred and six,) to the high Pleasure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

## CAP. I.

### An Act for a Publick Thanksgiving to Almighty God every Year on the fifth Day of *November*.

'FOrasmuch as Almighty God hath in all Ages shewed his Power and Mercy in the miraculous and gracious Deliverance of his Church, and in the Protection of Religious Kings and States; (2) and that no Nation of the Earth hath been blessed with greater Benefits than this Kingdom now enjoyeth, having the true and free Profession of the Gospel under our most gracious Sovereign Lord King *James*, the most great, learned and religious King that ever reigned therein, enriched with a most hopeful and plentiful Progeny, proceeding out of his Royal Loins, promising Continuance of this Happiness and Profession to all Posterity: (3) The which many malignant and devilish Papists, Jesuits and Seminary Priests, much envying and fearing, conspired most horribly, when the King's most excellent Majesty, the Queen, the Prince, and all the Lords Spiritual and Temporal, and Commons, should have been assembled in the Upper House of Parliament upon the fifth Day of *November* in the Year of our Lord one thousand six hundred and five, suddenly to have blown up the said whole House with Gunpowder: (4) An Invention so inhumane, barbarous and cruel, as the like was never before heard of, and was (as some of the principal Conspirators thereof confess) purposely devised and concluded to be done in the said House, that where sundry necessary and religious Laws for Preservation of the Church and State were made, which they falsly and slanderously term cruel Laws, enacted against them and their Religion, both Place and Persons should be all destroyed and blown up at once; (5) which would have turned to the utter Ruin of this whole Kingdom, had it not pleased Almighty God, by inspiring the King's most excellent Majesty with a Divine Spirit, to interpret some dark Phrases of a Letter shewed to his Majesty, above and beyond all ordinary Construction, thereby miraculously discovering

Yearly Prayer shall be made for the Delivery of the King, &c. from the Gunpowder Treason. The Blessings of England by the King and his Progeny. The Gun-powder Treason conspired to have been effected 5 Nov. Ann. Dom. 1605.

How the Treason was discovered.

'covering this hidden Treaſon not many Hours before the appointed Time for the Execution thereof: '(6) Therefore the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and all his 'Majeſty's faithful and loving Subjects, do moſt juſtly acknowledge this great and infinite Bleſſing to 'have proceeded meerly from God his great Mercy, and to his moſt holy Name do aſcribe all the 'Honour, Glory and Praiſe: (7) And to the End this unfeigned Thankfulneſs may never be forgotten, 'but be had in a perpetual Remembrance, that all Ages to come may yield Praiſes to his Divine Majeſty 'for the ſame, and have in Memory THIS JOYFUL DAY OF DELIVERANCE;

Thanks ſhall be given to God in every Church yearly upon the fifth Day of November.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and ſingular Miniſters in every Cathedral and Pariſh Church, or other uſual Place for common Prayer, within this Realm of *England* and the Dominions of the ſame, ſhall always upon the fifth Day of *November* ſay Morning Prayer, and give unto Almighty God thanks for this moſt happy Deliverance: (2) And that all and every Perſon and Perſons inhabiting within this Realm of *England* and the Dominions of the ſame, ſhall always upon that Day diligently and faithfully reſort to the Pariſh Church or Chapel accuſtomed, or to ſome uſual Church or Chapel where the ſaid Morning Prayer, Preaching, or other Service of God ſhall be uſed, and then and there to abide orderly and ſoberly during the Time of the ſaid Prayers, Preaching, or other Service of God there to be uſed and miniſtred.

The Miniſter ſhall give Warning of the Day the Sunday before.

III. And becauſe all and every Perſon may be put in Mind of this Duty, and be then better prepared to the ſaid Holy Service, Be it enacted by Authority aforeſaid, That every Miniſter ſhall give warning to his Pariſhioners publickly in the Church at Morning Prayer, the Sunday before every ſuch fifth Day of *November*, for the due Obſervation of the ſaid Day: And that after Morning Prayer or Preaching upon the ſaid fifth Day of *November*, they read publickly, diſtinctly and plainly this preſent Act.

## CAP. II.

### An Act for the Attainder of divers Offenders in the late moſt barbarous, monſtrous, deteſtable and damnable Treaſons.

Certain Perſons attainted of High Treaſon for conſpiring to blow up with Gunpowder the Parliament-Houſe. Treaſons practiſed in the Time of Queen Elizabeth.

'IN moſt humble Manner beſeechen your moſt excellent Majeſty, your moſt loyal, faithful and true-hearted Subjects, The Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That whereas *Arthur Creſwel* Jeſuit, who at the Time of his Profeſſion to be a Jeſuit took upon him the Name of *Joſeph Creſwel*, *Oſwald Teſmond* Jeſuit and *Thomas Winter* late of *Huddington* in the County of *Worceſter*, Gentleman, the laſt Day of *June* in the four and fortieth Year of the late Queen *Elizabeth* of famous Memory, at *Valedolid* within the Kingdom of *Spain*, and at divers other Days within the ſame four and fortieth Year of the ſaid late Queen, at *Valedolid* aforeſaid, and elſewhere within the ſame Kingdom of *Spain*, by the Means, Procurement and Privity of *Robert Cateſby*, late of *Aſhby* in the County of *Northampton*, Eſquire, *Francis Treſham*, late of *Ruſhton* in the ſaid County of *Northampton*, Eſquire, and *Henry Garnet* Jeſuit, (aſſuming upon him to be Superior of the Jeſuits within this Realm of *England*) and others, being all natural-born Subjects of this Realm, did traiterouſly and againſt the Duty of their Allegiance, move and incite *Philip*, then and yet King of *Spain*, then being at open Enmity and Hoſtility with the ſaid late Queen, with Force to invade this Kingdom of *England*, and to join with the Papiſts and diſcontented Perſons within this Realm of *England*, to depoſe and overthrow the ſame late Queen of and from her Crown, and of and from all her Royal Eſtate, Title and Dignity, and to ſuppreſs and aboliſh the true Religion of Almighty God, truly and ſincerely profeſſed within this Kingdom, and to reſtore the Superſtitious Romiſh Religion within the ſame, and to bring this ancient, famous and moſt renowned Kingdom to utter Ruin and miſerable Captivity under foreign Power: (2) And for that the greateſt Impediment unto the ſame Invaſion, would be the Want of Help of good Horſes, the ſaid *Thomas Winter*, the rather to encourage the ſame King thereunto, was to offer to the ſame King on the Behalf of the Papiſts of *England*, to give him Aſſiſtance preſently upon the Landing of his Forces, with one thouſand five hundred, or two thouſand Horſes; (3) and that for their better Accompliſhing thereof, he ſhould move the ſame King to furniſh the Papiſts of *England* with a good Sum of Money, partly to be imployed to provide and furniſh the Horſes, and partly in Penſions, to be imployed upon ſome ſuch as were to be prepared for that Service: (4) All which the ſaid *Thomas Winter* did relate to the ſaid King of *Spain*, who (the ſaid Kingdoms of *England* and *Spain* then ſtanding in Hoſtility) took that Offer in very good Part, ſaying, That he would reſpect and account of the Catholicks of *England*, (meaning the Papiſts) as of his own *Caſtilians*, and thereupon agreed that he would make Invaſion, and ſet Foot in *England*, about the Spring then next following, and would by way of Exchange ſend over unto the Papiſts of *England* one hundred thouſand Crowns, to be paid at two ſeveral Days agreed upon. All which Particulars are extant in the Confeſſion of ſome of the chiefeſt Offenders; at which Time ſundry Papiſts of *England* did extraordinarily furniſh themſelves by the traiterous and wicked Perſwaſion and Means of ſundry Jeſuits, both with Horſe and Armour.

To what Intent the Treaſons were practiſed.

The King of Spain's Anſwer to the Traitor's Motion.

'II. But before theſe Things could be effected, Almighty God called the ſaid late Queen to his Mercy: Immediately after whoſe Deceaſe, that is to ſay, in the ſame Month of *March*, wherein ſhe departed out of this World, *Chriſtopher Wright*, late of *London*, Gentleman, was imployed by the ſaid *Robert Cateſby*, *Francis Treſham*, *Henry Garnet* and others, into *Spain*, to negotiate with the ſaid King of *Spain*, by the Means of the ſaid *Creſwel* the Jeſuit, and others, to proceed in that Invaſion, which the ſaid *Thomas Winter* had before negotiated with him: (2) And afterward on the two and twentieth Day of *June* in the firſt Year of your Majeſty's Reign over this Realm of *England*, Sir *William Stanley*, Knight, *Hugh Owen*, Eſquire, *William Baldwin*, Jeſuit, and others, did by and with the traiterous Procure-

Practiſers in Flanders of Invaſion of this Realm.

ment,

'ment, and the Conſent of the Offenders aforeſaid, from and out of *Flanders*, in the Parts beyond the 'Seas, under the Government of the Archduke, traiterouly imploy and ſend *Guy Fawks*, late of *London*, 'Gentleman, unto the ſaid King of *Spain*, to negotiate with him on the Behalf of the ſaid Papiſts of '*England*, for Invaſion to be had againſt this Realm of *England*, to the ſame Effect as was committed to 'the ſaid *Chriſtopher Wright*, as is aforeſaid: And the ſaid *Guy Fawks* and *Chriſtopher Wright*, though 'they had all the Furtherance of the ſaid *Creſwel* the Jeſuit that he could give, yet finding no ſuch En-'tertainment with the ſaid King, who (as by the Sequel appeareth) grew into Deteſtation with the ſaid 'Propoſitions and Negotiations, as they expected or deſired; but being wholly diſappointed of all their 'Hopes concerning that Matter, the ſaid *Robert Cateſby*, and divers other Perſons within this Realm, did 'ſend over the ſaid *Thomas Winter* into the ſaid County of *Flanders*, to procure the ſaid *Guy Fawks*, a na-'tural-born Subject of this Realm, and yet a moſt traiterous, deſperate and bloody-minded Perſon, then 'ſerving as a Soldier in the *Low-Countries*, to come over into this Realm, and by and with the traiterous 'Conſpiracy and Conſent of the ſaid *Henry Garnet*, *Oſwald Teſmond*, *John Gerrard*, and other Jeſuits, 'and *Thomas Pearcy*, late of *London*, Eſquire, *John Wright*, late of *London*, Gentleman, the ſaid *Chriſto-'pher Wright*, *Francis Treſham*, *Robert Winter*, late of *Huddington* aforeſaid, Eſquire, *John Graunt*, late 'of *Norbrook* in the County of *Warwick*, Eſquire, *Ambroſe Rookwood*, late of *Stanningfield* in the County 'of *Suffolk*, Eſquire, *Everard Digby*, late of *Goteburſt* in the County of *Buckingham*, Knight, *Robert Keyes*, 'late of *London*, Gentleman, and *Thomas Bates*, late of *London*, Yeoman, to undertake the Execution of 'the moſt wicked, barbarous, execrable and abominable Treaſon that ever could enter into the Heart of 'the moſt wicked Man, by blowing up with Gun-powder the Houſe of Parliament, at ſuch Time as 'your moſt excellent Majeſty, and your deareſt Conſort the Queen, and the moſt noble Prince *Henry*, 'together with the Lords Spiritual and Temporal, the Judges of the Realm, and the Knights, Citizens, 'and Burgeſſes of Parliament, ſhould be in the ſaid Parliament-houſe aſſembled, (for which moſt traiter-'ous and barbarous Purpoſe there were ſecretly laid in a Vault or Cellar under the Parliament-'houſe, thirty-ſix Barrels of Gun-powder, or thereabouts) to the utter Overthrow and Subverſion of 'the whole State of this flouriſhing and renowned Kingdom, if God of his infinite Mercy had not moſt 'miraculouſly, by your Majeſty's bleſſed Direction, diſcovered the ſame, in finding out the ſaid Barrels 'of Gun-powder in the ſaid Vault or Cellar, but few Hours before the Time appointed for the Execution 'thereof; (3) all which moſt heinous, horrible and damnable Treaſons are moſt manifeſt and apparent by 'the voluntary Confeſſions and Acknowledgments of the Offenders themſelves: Of which moſt bar-'barous, bloody and deteſtable Treaſon for conſpiring and preparing to blow up the ſaid Parliament-houſe 'with Gun-powder, the ſaid *Robert Winter*, *Thomas Winter*, *Guy Fawks*, *Robert Keys*, *Ambroſe Rookwood*, '*John Graunt* and *Thomas Bates*, have been lately indicted, and during this preſent Seſſion of Parliament, 'arraigned, convicted by Verdict, and therupon attained: (4) And the ſaid Sir *Everard Digby*, Knight, 'hath likewiſe been indicted, and during this preſent Seſſion of Parliament convicted and attainted by his 'own Confeſſion of Record upon his Arraignment, according to the Laws of this your Majeſty's Realm, 'as by the Records of their ſeveral Indictments and Attainders it doth and may more plainly appear; (5) 'and for the which Offences the ſaid Sir *Everard Digby*, *Robert Winter*, *Thomas Winter*, *Guy Fawks*, *Am-'broſe Rookwood*, *John Graunt*, *Robert Keys* and *Thomas Bates*, have ſuffered Pains of Death according to 'their Demerits: (6) And the ſaid *Robert Cateſby*, *Thomas Pearcy*, *John Wright* and *Chriſtopher Wright*, 'were lately ſlain in open Rebellion, by them and others the ſaid moſt wicked Traitors moved and ſtirred 'within divers Parts and Counties of this Realm, ſhortly after the ſaid Diſcovery of their ſaid moſt deteſt-'able and damnable Treaſon, in conſpiring and preparing to blow up the ſaid Parliament-houſe as afore-'ſaid: (7) and the ſaid *Hugh Owen* doth (of Purpoſe, and for Fear of condign Puniſhment according to 'his Demerits) reſide and keep himſelf beyond the Seas, by Means whereof he cannot in Reſpect of ſuch 'his voluntary Abſence, be arraigned, and publickly by due Trial of Law, upon apparent Teſtimony 'and Proof againſt him, be proceeded withal for his ſaid moſt heinous and abominable Treaſons: (8) 'And the ſaid *Francis Treſham* being likewiſe one of the ſaid moſt deteſtable Traitors, and being appre-'hended and impriſoned in the Tower of *London*, having by ſundry his Examinations confeſſed himſelf a 'principal Traitor in all the ſaid moſt wicked and abominable Treaſons, died in the ſaid Tower, during 'the Time of his ſaid Impriſonment, and before he could be indicted of the ſaid Treaſon, *&c.* EXP.

The King of Spain deteſted the Treaſon.

The Practiſers of the Gun-powder Treaſon; and their wicked Intent.

Certain of the Traitors put to Death.

Some ſlain in the Field.

Hugh Owen.

Francis Treſham.

The Convictions and Attainders of the Traitors confirmed.

The Forfeiture of the Offenders.

The Forfeiture of certain of the Traitors which were not arraigned. From what Days their ſeveral Forfeitures ſhall have Relation. All the Lands and Goods of the Traitors attainted ſhall be in the actual Poſſeſſion of the King. A Saving the Right of others. Goods, Chattels or Debts of the Traitors given, releaſed or diſcharged before the fifth of November laſt.

## CAP. III.

An Act declaratory, explaining the Branch of an Act made in the firſt Seſſion of this Parliament, intituled, 'An Act authoriſing certain Commiſſioners of the Realm of *England* to treat with the Commiſſioners of 'Scotland, for the Weal of both Kingdoms.' 4 Jac. 1. c. 1. 1. Jac. 1. c. 2.

## CAP. IV.

### An Act for the better diſcovering and repreſſing of Popiſh Recuſants.

'FOraſmuch as it is found by daily Experience, that many his Majeſty's Subjects that adhere in 'their Hearts to the Popiſh Religion, by the Infection drawn from thence, and by the wicked and 'deviliſh Counſel of Jeſuits, Seminaries, and other like Perſons dangerous to the Church and State, are 'ſo far perverted in the Point of their Loyalties and due Allegiance unto the King's Majeſty, and the 'Crown of *England*, as they are ready to entertain and execute any treaſonable Conſpiracies and

'Prac-

'Practices, as evidently appears by that more than barbarous and horrible Attempt to have blown up 'with Gun-Powder the King, Queen, Prince, Lords and Commons in the Houſe of Parliament aſſem- 'bled, tending to the utter Subverſion of the whole State, lately undertaken by the Inſtigation of Je- 'ſuits and Seminaries, and in Advancement of their Religion, by their Scholars taught and inſtructed 'by them to that Purpoſe, which Attempt by the only Goodneſs of Almighty God was diſcovered 'and defeated: (2) And where divers Perſons popiſhly affected, do nevertheleſs, the better to cover and 'hide their falſe Hearts, and with the more Safety to attend the Opportunity to execute their miſ- 'chievous Deſigns, repair ſometimes to Church, to eſcape the Penalty of the Laws in that Behalf provided:'

Some popiſhly affected do repair to the Church.

II. For the better Diſcovery therefore of ſuch Perſons, and their evil Affections to the King's Majeſty, and the State of this his Realm, to the End that being known, their evil Purpoſes may be the better prevented; (2) be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Popiſh Recuſant convicted, or hereafter to be convicted, which heretofore hath conformed him or her ſelf, or which ſhall hereafter conform him or her ſelf, and repair to the Church, and continue there during the Time of Divine Service, according to the Laws and Statutes in that Behalf made and provided, ſhall within the firſt Year next after the End of this Seſſion of Parliament (if he or ſhe be conformed, as aforeſaid, before the End of this Seſſion of Parliament) or within the firſt Year next after that he or ſhe ſhall after this Seſſion of Parliament ſo conform him or her ſelf, and repair to Church, as aforeſaid; and after the ſaid firſt Year, ſhall once in every Year following at the leaſt, receive the bleſſed Sacrament of the Lord's Supper in the Church of that Pariſh where he or ſhe ſhall moſt uſually abide or be within the ſaid Year, wherein by the true Meaning of this Statute he or ſhe ought ſo to receive:

1 *Haw. P. C. cb.* 12. *Burn v.* 2--309, *&c.*

1 Eliz. c. 1. 5 Eliz. c. 1. 13 Eliz. c. 2. 23 Eliz. c. 1. 27 Eliz. c. 2. 29 Eliz. c. 6. 35 Eliz. c. 1 & 2.

III. And if there be no ſuch Pariſh Church, then in the Church next adjoining to the Place of his or her ſuch moſt uſual Abode: (2) And if any Recuſant ſo conformed ſhall not receive the ſaid Sacrament of the Lord's Supper accordingly, he or ſhe ſhall for ſuch not receiving loſe and forfeit for the firſt Year, twenty Pounds, and for the ſecond Year for ſuch not receiving, forty Pounds, and for every Year after for ſuch not receiving, threeſcore Pounds, until he or ſhe ſhall have received the ſaid Sacrament, as is aforeſaid: (3) And if after he or ſhe ſhall have received the ſaid Sacrament, as is aforeſaid, and after ſhall eftſoons at any Time offend in not receiving the ſaid Sacrament, as is aforeſaid, by the Space of one whole Year, that in every ſuch Caſe ſuch Perſon ſo offending ſhall for every ſuch Offence loſe and forfeit threeſcore Pounds of lawful *Engliſh* Money; (4) the one Moiety to be to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to him that will ſue for the ſame; (5) and to be recovered in any of the King's Courts of Record at *Weſtminſter*, or before Juſtices of Aſſize or General Gaol-delivery, or before Juſtices of the Peace at their General Quarter-Seſſions, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The Forfeiture of a conformed Recuſant which doth not receive the Sacrament of the Lord's Supper yearly. *Cro. Jac.* 365.

IV. And be it further enacted by the Authority of this preſent Parliament, That the Church-wardens and Conſtables of every Town, Pariſh or Chapel, for the Time being, or ſome one of them, or if there be none ſuch, then the Chief Conſtables of the Hundred where ſuch Town, Pariſh or Chapel is or ſhall be, or one of them as well in Places exempt as not exempt, ſhall once in every Year preſent the monthly Abſence from Church of all and all manner of popiſh Recuſants within ſuch Towns and Pariſhes; (2) and ſhall preſent the Names of every of the Children of the ſaid Recuſants, being of the Age of nine Years and upwards, abiding with their ſaid Parents, and as near as they can the Age of every of the ſaid Children, as alſo the Names of the Servants of ſuch Recuſants, at the General or Quarter Seſſions of that Shire, Limit, Diviſion, or Liberty.

Preſenting the monthly Abſence from Church of a Recuſant. 1 Shower 309. *Cro. Car.* 504. A Recuſant's Children and Servants.

V. And be it further enacted by the Authority aforeſaid, That all ſuch Preſentments ſhall be accepted, entered and recorded in the ſaid Seſſions by the Clerk of the Peace, or Town-Clerk for the Time being, or his Deputy, without any Fee to be had, aſked or taken for the ſame: (2) And in Default of ſuch Preſentment to be made, the ſaid Church-wardens, Conſtables, or high Conſtables reſpectively, ſhall for every ſuch Default forfeit twenty Shillings: (3) and in Default of ſuch accepting, entring and recording without Fee, as aforeſaid, the ſaid Clerk of the Peace or Town-Clerk ſhall for every ſuch Offence forfeit and loſe forty Shillings.

The Preſentments recorded.

VI. And that upon every Preſentment of ſuch monthly Abſence as aforeſaid, whereupon ſuch Party ſo preſented ſhall after happen to be indicted and convicted, (not being for the ſame Abſence before preſented) then the ſaid Church-wardens, Conſtables or High Conſtables reſpectively ſo making ſuch Preſentments, ſhall have a Reward of forty Shillings; (2) to be levied out of the Recuſant's Goods and Eſtate, in ſuch Manner and Form as by the more Part of the ſaid Juſtices ſhall be by Warrant under their Hands and Seals then and there ordered and appointed.

The Reward of the Church-wardens and Conſtables.

VII. And be it further enacted by the Authority aforeſaid, That the Juſtices of Aſſize and Gaol-delivery at their Aſſizes, and the ſaid Juſtices of Peace at any of their ſaid Seſſions, ſhall have Power and Authority by Virtue of this Act to enquire, hear and determine of all Recuſants and Offences, as well for not receiving the Sacrament aforeſaid, according to the Meaning of this Law, as for not repairing to Church, according to the Meaning of former Laws, in ſuch Manner and Form as the ſaid Juſtices of Aſſize and Gaol-delivery do or may now do by former Laws, in the Caſe of Recuſancy for not repairing to Church; (2) and alſo ſhall have Power at their ſaid Aſſizes and Gaol-delivery, and at the Seſſions (in which any Indictment againſt any Perſon, either for not repairing to Church according to former Laws, or not receiving the ſaid Sacrament according to this Law, ſhall be taken) to make Proclamation, by which it ſhall be commanded, that the Body of every ſuch Offender ſhall be rendered to the Sheriff of the ſame County, or Bailiff, or other Keeper of the Gaol of the Liberty, before the next Aſſizes and General Gaol-delivery, or before the next General or Quarter-Seſſions reſpectively to be holden for the

What Officers ſhall enquire of Offenders.

The Effect of the Proclamation.

ſaid Shire, Limit, Diviſion, or Liberty: (3) And if at the ſaid next Aſſizes and General Gaol-delivery or Seſſions, the ſame Offender ſo proclaimed ſhall not make Appearance of Record, that then upon every ſuch Default recorded, the ſame ſhall be as ſufficient a Conviction in Law of the ſaid Offence whereof the Party ſhall ſtand indicted as aforeſaid, as if upon the ſame Indictment a Trial by Verdict thereupon had proceeded, and been found againſt him or her, and recorded. Conviction of a Recuſant.

VIII. And be it further enacted, That every Offender in not repairing to Divine Service, but forbearing the ſame, contrary to the Statutes in that Behalf made and provided, that hereafter ſhall fortune to be thereof once convicted, ſhall in ſuch of the Terms of *Eaſter* and *Michaelmas* as ſhall be next after ſuch Conviction, pay into the Receipt of the Exchequer after the Rate of twenty Pounds for every Month which ſhall be contained in the Indictment whereupon ſuch Conviction ſhall be; (2) and ſhall alſo for every Month after ſuch Conviction, without any other Indictment or Conviction, forfeit twenty Pounds, and pay into the Receipt of the Exchequer aforeſaid, at two Times in the Year, that is to ſay, in every *Eaſter* and *Michaelmas* Term, as much as then ſhall remain unpaid, after the Rate of twenty Pounds for every Month after ſuch Conviction; (3) except in ſuch Caſes where the King ſhall and may by Force of this Act refuſe the ſame, and take two Parts of the Lands, Tenements, Hereditaments, Leaſes and Farms of ſuch Offender, till the ſaid Party being indicted for not coming to Church, contrary to former Laws, ſhall conform himſelf and come to Church, according to the Meaning of the Statute in that Behalf made and provided. The Penalty of a convicted Recuſant. 29 Eliz. c. 6.

IX. And that every Conviction recorded for any Offence before-mentioned, ſhall from the Juſtices before whom the Record of ſuch Conviction ſhall be remaining, be certified into the King's Majeſty's Court of Exchequer, before the End of the Term following ſuch Conviction, in ſuch convenient Certainty for the Time and other Circumſtances, as the Court of Exchequer may thereupon award out Proceſs for the Seizure of the Lands and Goods of every ſuch Offender, as the Caſe ſhall require: (2) And if Default ſhall be made in any Part of any Payment aforeſaid, contrary to the Form herein before limited, that then and ſo often the King's Majeſty, his Heirs and Succeſſors, ſhall and may by Proceſs out of the ſaid Exchequer, take, ſeize and enjoy all the Goods, and two Parts as well of all the Lands, Tenements and Hereditaments, Leaſes and Farms of ſuch Offender, as of all other the Lands, Tenements and Hereditaments liable to ſuch Seizure, or to the Penalties aforeſaid, by the true Meaning of this Act, leaving the third Part only of the ſame Lands, Tenements and Hereditaments, Leaſes and Farms, to and for the Maintenance and Relief of the ſaid Offender, his Wife, Children and Family. Every Conviction ſhall be certified into the Exchequer.

'X. And whereas by an Act made in the Seſſion of Parliament holden by Prorogation at *Weſtminſter* 'in the three and twentieth Year of the Reign of the late Queen *Elizabeth*, intituled, "An Act to re-'tain the Subjects of the ſaid late Queen in their due Obedience", It was amongſt other Things 'enacted by Authority of the ſaid Parliament, That every Perſon above the Age of ſixteen Years, 'which ſhould not repair to ſome Church, Chapel, or uſual Place of Common Prayer, but forbear the ſame 'contrary to the Tenor of a Statute made in the firſt Year of the Reign o the ſaid late Queen, for Uni-'formity of Common Prayer, and being thereof lawfully convicted, ſhould forfeit to the ſaid Queen, for 'every Month after the End of the ſaid Seſſion of Parliament which he or ſhe ſhould ſo forbear, twenty 'Pounds of lawful *Engliſh* Money, as in and by the ſaid Act of Parliament more at large appeareth:' The Statute of 23 Eliz. c. 1. touching a Recuſant's monthly Forfeiture. 1 Eliz. c. 2.

'XI. And whereas afterward by another Act of Parliament of the ſaid Queen, it was further enacted 'by the Authority of the ſaid Parliament (amongſt other Things) how and when the ſaid Payments of 'the ſaid twenty Pounds ſhould be made, and that if Default ſhould be made in any Part of any Pay-'ment of the ſaid twenty Pounds, contrary to the Form in the ſaid laſt ſpecified Statute limited, that 'then and ſo often the ſaid Queen ſhould and might by Proceſs out of her Highneſs Exchequer take, 'ſeize and enjoy all the Goods, and two Parts as well of all the Lands, Tenements and Hereditaments, 'Leaſes and Farms of ſuch Offender, as of all other the Lands, Tenements and Hereditaments liable 'to ſuch Seizure or to the Penalties aforeſaid, by the true Meaning of the ſaid Act of Parliament, leaving 'the third Part only of the ſame Lands, Tenements and Hereditaments, Leaſes and Farms, to and for 'the Maintenance and Relief of the ſame Offender, his Wife, Children and Family, as in and by the 'laſt ſpecified Statute more at large alſo may appear: (2) Now foraſmuch as the ſaid Penalty of twenty 'Pounds monthly is a greater Burden unto Men of ſmall Living, than unto ſuch as are of better Ability, 'and do refuſe to come unto Divine Service, as aforeſaid, who rather than they will have two Parts of 'their Lands to be ſeized, will be ready always to pay the ſaid twenty Pounds according to the Limitata-'tion of the ſaid Statutes, and yet retain the Reſidue of their Livings and Inheritance in their own 'Hands, being of great yearly Value, which they do for the moſt Part employ (as Experience hath 'taught) to the Maintenance of Superſtition and Popiſh Religion, and to the Relief of Jeſuits, Semi-'naries, Popiſh Prieſts, and other dangerous Perſons to the State; (3) Therefore to the Intent that here-'after the Penalty for not repairing to Divine Service might be inflicted in better Proportion upon Men 'of great Ability;' (4) Be it enacted by the Authority of this preſent Parliament, That the King's Majeſty, his Heirs and Succeſſors, ſhall from and after the Feaſt of Saint *Michael* the Archangel next coming after the End of this Seſſion of Parliament, have full Power and Liberty to refuſe the Penalty of twenty Pounds a Month, though it be tendred ready to be paid according to the Law, and thereupon to ſeize and take to his own Uſe, and the Uſes, Intents and Purpoſes hereafter limited, two Parts in three Parts to be divided, as well of all the Lands, Tenements and Hereditaments, Leaſes and Farms that at the Time of ſuch Seizure ſhall be, or afterward ſhall come to any the ſaid Offenders in not coming to Church, or any other to his or her Uſe, or in Truſt for him or her, or at his or her Diſpoſition, or whereby or wherewith, or in Conſideration whereof, ſuch Offender or his Family, or any of them, ſhall be relieved, maintained or kept, as of all other Lands, Tenements and Hereditaments in any wiſe or at any Time liable to ſuch Seizure, or to the Penalties aforeſaid, and the ſame to retain to his own and How by the Statute of 29 Eliz. c. 6. the Queen ſhould recover Forfeitures due to her by Recuſants. The King may refuſe 20l. a Month, and take two Parts of a Recuſant's Lands. Lane 106. Godbolt 216. pl. 309.

other Uſes, Intents and Purpoſes hereafter in this Act appointed, till every ſuch Offender ſhall conform him or her ſelf reſpectively, as aforeſaid, in Lieu and full Recompence of the twenty Pounds monthly, that, during his ſuch Seizure and Retainer, ſhall incur; any Thing in the ſaid Statutes, or any of them, or any other Statute, to the contrary in any wiſe notwithſtanding: (5) Saving to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, and all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, (other than the ſaid Offender, his or her Heirs, and all claiming to his or their Uſe, or in Truſt for him or them, or at his or their Will or Diſpoſition) all and all manner of Leaſes, Rents, Conditions, and other Rights and Titles whatſoever had, made and done, *bona fide*, and without Fraud and Covin, before ſuch Seizure.

Saving the Right of others.

A Recuſant's Manſion-houſe ſhall be reſerved to him. The King's two Parts ſhall not be demiſed to a Recuſant.

XII. Provided always, and be it enacted by the Authority aforeſaid, That the King's Majeſty, his Heirs and Succeſſors, ſhall not take into his two Parts, but leave to ſuch Offender his chief Manſion-Houſe, as Part of his third Part, and ſhall not demiſe, leaſe nor put over the ſaid two Parts, nor any Part thereof, to any Recuſant, nor to or for the Uſe of any Recuſant: (2) And that whoſoever ſhall take the ſame in Leaſe, or otherwiſe, of his Majeſty, his Heirs and Succeſſors, ſhall give ſuch Security not to commit, nor ſuffer Waſte to be committed, in or upon any the ſaid Premiſſes, as by the Court of Exchequer ſhall be allowed ſufficient.

Who are compellable to take the Oath.

XIII. And for the better Trial how his Majeſty's Subjects ſtand affected in Point of their Loyalty and due Obedience; (2) be it alſo enacted by the Authority aforeſaid, That from and after the End of this preſent Seſſion of Parliament, it ſhall be lawful to and for any Biſhop in his Dioceſe, or any two Juſtices of Peace, whereof one of them to be of the *Quorum*, within the Limits of their Juriſdiction, out of the Seſſions, to require any Perſon of the Age of eighteen Years or above, being or which ſhall be convict or indicted of or for any Recuſancy, other than Noblemen or Noblewomen, for not repairing to Divine Service, according to the Laws of this Realm; (3) or which ſhall not have received the ſaid Sacrament twice within the Year then next paſt, Noblemen and Noblewomen excepted; (4) or any Perſon paſſing in or through the Country, Shire or Liberty, and unknown, except as is laſt before excepted, that being examined by them upon Oath ſhall confeſs or not deny himſelf or herſelf to be a Recuſant, or ſhall confeſs or not deny that he or ſhe had not received the ſaid Sacrament twice within the Year then laſt paſt, to take the Oath hereafter following upon the Holy Evangeliſts: (5) Which ſaid Biſhop or two Juſtices of the Peace, ſhall certify in Writing ſubſcribed with his or their Hands at the next General or Quarter Seſſions for that Shire, Limit, Diviſion or Liberty, within which the ſaid Oath ſhall be ſo taken, the Chriſtian-name, Surname, and Place of Abode of every Perſon which ſhall ſo take the ſaid Oath; which Certificate ſhall be there recorded by the Clerk of the Peace or Town-Clerk, and kept amongſt the Records of the ſaid Seſſions.

Certificate of the Name of him who taketh the Oath.

Refuſal of the Oath. 1 Bulſtr. 199.

XIV. And be it further enacted, That if any ſuch Perſon or Perſons, other than Noblemen or Noblewomen, ſhall refuſe to anſwer upon Oath to ſuch Biſhop or Juſtices of Peace examining him or her, as aforeſaid, or to take the ſaid Oath ſo duly tendred unto him or her by ſuch Biſhop, or two ſuch Juſtices of Peace, out of Seſſions, that then the ſaid Biſhop or Juſtices of Peace ſhall and may commit the ſame Perſon to the Common Gaol, there to remain without Bail or Mainprize until the next Aſſize or General or Quarter-Seſſions to be holden for the ſaid Shire, Diviſion, Limit or Liberty; (2) where the ſaid Oath ſhall be again in the ſaid open Aſſizes or Seſſions required of ſuch Perſon, by the ſaid Juſtices of Aſſize or Juſtices of Peace then and there preſent, or the greater Number of them: (3) And if the ſaid Perſon or Perſons, or any other Perſon whatſoever, other than Noblemen or Noblewomen, of the Age of eighteen Years or above, ſhall refuſe to take the ſaid Oath being tendred unto him or her by the Juſtices of Aſſize and Gaol-delivery in their open Aſſizes, or the Juſtices of Peace, or the greater Part of them, in their ſaid General or Quarter-Seſſions, every Perſon ſo refuſing ſhall incur the Danger and Penalty of *Præmunire*, mentioned in the Statute of *Præmunire*, made in the ſixteenth Year of the Reign of King *Richard* the Second; (4) except Women Covert, who, upon Refuſal of the ſaid Oath ſhall be by the ſaid Juſtices of Aſſize in their open Aſſize, or Juſtices of Peace in their General or Quarter-Seſſions, for the ſaid Offence committed only to the Common Gaol, there to remain without Bail or Mainprize, till they will take the ſaid Oath.

The Penalty of Præmunire. 16 R. 2. c. 5. Women Covert.

## The Tenor of which Oath hereafter followeth:

The Form of the Oath of Obedience.

'XV. I *A. B.* do truly and ſincerely acknowledge, profeſs, teſtify and declare in my Conſcience before 'God and the World, That our Sovereign Lord King *JAMES* is lawful and rightful King of this 'Realm, and of all other his Majeſty's Dominions and Countries; and that the Pope neither of himſelf 'nor by any Authority of the Church or See of *Rome*, or by any other Means with any other hath 'any Power or Authority to depoſe the King, or to diſpoſe any of his Majeſty's Kingdoms or Dominions, 'or to authorize any Foreign Prince to invade or annoy him or his Countries, or to diſcharge any of his 'Subjects of their Allegiance and Obedience to his Majeſty, or to give Licence or Leave to any of them 'to bear Arms, raiſe Tumults or to offer any Violence or Hurt to his Majeſty's Royal Perſon, State or 'Goverment, or to any of his Majeſty's Subjects, within his Majeſty's Dominions.

Abolished by 1 W. & M. Seſſ. 1. c. 8. ſect. 2.

'(2) Alſo I do ſwear from my Heart, That notwithſtanding any Declaration or Sentence of Excom-'munication, or Deprivation made or granted, or to be made or granted, by the Pope or his Succeſſors, or 'by any Authority derived or pretended to be derived from him or his See againſt the ſaid King, his Heirs 'or Succeſſors, or any Abſolution of the ſaid Subjects from their Obedience: I will bear Faith and true 'Allegiance to his Majeſty, his Heirs and Succeſſors, and him and them will defend to the uttermoſt of 'my Power, againſt all Conſpiracies and Attempts whatſoever which ſhall be made againſt his or their

'Perſons,

'Perſons, their Crown and Dignity, by Reaſon or Colour of any ſuch Sentence or Declaration, or 'otherwiſe, and will do my beſt Endeavour to diſcloſe and make known unto his Majeſty, his Heirs and 'Succeſſors, all Treaſons and traiterous Conſpiracies which I ſhall know or hear of to be againſt him or 'any of them.

'(3) And I do further ſwear, That I do from my Heart abhor, deteſt and abjure, as impious and 'heretical, this damnable Doctrine and Poſition, That Princes which be excommunicated or deprived 'by the Pope, may be depoſed or murdered by their Subjects, or any other whatſoever.

'(4) And I do believe, and in my Conſcience am reſolved, That neither the Pope nor any other 'Perſon whatſoever, hath Power to abſolve me of this Oath or any Part thereof, which I acknowledge 'by good and full Authority to be lawfully miniſtred unto me, and do renounce all Pardons and Diſ-'penſations to the contrary.

'(5) And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs 'Words by me ſpoken, and according to the plain and common Senſe and Underſtanding of the ſame 'Words, without any Equivocation or mental Evaſion, or ſecret Reſervation whatſoever: And I do 'make this Recognition and Acknowledgment heartily, willingly and truly, upon the true Faith of 'a Chriſtian.

"So help me God.

(6) Unto which Oath ſo taken, the ſaid Perſon ſhall ſubſcribe his or her Name or Mark.

No Indictment of a Recuſant ſhall be reverſed for Default of Form. Palmer 41. 12 Co. 132.

XVI. And be it further enacted by the Authority aforeſaid, That no Indictment or Indictments had or found, or hereafter to be had or found, againſt any Perſon or Perſons, for not repairing to ſome Church or Chapel, or uſual Place of Common Prayer, but abſenting him or her ſelf by the Space of one Month, contrary to the Laws and Statutes in that Behalf provided, or for not receiving the ſaid Sacrament contrary to this preſent Law, nor any Proclamation, Outlawry or other Proceeding thereupon, ſhall at any Time hereafter be avoided, diſcharged or reverſed, by reaſon of any Default in Form, or Lack of Form or other Defect whatſoever (other than by direct Traverſe to the Point of not coming to Church or not receiving the ſaid Sacrament, whereof ſuch Perſon or Perſons hath been or ſhall be indicted) but the ſame Indictment ſhall ſtand in force and be proceeded upon; any ſuch Default of Form, or other Defect whatſoever notwithſtanding.

He that conformeth himſelf may traverſe an Indictment.

XVII. Provided always, That if any Perſon or Perſons ſo indicted or to be indicted, ſhall at any Time hereafter ſubmit and conform him or her ſelf, and become obedient to the Laws of the Church of *England*, and repair to the Pariſh Church of his or her moſt Abiding, and if there be no ſuch, then to the Church next adjoining to his or her ſuch Dwelling, and there hear Divine Service according to the true Meaning of the Statute in that Behalf made and provided, and there publickly receive the ſaid Sacrament according to the Laws of this Realm of *England* now eſtabliſhed; That then every ſuch Perſon and Perſons ſo indicted ſhall and may from thenceforth be admitted and allowed to avoid, diſcharge, reverſe and undo the ſaid Indictment and Indictments, and all Proceedings thereupon, in ſuch Manner and Form as if this preſent Act had not been had nor made; any Thing herein contained to the contrary in any wiſe notwithſtanding.

He ſhall take the Oath who goeth out of the Realm to ſerve a foreign Prince. 3 Inſt. 80.

'XVIII. And foraſmuch as it is found by late Experienc, That ſuch as go voluntarily out of this 'Realm of *England* to ſerve Foreign Princes, States or Potentates, are for the moſt part perverted in their 'Religion and Loyalty by Jeſuits and Fugitives, with whom they do there converſe;' (2) Be it therefore enacted by the Authority aforeſaid, That every Subject of this Realm that, after the tenth Day of *June* next coming, ſhall go or paſs out of this Realm to ſerve any Foreign Prince, State or Potentate, or ſhall after the ſaid tenth Day of *June* paſs over the Seas, and there ſhall voluntarily ſerve any ſuch Foreign Prince, State or Potentate, not having before his or their going or paſſing as aforeſaid, taken the Oath aforeſaid, before the Officer hereafter appointed, ſhall be a Felon.

A Gentleman, Captain, or Lieutenant ſerving a foreign Prince, ſhall be bound to the King, &c.

XIX. And that if any Gentlemen or Perſon of higher Degree, or any Perſon or Perſons which hath born or ſhall bear any Office or Place of Captain, Lieutenant or any other Place, Charge or Office in Camp, Army or Company of Soldiers, or Conductor of Soldiers, ſhall after go or paſs voluntarily out of this Realm, to ſerve any ſuch Foreign Prince, State or Potentate, or ſhall voluntarily ſerve any ſuch Prince, State or Potentate, before that he and they ſhall become bound by Obligation, with two ſuch Sureties as ſhall be allowed of by the Officers which are hereafter by this Act limited to take the ſame Bond, unto our Sovereign Lord the King's Majeſty, his Heirs or Succeſſors, in the Sum of twenty Pounds of currant *Engliſh* Money at the leaſt, with Condition to the Effect following, ſhall be a Felon.

## The Tenor of which Condition followeth, *viz.*

'XX. THAT if the within bounden, *&c.* ſhall not at any Time then after be reconciled to the Pope 'or See of *Rome*, nor ſhall enter into or conſent unto any Practice, Plot or Conſpiracy what-'ſoever againſt the King's Majeſty, his Heirs and Succeſſors, or any his and their Eſtate and Eſtates, 'Realms or Dominions; but ſhall within convenient Time after Knowledge thereof had, reveal and diſ-'cloſe to the King's Majeſty, his Heirs and Succeſſors, or ſome of the Lords of his or their Honourable 'Privy Council, all ſuch Practices, Plots and Conſpiracies; that then the ſaid Obligation to be void.

Who ſhall take the Obligation, and adminiſter the Oath.

XXI. And that for the due Execution of this Branch of this preſent Law, it ſhall and may be lawful to and for the Cuſtomer and Comptroller of every Port, Haven or Creek, or one of them, and their or either of their Deputy or Deputies, and none other, to receive and accept all and every ſuch Bond and Obli-

Obligation to and for the Uſes aforeſaid, and to miniſter and give the Oath aforeſaid, according to the true Intent of this Statute, (taking for ſuch Bond Six-pence and no more, and for the ſaid Oath no Fee at all:) (2) Which ſaid Cuſtomer and Comptroller ſhall regiſter and certify all and every ſuch Bond and Oath ſo taken, into the Court of Exchequer at *Weſtminſter* once every Year, upon Pain of five Pounds for every Bond not ſo certified, and twenty Shillings for every Oath not ſo certified. (3) Provided always, That this laſt mentioned Branch ſhall not extend to any Perſon or Perſons which are already gone or ſhall go beyond the Seas to ſerve any Foreign Prince, State or Potentate, before the tenth Day of *June* next coming, for his ſaid going or paſſing before the ſaid tenth Day of *June*.

Forfeiture for not regiſtring and certifying.

Putting in Practice to abſolve or withdraw any from Obedience, or to reconcile them to the Pope. 23 Eliz. c. 1.

XXII. And further be it enacted by the Authority aforeſaid, That if any Perſon or Perſons at any Time after the ſaid tenth Day of *June* ſhall either upon the Seas or beyond the Seas, or in any other Place within the Dominions of the King's Majeſty, his Heirs or Succeſſors, put in Practice to abſolve, perſwade or withdraw any of the Subjects of the King's Majeſty, or of his Heirs and Succeſſors of this Realm of *England*, from their natural Obedience to his Majeſty, his Heirs or Succeſſors, (2) or to reconcile them to the Pope or See of *Rome*, or to move them or any of them to promiſe Obedience to any pretended Authority of the See of *Rome*, or to any other Prince, State or Potentate; that then every ſuch Perſon, their Procurers, Counſellors, Aiders and Maintainers, knowing the ſame, ſhall be to all Intents adjudged Traytors, and being thereof lawfully convicted ſhall have Judgment, ſuffer and forfeit, as in Caſes of High Treaſon.

Being withdrawn or reconciled.

XXIII. And if any Perſon as aforeſaid, at any Time after the ſaid tenth Day of *June* ſhall be either upon the Seas or beyond the Seas, or in any other Place within the Dominions of the King's Majeſty, his Heirs or Succeſſors, willingly abſolved or withdrawn as aforeſaid, or willingly reconciled, or ſhall promiſe Obedience to any ſuch pretended Authority, Prince, State or Potentate as aforeſaid: That every ſuch Perſon or Perſons, their Procurers and Counſellors, Aiders and Maintainers, knowing the ſame, ſhall be to all Intents adjudged Traytors; and being thereof lawfully convicted ſhall have Judgment, ſuffer and forfeit, as in Caſes of High Treaſon.

A reconciled Perſon taking the Oath.

XXIV. Provided nevertheleſs, That the laſt mentioned Clauſe of this Branch, or any Thing therein contained, ſhall not extend or be taken to extend to any Perſon or Perſons whatſoever, which ſhall hereafter be reconciled to the Pope or See of *Rome* as aforeſaid, (for and touching the point of ſo being reconciled only) that ſhall return into this Realm, and thereupon within ſix Days next after ſuch Return, before the Biſhop of the Dioceſe, or two Juſtices of the Peace jointly or ſeverally of the County where he ſhall arrive, ſubmit himſelf to his Majeſty and his Laws, and take the Oath ſet forth by Act in the firſt Year of the Reign of the late Queen *Elizabeth*, (commonly called the Oath of Supremacy) as alſo the Oath before ſet down in this preſent Act; (2) which ſaid Oaths the ſaid Biſhop and Juſtices reſpectively ſhall have Power and Authority by this preſent Act to miniſter to ſuch Perſons as aforeſaid: (3) And the ſaid Oaths ſo taken, the ſaid Biſhop and Juſtices before whom ſuch Oaths ſhall be ſo taken reſpectively, ſhall certify at the next General or Quarter-Seſſions of the Peace to be holden within the ſaid Shire, Limit, Diviſion or Liberty, wherein ſuch Perſon as aforeſaid ſhall ſubmit himſelf and take the ſaid Oaths as aforeſaid, upon Pain of every one neglecting to certify the ſame as aforeſaid, the Sum of forty Pounds.

1 Eliz. c. 1. which is repealed by 1 W. & M. Seſſ. 1. c. 8. ſect. 2.

Where the Trial ſhall be.

XXV. And be it further enacted, That all and every Perſon and Perſons that ſhall offend contrary to this preſent Branch of this Statute, ſhall be indicted, tried and proceeded againſt by and before the Juſtices of Aſſize and Gaol-delivery of that County for the Time being, or before the Juſtices of the Court of King's Bench, and be there proceeded againſt according to the Laws and Statutes of this Realm againſt Traytors, as if the ſaid Offence had been committed in the ſame County where ſuch Perſon or Perſons ſhall be ſo taken; any Law, Cuſtom or Statute to the contrary in any wiſe notwithſtanding.

Peers.

XXVI. Provided always, That if any Peer of this Realm ſhall happen to be indicted of any Offence made Treaſon by this Act, he ſhall have his Trial by his Peers as in other like Caſes of Treaſon is accuſtomed.

1 Eliz. c. 2.

XXVII. And be it further enacted, That if any Subject of this Realm at any Time after one Month next after the End of this preſent Seſſion of Parliament, ſhall not reſort or repair every *Sunday* to ſome Church, Chapel or ſome other uſual Place appointed for Common Prayer, and there hear Divine Service according to the Statute made in that Behalf, in the firſt Year of the Reign of the late Queen *Elizabeth*, That then it ſhall and may be lawful to and for any one Juſtice of Peace of that Limit, Diviſion or Liberty, wherein the ſaid Party ſhall dwell, upon Proof unto him made of ſuch Default by Confeſſion of the Party or Oath of Witneſs, to call the ſaid Party before him; (2) and if he or ſhe ſhall not make a ſufficient Excuſe and due Proof thereof, to the Satisfaction of the ſaid Juſtice of Peace, that it ſhall be lawful for the ſaid Juſtice of Peace to give Warrant to the Churchwarden of the ſaid Pariſh wherein the ſaid Party ſhall dwell, under his Hand and Seal, to levy Twelve-pence for every ſuch Default, by Diſtreſs and Sale of the Goods of every ſuch Offender, rendring to the ſaid Offender the Overplus of the Money raiſed of the ſaid Goods ſo to be ſold: (3) And that in Default of ſuch Diſtreſs, it ſhall and may be lawful for the ſaid Juſtice of Peace to commit every ſuch Offender to ſome Priſon within the ſaid Shire, Diviſion, Limit or Liberty, wherein ſuch Offender ſhall be inhabiting, until Payment be made of the ſaid Sum or Sums ſo to be forfeited; (4) which Forfeiture ſhall be imployed to and for the Uſe of the Poor of that Pariſh wherein the Offender ſhall be reſident or abiding at the Time of ſuch Offence committed.

The Forfeiture for not repairing to Church weekly.

Within what Time the Offender ſhall be impeached.

XXVIII. Provided, That no Man be impeached upon this Clauſe, except he be called in Queſtion for his ſaid Default within one Month next after the ſaid Default made.

XXIX.

XXIX. And that no Man being puniſhed according to this Branch, ſhall for the ſame Offence be puniſhed by the Forfeiture of twelve Pence, upon the Law made in the firſt Year of the late Queen *Elizabeth*. But once puniſhed for one Offence.

'XXX. And becauſe in one Act of Parliament begun and holden at *Weſtminſter* in the five and 'thirtieth Year of the late Queen *Elizabeth*, intituled, *An Act to retain the Queen's Majeſty's Subjects in 'their due Obedience*, There are two Branches contained, the firſt beginning thus: (And for that every 'Perſon having a Houſe or Family, is in Duty bounden to have eſpecial Regard of the good Govern- 'ment and Ordering of the ſame) and ſo forth to the next Clauſe, beginning thus, (Provided never- 'theleſs, That this Act ſhall not in any wiſe extend to puniſh or impeach any Perſons for relieving, '&c. ending with theſe Words, Any Thing in this Act contained to the contrary notwithſtanding) 'which ſaid two Branches or Clauſes are found defective:' A Repeal of two Branches of the Statute of 35 Eliz. c. 1. ſect. 8.

XXXI. Be it therefore enacted, That the ſaid two Branches or Clauſes of the ſaid Act, and no more, ſhall be by Authority of this preſent Parliament utterly repealed and made void.

XXXII. And in Lieu thereof be it enacted, That every Perſon and Perſons, which after one Month next after the End of this preſent Seſſion of Parliament ſhall willingly maintain, retain, relieve, keep or harbour in his or their Houſe, any Servant, Sojourner or Stranger, who ſhall not go to, or repair to ſome Church or Chapel, or uſual Place of Common Prayer, to hear Divine Service, but ſhall forbear the ſame by the Space of one Month together, not having a reaſonable Excuſe, contrary to the Laws and Statutes of this Realm, ſhall forfeit ten Pounds for every Month that he, ſhe or they ſhall ſo relieve, maintain, retain, keep or harbour any ſuch Servant, Sojourner or Stranger in his or their Houſe, ſo forbearing as aforeſaid. Relieving or keeping a Recuſant in his Houſe.

XXXIII. And that every Perſon which ſhall within the Time aforeſaid, retain or keep in his, her or their Service, Fee or Livery, any Perſon or Perſons, which ſhall not go to, or repair to ſome Church, Chapel or uſual Place of Common Prayer to hear Divine Service, but ſhall forbear the ſame by the Space of one Month together, ſhall forfeit for every Month, he, ſhe or they ſhall ſo retain, keep or continue in his, her or their Service, Fee or Livery, any ſuch Perſon or Perſons ſo forbearing as aforeſaid, knowing the ſame, ten Pounds; the ſame Penalties to be recovered and imployed in Manner and Form hereafter following. Retaining a Recuſant in his Service, Fee or Livery.

XXXIV. Provided neverthleſs, That this Act ſhall not in any wiſe extend to puniſh or impeach any Perſon or Perſons for maintaining, retaining, relieving, keeping or harbouring his, her or their Father or Mother, wanting, without Fraud or Covin, other Habitation, or ſufficient Maintenance, or the Ward of any ſuch Perſon, or any Perſon that ſhall be committed by Authority to the Cuſtody of any by whom they ſhall be ſo relieved, maintained or kept; any Thing in this Act contained to the contrary notwithſtanding. The Father, Mother, Ward, &c. Perſon committed by Authority.

XXXV. And be it further enacted by Authority of this preſent Parliament, That upon any lawful Writ, Warrant or Proceſs awarded to any Sheriff or other Officer, for the Taking or Apprehending of any Popiſh Recuſant ſtanding excommunicated for ſuch Recuſancy, it ſhall be lawful for ſuch Sheriff or other Officer authorized in that Behalf, if Need be, to break open any Houſe wherein ſuch Perſon excommunicate ſhall be, or to raiſe the Power of the County, for the Apprehending of ſuch Perſon, and the better Execution of ſuch Warrant, Writ or Proceſs. Breaking a Houſe to take a Recuſant excommunicate.

XXXVI. And be it further enacted, That all and every Offence to be committed or done againſt this preſent Act, ſhall and may be enquired of, heard and determined before the Juſtices of the King's Bench, Juſtices of Aſſize and Gaol-delivery, in their ſeveral Aſſizes and Gaol-deliveries; (2) And all Offences other than Treaſon ſhall be enquired, heard and determined before the Juſtices of Peace in their General or Quarter-Seſſions to be holden within the Shire, Diviſion, Limit or Liberty wherein ſuch Offence ſhall happen. In what Courts the Offences ſhall be heard and determined.

XXXVII. Provided always, and be it enacted by the Authority aforeſaid, That any Attainder of Felony made Felony by this Act as is aforeſaid, ſhall not in any wiſe extend to take away the Dower of the Wife of any ſuch Perſon attainted, or be any Bar for the Recovery of the ſame, nor ſhall make or work any Corruption of Blood, or Diſheriſon of any the Heir or Heirs of any ſuch Perſon or Perſons ſo attainted; this Act, or any Thing therein contained to the contrary in any wiſe notwithſtanding. Attainder of Felony, no Forfeiture of Dower, or Corruption of Blood.

XXXVIII. And be it further enacted, That if any Action or Actions ſhall at any Time hereafter be commenced or brought againſt any Perſon or Perſons doing, committing, or commanding any Act or Thing, for or concerning the Execution of this preſent Statute, or any Article or Clauſe therein contained; That then every Defendant in ſuch Action or Actions, may plead the General Iſſue, and be received to maintain the ſame by any Evidence that ſhall prove his Doings and Proceedings warrantable by this Law. The Plea to an Action brought for doing any Thing by Force of this Statute.

XXXIX. Provided always, That neither this Act, nor any Thing therein contained, ſhall extend to take away or abridge the Authority or Juriſdiction of the Eccleſiaſtical Cenſures, for any Cauſe or Matter, but that the Commiſſioners of his Majeſty, his Heirs and Succeſſors, in Cauſes Eccleſiaſtical, for the Time being, and the Archbiſhops, Biſhops, and other Eccleſiaſtical Judges, may do and proceed, as before the making of this Act they lawfully did or might have done; any Thing in this Act to the contrary in any wiſe notwithſtanding. The Authority of the Eccleſiaſtical Court reſerved.

XL. Provided always, and be it enacted, That no Perſon ſhall be charged or chargeable with any Penalty or Forfeiture by Force of this Act, which ſhall happen for his Wife's Offence in not receiving the ſaid Sacrament during her Marriage, nor that any Woman ſhall be charged or chargeable with any Penalty or Forfeiture by Force of this Act, for any ſuch Offence of not Receiving, which ſhall happen during her Marriage. No Forfeiture for the Wife's Offence.

XLI.

Who may take the Oath of a Noble Man or Woman.

XLI. Provided alſo, and be it enacted by Authority of this preſent Parliament, That in all Cauſes where any Biſhop or Juſtices of the Peace may by Force of this Act require and take of any Subject the Oath above mentioned, That the Lords of the Privy Council for the Time being, or any Six of them, whereof the Lord Chancellor, Lord Treaſurer, or the Principal Secretary for the Time, to be one, ſhall have full Power and Authority by Force of this Act, at any Time or Times, to require and take the ſaid Oaths before mentioned, of any Nobleman or Noblewoman (then being above the Age of eighteen Years;) (2) and if any ſuch Nobleman or Noblewoman (other than Women married) ſhall refuſe to take ſuch Oath or Oaths, That in every ſuch Caſe, ſuch Nobleman or Noblewoman ſhall incur the Pain and Danger of a *Præmunire*.

16 R. 2. c. 5.

Who ſhall take the Oath in the Cinque Ports.

XLII. Provided alſo, and be it enacted by the Authority of this Parliament, That where any Perſon or Perſons ſhall go or paſs out of the Cinque Ports, or any Member thereof, to any Parts beyond the Seas, to ſerve any foreign Prince, State or Potentate, that in every ſuch Caſe, the Lord Warden of the Cinque Ports for the Time being, or any Perſon by him in that Behalf appointed or to be appointed, ſhall have full Power and Authority by Virtue hereof, to take the Bond, and miniſter the Oath to ſuch Paſſengers, as is above mentioned.

*Farther Provi ons concerning Recuſants, ſee the Chapter following. Alſo 7 Jac. 1. c. 6. 25 Car. 2. c. 2. & 16 Geo. 2. c. 30.*

## CAP. V.

### An Act to prevent and avoid Dangers which grow by Popiſh Recuſants.

'WHEREAS divers Jeſuits, Seminaries and Popiſh Prieſts daily do withdraw many of his Majeſty's Subjects from the true Service of Almighty God, and the Religion eſtabliſhed within this Realm, to the Romiſh Religion, and from their loyal Obedience to his Majeſty, and have of late ſecretly perſwaded divers Recuſants and Papiſts, and encouraged and emboldened them to commit moſt damnable Treaſons, tending to the Overthrow of God's true Religion, the Deſtruction of his Majeſty and his Royal Iſſue, and the Overthrow of the whole State and Commonwealth, if God of his Goodneſs and Mercy had not within few Hours before the intended Time of the Execution thereof, revealed and diſcloſed the ſame;' (2) Wherefore to diſcover and prevent ſuch ſecret damnable Conſpiracies and Treaſons as hereafter may be put in ure by ſuch evil diſpoſed Perſons, if Remedy be not therefore provided; (3) Be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch Perſon as ſhall firſt diſcover to any Juſtice of Peace, any Recuſant or other Perſon which ſhall entertain or relieve any Jeſuit, Seminary or Popiſh Prieſt, or ſhall diſcover any Maſs to have been ſaid, and the Perſons that were preſent at ſuch Maſs, and the Prieſt that ſaid the ſame, or any of them, within three Days next after the Offence committed, and that by Reaſon of ſuch Diſcovery any of the ſaid Offenders be taken and convicted or attained, That then the Perſon which hath made ſuch Diſcovery, ſhall not only be freed from the Danger and Penalty of any Law for ſuch Offence, if he be an Offender therein, but alſo ſhall have the third Part of the Forfeiture of all ſuch Sums of Money, Goods, Chattels and Debts, which ſhall be forfeited by ſuch Offence, (ſo as the ſame total Forfeiture exceed not the Sum of one hundred and fifty Pounds; (4) and if it exceed the Sum of one hundred and fifty Pounds, the ſaid Perſon ſo diſcovering the ſaid Offence ſhall have the Sum of fifty Pounds only for every ſuch Diſcovery;) (5) and ſuch Perſon ſo diſcovering the ſame, after Conviction of the Offender, ſhall have a Certificate from the Judges or Juſtices of Peace before whom ſuch Conviction ſhall happen, to be directed to the Sheriff or other Officer of the ſame County, Limit or Place, that ſhall ſeize the Goods, or levy the ſaid Forfeiture, commanding the ſaid Sheriff or other Officer to pay the ſame accordingly to him that ſo diſcovered the ſame, out of the Monies to be levied by Virtue of the ſaid Forfeitures, which Warrant and Payment ſhall be effectual in the Law for that Purpoſe, and a ſufficient Diſcharge in that Behalf for the Sheriff, or other Officer upon his Account.

1 *Haw. P. C. c. 12. Burn V. 2. 309, &c.*

The Reward of him who diſcovereth a Prieſt or Maſs. 2 Roll 437.

A Recuſant ſhall not come to the Court.

'II. And whereas the Repair of ſuch evil-affected Perſons to the Court, or to the City of *London*, may be very dangerous to his Majeſty's Perſon, and may give them more Liberty to meet, conſult and plot their Treaſons and Practices againſt the State, than if they ſhould be reſtrained and confined unto their private Houſes in the Country:' (2) For Remedy hereof, Be it enacted by the Authority aforeſaid, That no Popiſh Recuſant convicted or to be convicted ſhall come into the Court or Houſe where the King's Majeſty, or his Heir apparent to the Crown of *England* ſhall be, unleſs he be commanded ſo to do by the King's Majeſty, his Heirs and Succeſſors, or by Warrant in Writing from the Lords and others of the moſt honourable Privy Council of the King's Majeſty, his Heirs and Succeſſors, or any of them; (3) upon Pain to forfeit for every Time ſo offending, one hundred Pounds; the one Moiety to the King's Majeſty, his Heirs and Succeſſors; the other Moiety to him that will diſcover and ſue for the ſame, by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Recuſants ſhall depart from London.

III. Ahd that all Popiſh Recuſants indicted or convicted, and all other Perſons which have not repaired to ſome uſual Church or Chapel, and there heard Divine Service, but have forborn the ſame by the Space of three Months laſt paſt, contrary to the Laws and Statutes of this Realm, dwelling, abiding or remaining within the City of *London*, or the Liberties thereof, or within ten Miles of the ſaid City, ſhall within three Months next after the End of this Seſſion of Parliament, depart from the ſaid City of *London*, and ten Miles Compaſs of the ſame; (2) and alſo ſhall deliver up their Names to the Lord Mayor of *London*, in Caſe ſuch Recuſant do dwell or remain within the ſaid City of *London*, or the Liberties thereof: (3) And in Caſe the ſaid Recuſant ſhall dwell or remain in any other County within ten Miles of the ſame City, then the ſaid Recuſant ſhall deliver up his or her Name to the next Juſtice of

Peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remain, within forty Days after the End of this Seſſion of Parliament; (4) upon Pain that every Perſon offending herein ſhall forfeit to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, the Sum of one hundred Pounds; the one Moiety whereof ſhall be to the King's Majeſty, his Heirs and Succeſſors; the other Moiety to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of the King's Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

IV. And that all Popiſh Recuſants which ſhall hereafter come, dwell or remain within the ſaid City of *London* or the Liberties thereof, or within ten Miles of the ſaid City, which now are or hereafter ſhall be indicted or convicted of ſuch Recuſancy, or which ſhall at any Time hereafter not repair unto ſome uſual Church or Chapel, and there hear Divine Service, but ſhall forbear the ſame by the Space of three Months, contrary to the Laws and Statutes of this Realm, ſhall within ten Days after ſuch Indictment or Conviction depart from the ſaid City of *London*, and ten Miles Compaſs of the ſame, and alſo ſhall deliver up their Names to the Lord Mayor of *London* for the Time being, in Caſe ſuch Recuſant ſhall dwell or remain within the ſaid City of *London* or the Liberties thereof; (2) and in Caſe the ſaid Recuſant ſhall dwell or remain in any other County within ten Miles of the ſaid City, then the ſaid Recuſant ſhall deliver up his or her Name to the next Juſtice of Peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remain, within the ſaid ten Days next after ſuch Indictment or Conviction; (3) upon Pain that every Perſon offending herein ſhall likewiſe forfeit to our ſaid Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, the like Sum of one hundred Pounds; the one Moiety whereof ſhall be to the King's Majeſty, his Heirs and Succeſſors, and the other to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of the King's Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

V. Provided always, That ſuch Perſon or Perſons as now uſe any Trade, Myſtery or manual Occupation within the ſaid City of *London*, or within ten Miles of the ſame, and ſuch as have or ſhall have their only Dwelling within the ſaid City, or ten Miles Compaſs of the ſame, not having any other Dwelling or Place of Abode elſewhere, ſhall or may remain and continue in ſuch Place within the ſaid City, or ten Miles of the ſame, as they have dwelled, inhabited or remained in by the Space of three Months next before this preſent Seſſion of Parliament; any Thing herein contained to the contrary notwithſtanding. Tradeſmen and Dwellers in London.

'VI. And whereas by a Statute made at *Weſtminſter* in the five and thirtieth Year of the Reign of 35 Eliz. c. 2.
'Queen *Elizabeth*, intituled, An Act for the Reſtraining of Popiſh Recuſants to ſome certain Place of
'Abode, it was amongſt other Things ordained and enacted, That every Popiſh Recuſant then or after
'convicted for not repairing to Church, Chapel, or uſual Place of Common Prayer, having any certain
'Place of Dwelling and Abode within this Realm, ſhould within the Time limited by the ſaid Statute re-
'pair to their Place of uſual Dwelling and Abode, or not having any certain Place of Dwelling or Abode
'within this Realm, ſhould likewiſe within the Time limited by the ſaid Statute repair to the Place where
'ſuch Perſon was born, or where the Father or Mother of ſuch Perſon ſhould be dwelling, and not at any
'Time remove or paſs above five Miles from thence, under the Pains in the ſaid Statute limited and pro- A Recuſant
'vided; (2) which Statute, by reaſon of ſundry Licences given unto ſuch Recuſants, under Colour of a confined.
'Proviſo in the ſaid Statute contained, hath not wrought that good Effect in the Commonwealth as was
'hoped:' (3) Be it therefore enacted and ordained by this preſent Parliament, and by the Authority of
the ſame, That the ſaid Statute made in the ſaid five and thirtieth Year of the ſaid Queen *Elizabeth*, for 35 Eliz. c. 2.
and concerning the Confining of the ſaid Recuſants under the Pains and Penalties therein contained, ſhall
by this Act, and by the Authority of the ſame, be confirmed, and be hereafter put in due Execution, ac- A Repeal of a
cording to the Tenor, true Intent and Meaning of the ſaid Statute in that Behalf made: (4) And that the Proviſo con-
ſaid Proviſo in the ſaid Statute contained, giving Power to grant Licence or Licences unto the ſaid Recu- tained in the
ſants, to go and travel from or out of the Compaſs of the ſaid five Miles, ſhall be from and after the End of Statute of
this preſent Seſſion of Parliament utterly repealed and void; any Thing in the ſaid Statute to the contrary touching Licence
in any wiſe notwithſtanding. to Recuſants.

VII. Provided nevertheleſs, and be it further enacted by this preſent Parliament, and by the Authority of the ſame, That it ſhall and may be lawful for the King's moſt excellent Majeſty, his Heirs and Succeſſors, or for three or more of his Majeſty's moſt honourable Privy Council, or for three or more of the Privy Council of his Heirs and Succeſſors, in Writing under the Hands of the ſaid Privy Councellors, to Licence to a
give Licence to every ſuch Recuſant to go and travel out of the Compaſs of the ſaid five Miles, for ſuch Recuſant con-
Time as in the ſaid Licence ſhall be contained, for their travelling, attending and returning, and without fined.
any other Cauſe to be expreſſed within the ſaid Licence: (2) And if any of the Perſons which are ſo con- Cro. Jac. 352.
fined by Virtue of the ſaid Statute, as is aforeſaid, ſhall have neceſſary Occaſion or Buſineſs to go and
travel out of the Compaſs of the ſaid five Miles, that then and in every ſuch Caſe, upon Licence in
Writing in that Behalf to be gotten, under the Hands and Seals of four of the Juſtices of Peace of the
ſame County, Limit, Diviſion or Place next adjoining to the Place of Abode of ſuch Recuſant, with the
Privity and Aſſent in Writing of the Biſhop of the Dioceſe, or of the Lieutenant, or of any Deputy-
Lieutenant of the ſame County reſiding within the ſaid County or Liberty, under their Hands and
Seals; (3) In every of which Licence or Licences in Writing ſo to be had and made, ſhall be ſpecified
and contained both the particular Cauſe of the ſaid Licence, and the Time how long the ſaid Party li-
cenced ſhall be abſent, in travelling, attending and returning: (4) It ſhall and may thereupon be law-
ful for every ſuch Perſon ſo licenced, to go and travel about ſuch their neceſſary Buſineſs, and for ſuch
Time only for their travelling, attending and returning, as ſhall be compriſed in the ſaid Licence, the ſaid
Party ſo licenced firſt taking his corporal Oath before the ſaid four Juſtices of the Peace, or any of them
(who ſhall have Authority by Virtue of this Act to miniſter the ſame) that he hath truly informed them

of

The Effect of a Licence to be granted by four Justices of Peace.

of the Cause of his Journey, and that he shall not make any causeless Stays: (5) And that all and every Licence hereafter to be made in this Behalf, contrary to the Tenor, Effect and true Meaning of this Statute, shall be utterly void, frustrate and of none Effect; any Thing in the said former Act, or in this Act to the contrary notwithstanding. (6) And every Person so confined, which shall depart or go above five Miles from the Place whereunto he is or shall be confined, not having such Licence, and not having taken such Oath as aforesaid, shall incur the Pain and Penalty, and forfeit as a Recusant convicted, and passing or going above five Miles from the said Place whereunto he is or shall be confined, by the said Statute of *Tricesimo quinto Elizabethæ*, should do.

35 Eliz. c. 2.

A Recusant disabled to practise certain Offices and Functions.

VIII. And be it further enacted by the Authority aforesaid, That no Recusant convict shall at any Time after the End of this Session of Parliament practice the Common Law of this Realm as a Counsellor, Clerk, Attorney or Solicitor in the same, nor shall practice the Civil Law as Advocate or Proctor; (2) nor practice Physick, nor use or exercise the Trade or Art of an Apothecary; (3) nor shall be Judge, Minister, Clerk or Steward of or in any Court, or keep any Court, nor shall be Register or Town-Clerk, or other Minister or Officer in any Court; (4) nor shall bear any Office or Charge as Captain, Lieutenant, Corporal, Serjeant, Ancientbearer or other Office in Camp, Troop, Band or Company of Soldiers; nor shall be Captain, Master, Governor, or bear any Office or Charge of or in any Ship, Castle or Fortress of the King's Majesty's, his Heirs and Successors; (5) but be utterly disabled for the same: (6) And every Person offending herein shall also forfeit for every such Offence one hundred Pounds; the one Moiety whereof shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him that will sue for the same by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

No Recusant shall be a publick Officer.

IX. And be it also enacted by the Authority aforesaid, That no Popish Recusant convict, nor any having a Wife being a Popish Recusant convict, shall at any Time after the End of this Session of Parliament, or any Popish Recusant hereafter to be convict, or having a Wife which hereafter shall be a Popish Recusant convict, at any Time after his or her Conviction, shall exercise any publick Office or Charge in the Commonwealth, but shall be utterly disabled to exercise the same by himself, or by his Deputy; except such Husband himself, and his Children which shall be above the Age of nine Years abiding with him, and his Servants in Household, shall once every Month at the least, not having any reasonable Excuse to the contrary, repair to some Church or Chapel usual for Divine Service, and there hear Divine Service; (2) and the said Husband, and such his Children and Servants as are of meet Age, receive the Sacrament of the Lord's Supper at such Times as are limited by the Laws of this Realm, and do bring up his said Children in true Religion.

A Woman married Recusant. 7 Jac. 1. c. 6.

X. And be it also enacted by the Authority aforesaid, That every married Woman, being or that shall be a Popish Recusant convicted, (her Husband not standing convicted of Popish Recusancy) which shall not conform herself and remain conformed, but shall forbear to repair to some Church or usual Place of Common Prayer, and there to hear Divine Service and Sermon, if any then be, and within the said Year receive the Sacrament of the Lord's Supper, according to the Laws of this Realm, by the Space of one whole Year next after the Death of her said Husband, shall forfeit and lose to the King's Majesty, his Heirs and Successors, the Issues and Profits of two Parts of her Jointure, and two Parts of her Dower, in three Parts to be divided, during her Life, of or out of any the Lands, Tenements or Hereditaments, which are or were her said Husband's, and also be disabled to be Executrix or Administratrix of her said Husband, and to have or demand any Part or Portion of her said late Husband's Goods or Chattels, by any Law, Custom or Usage whatsoever.

A Recusant shall be as excommunicated. 2 Bulstr. 155.

XI. And be it further enacted by the Authority aforesaid, That every Popish Recusant which is or shall be convicted of Popish Recusancy, shall stand and be reputed to all Intents and Purposes disabled, as a Person lawfully and duly excommunicated, and as if he or she had been so denounced and excommunicated according to the Laws of this Realm, until he or she so disabled shall conform him and herself, and come to Church, and hear Divine Service, and receive the Sacrament of the Lord's Supper, according to the Laws of this Realm, and also take the Oath appointed and prescribed in one other Act made this present Session of Parliament, intituled, 'An Act for the better Discovering and Repressing of 'Popish Recusants:' (2) And that every Person and Persons sued or to be sued by such Person so disabled, shall and may plead the same in disabling of such Plaintiff, as if he or she were excommunicated by Sentence in the Ecclesiastical Court.

3 Jac. 1. c. 4.

What Actions a Recusant may prosecute. Latch 172, 177.

XII. Provided nevertheless, That it shall and may be lawful for any such Person so disabled, for and notwithstanding any Thing in this Law contained, to sue or prosecute any Action or Suit for or concerning only such of his or her Lands, Tenements, Leases, Rents, Annuities and Hereditaments, or for the Issues and Profits thereof, which are not to be seized or taken into the King's Hands, his Heirs or Successors, by Force of any Law, for or concerning his or her Recusancy, or any Part thereof.

Recusants Marriages by Priests, &c.

'XIII. And for that Popish Recusants are not usually married, nor their Children christned, nor 'themselves buried according to the Law of the Church of *England*, but the same are done superstitiously by Popish Persons in secret, whereby the Days of their Marriages, Births and Burials cannot 'be certainly known:' (2) Be it further enacted by Authority of this present Parliament, That every Man being or which shall be a Popish Recusant convicted, and who shall be hereafter married otherwise than in some open Church or Chapel, and otherwise than according to the Orders of the Church of *England*, by a Minister lawfully authorized, shall be utterly disabled and excluded to have any Estate of Freehold into any the Lands, Tenements and Hereditaments of his Wife, as Tenant by the Courtesy of *England*: (3) And that every Woman being, or which shall be, a Popish Recusant convicted, and who shall be hereafter married in other Form than as aforesaid, shall be utterly excluded and disabled, not only to claim any Dower of the Inheritance of her Husband, whereof she may be endowable, or any Jointure

of the Lands and Hereditaments of her Husband, or any of his Ancestors, but also of her Widow's Estate and Frank-bank in any customary Lands whereof her Husband died seised, and likewise be disabled and excluded to have or enjoy any Part or Portion of the Goods of her said Husband, by Virtue of any Custom of any County, City or Place where the same shall lie or be; (4) and if any such Man shall be married with any Woman contrary to the Intent and true Meaning of this Act, which Woman hath or shall have no Lands, Tenements or Hereditaments, whereof he may be entituled to be Tenant by the Courtesy, then such Man so marrying as aforesaid, shall forfeit and lose one hundred Pounds, the one Half thereof to be to the King's Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

The Baptism of Recusants Children.

XIV. And that every Popish Recusant which shall hereafter have any Child born, shall within one Month next after the Birth thereof cause the same Child to be baptized by a lawful Minister, according to the Laws of this Realm, in the open Church of the same Parish where the Child shall be born, or in some other Church near adjoining, or Chapel where Baptism is usually administred: Or if by Infirmity of the Child it cannot be brought to such Place, then the same shall within the Time aforesaid be baptized by the lawful Minister of any of the said Parishes or Places aforesaid; (2) upon Pain that the Father of such Child, if he be living by the Space of one Month next after the Birth of such Child, or if he be dead within the said Month, then the Mother of such Child, shall for every such Offence forfeit one hundred Pounds of lawful Money of *England*; one third Part whereof to be to the King's Majesty, his Heirs and Successors; one other third Part to the Informer, or him that will sue for the same, and the other third Part to the Poor of the said Parish, to be recovered by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

The Forfeiture for burying Recusants, not excommunicate, out of the Church or Church-yard.

XV. And if any Popish Recusant, Man or Woman, not being excommunicate, shall be buried in any Place other than in the Church or Church-yard, or not according to the Ecclesiastical Laws of this Realm, that the Executors or Administrators of every such Person so buried, knowing the same, or the Party that causeth him to be so buried, shall forfeit the Sum of twenty Pounds; the one third Part whereof shall be to our Sovereign Lord the King; the other third Part to the Informer, or him or them that will sue for the same; and the other third Part to the Poor of the Parish where such Person died, to be recovered by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

The Forfeiture of Children departing the Realm.

3 Jac. 1. c. 4.
Hob. 73.
1 Roll 108.

XVI. And be it further enacted by this present Parliament, That if the Children of any Subject within this Realm (the said Children not being Soldiers, Mariners, Merchants, or their Apprentices or Factors) to prevent their good Education in *England*, or for any other Cause, shall hereafter be sent or go beyond Seas, without Licence of the King's Majesty, or six of his Honourable Privy Council (whereof the principal Secretary to be one) under their Hands and Seals, That then all and every such Child and Children so sent, or which shall so go beyond the Seas, shall take no Benefit by any Gift, Conveyance, Descent, Devise or otherwise, of or to any Lands, Tenements, Hereditaments, Leases, Goods or Chattels, until he or they being of the Age of eighteen Years or above, take the Oath mentioned in an Act of Parliament made this present Session, intituled, 'An Act for the better Discovering and Repressing of Popish Recusants,' before some Justice of Peace of the County, Liberty or Limit, where such Parents of such Children as shall be so sent, did and shall inhabit or dwell; (2) and that in the mean Time the next of his or her Kin, which shall be no Popish Recusant, shall have and enjoy the said Lands, Tenements, Hereditaments, Leases, Goods and Chattels so given, conveyed, descended or devised, until such Time as the Person so sent or gone beyond the Seas, shall conform him or herself, and take the aforesaid Oath, and receive the Sacrament of the Lord's Supper: (3) And after such Oath taken, and conforming of himself, and receiving the Sacrament of the Supper of the Lord, he or they which have so received the Profits of the said Lands, Tenements, Hereditaments, Goods and Chattels or any of them, shall make Account of the Profits so received, and in reasonable Time make Payment thereof, and restore the Value of the said Goods to such Person as shall so conform him or herself as aforesaid: (4) And that all such Persons as shall send the said Child or Children over Seas, without Licence as aforesaid (unless the said Child or Children be Merchants, or their Apprentices or Factors, Mariners or Soldiers) shall forfeit one hundred Pounds, to be divided, had and recovered in three equal Parts, whereof the one third Part shall be to the King, his Heirs and Successors, the other third Part to such as shall sue for the same, and the other third Part to the Poor of such Parish where such Offender doth inhabit or remain, by Action of Debt, Bill, Plaint or Information, in any the King's Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

The Forfeiture of him who sendeth his Child beyond the Sea.

1 Jac. 1. c. 4.
3 Car. 1. c. 2. Altered by 11 & 12 W. 3. c. 4. sect. 6.

'XVII. And for that many Subjects of this Realm, being neither Merchants, nor their Factors, nor 'Apprentices, Soldiers nor Mariners, are of late gone beyond the Seas without Licence, and are not as 'yet returned,' (2) Be it further enacted by the Authority of this present Parliament, That if any of the said Persons so gone beyond the Seas without Licence, which are not yet returned, shall not within six Months next after their Return into this Realm, then being of the Age of eighteen Years or more, take the Oath above specified before some Justice of Peace of the County, Liberty or Limit, where such Person shall inhabit or remain, that then every such Offender shall take no Benefit by any Gift, Conveyance, Descent, Devise, or otherwise, of or to any Lands, Tenements, Hereditaments, Goods or Chattels, until he or they, being of the said Age of eighteen Years or above, take the said Oath: (3) And that likewise in the mean Time the next of Kin to the Person so offending, which shall be no Popish Recusant, shall have and enjoy the said Lands, Tenements, Hereditaments, Goods and Chattels so given, conveyed, descended or devised, until such Time as the Person so offending shall conform himself, and take the aforesaid

The Forfeiture of the Persons gone beyond Sea.

ſaid Oath, and receive the ſaid Sacrament of the Lord's Supper; (4) and after ſuch conforming, taking of the ſaid Oath, and receiving of the ſaid Sacrament, he or they that ſhall have ſo received the Profits of the ſaid Lands, Tenements, Hereditaments, Goods and Chattels, ſhall make Account of the Profits ſo received, and in reaſonable Time make Payment thereof, and of the Value of ſuch Goods and Chattels, to ſuch Perſon as ſhall ſo conform him or herſelf as aforeſaid.

A Recuſant ſhall not preſent to a Benefice, nor grant an Advowſon. Enlarged by 1 W. & M. Seſſ. 1. c. 26. and 12 Annæ, Stat. 2. c. 14.

XVIII. And be it further enacted by the Authority of this preſent Parliament, That every Perſon or Perſons that is or ſhall be a Popiſh Recuſant convict, during the Time that he ſhall be or remain a Recuſant, ſhall from and after the End of this preſent Seſſion of Parliament, be utterly diſabled to preſent to any Benefice with Cure or without Cure, Prebend or any other Eccleſiaſtical Living, or to collate or nominate to any Free School, Hoſpital or Donative whatſoever, and from the Beginning of this preſent Seſſion of Parliament, ſhall likewiſe be diſabled to grant any Avoidance to any Benefice, Prebend or other Eccleſiaſtical Living.

The Chancellor and Scholars of Oxford ſhall preſent to a Recuſant's Benefice in certain Counties. Jones 17.

XIX. And that the Chancellor and Scholars of the Univerſity of *Oxford*, ſo often as any of them ſhall be void, ſhall have the Preſentation, Nomination, Collation and Donation of and to every ſuch Benefice, Prebend or Eccleſiaſtical Living, School, Hoſpital and Donative, ſet, lying and being in the Counties of *Oxford*, *Kent*, *Middleſex*, *Suſſex*, *Surrey*, *Hampſhire*, *Berkſhire*, *Buckinghamſhire*, *Glouceſterſhire*, *Worceſterſhire*, *Staffordſhire*, *Warwickſhire*, *Wiltſhire*, *Somerſetſhire*, *Devonſhire*, *Cornwal*, *Dorſetſhire*, *Herefordſhire*, *Northamptonſhire*, *Pembrokeſhire*, *Caermarthenſhire*, *Brecknockſhire*, *Monmouthſhire*, *Cardiganſhire*, *Montgomeryſhire*, the City of *London*, and in every City and Town, being a County of itſelf, lying and being within any of the Limits or Precincts of any of the Counties aforeſaid, or in, or within any of them, as ſhall happen to be void during ſuch Time as the Patron thereof ſhall be and remain a Recuſant convict as aforeſaid.

The Chancellor and Scholars of Cambridge.

XX. And that the Chancellor and Scholars of the Univerſity of *Cambridge*, ſhall have the Preſentation, Nomination, Collation and Donation of and to every ſuch Benefice, Prebend or Eccleſiaſtical Living, School, Hoſpital and Donative, ſet, lying and being in the Counties of *Eſſex*, *Hertfordſhire*, *Bedfordſhire*, *Cambridgeſhire*, *Huntingtonſhire*, *Suffolk*, *Norfolk*, *Lincolnſhire*, *Rutlandſhire*, *Leiceſterſhire*, *Darbyſhire*, *Nottinghamſhire*, *Shropſhire*, *Cheſhire*, *Lancaſhire*, *Yorkſhire*, the County of *Durham*, *Northumberland*, *Cumberland*, *Weſtmerland*, *Radnorſhire*, *Denbiſhire*, *Flintſhire*, *Carnarvonſhire*, *Angleſeyſhire*, *Merionethſhire*, *Glamorganſhire*, and in every City and Towu, being a County of itſelf, lying within any of the Limits or Precincts of any of the Counties laſt before mentioned, or in or within any of them, as ſhall happen to be void during ſuch Time as the Patron thereof ſhall be and remain a Recuſant convict as aforeſaid.

None ſhall be preſented who hath another Benefice.

XXI. Provided, That neither of the ſaid Chancellors and Scholars of either of the ſaid Univerſities, ſhall preſent or nominate to any Benefice with Cure, Prebend or other Eccleſiaſtical Living, any ſuch Perſon as ſhall then have any other Benefice with Cure of Souls, and if any ſuch Preſentation or Nomination ſhall be had or made of any ſuch Perſon ſo Beneficed, the ſaid Preſentation or Nomination ſhall be utterly void; any Thing in this Act to the contrary notwithſtanding.

A Recuſant ſhall not be Executor or Adminiſtrator.

'XXII. Moreover, becauſe Recuſants convict are not thought meet to be Executors or Adminiſtrators 'to any Perſon or Perſons whatſoever, nor to have the Education of their own Children, much leſs of the 'Children of any other of the King's Subjects, nor to have the Marriage of them;' (2) Be it therefore enacted by the Authority aforeſaid, That ſuch Recuſants convicted, or which ſhall be convicted at the Time of the Death of any Teſtator, or at the Time of the Granting of any Adminiſtration, ſhall be diſabled to be Executor or Adminiſtrator by Force of any Teſtament hereafter to be made, or Letters of Adminiſtration hereafter to be granted, nor ſhall have the Cuſtody of any Child, as Guardian in Chivalry,

A Recuſant ſhall be no Guardian.

Guardian in Socage, or Guardian in Nurture, of any Lands, Tenements or Hereditaments, being Freehold or Copyhold, but ſhall be adjudged diſabled to have any ſuch Wardſhip or Cuſtody of any ſuch Child, or of their Lands, Tenements or Hereditaments, being Freehold or Copyhold as aforeſaid.

Who ſhall have the Wardſhip.

XXIII. And that for the better Education and Preſervation of the ſaid Children, and of their Eſtates, the next of the Kin to ſuch Child or Children, to whom the ſaid Lands, Tenements or Hereditaments of ſuch Child or Children cannot lawfully deſcend, who ſhall uſually reſort to ſome Church or Chapel, and there hear Divine Service, and receive the Holy Sacrament of the Lord's Supper thrice in the Year next before, according to the Laws of this Realm, ſhall have the Cuſtody and Education of the ſame Child, and of his ſaid Lands and Tenements, being holden in Knights Service, until the full Age of the ſaid Ward of one and twenty Years, and of his ſaid Lands, Tenements and Hereditaments, being holden in Socage, as a Guardian in Socage, (2) and of the ſaid Lands, Tenements and Hereditaments holden by Copy of Court-Roll of any Manor, ſo long as the Cuſtom of the ſaid Manor ſhall permit and allow the ſame; (3) and in every of the ſaid Caſes ſhall yield an Account of the Profits thereof to the ſaid Ward, as the Caſe ſhall require.

The King's Wards.

XXIV. And that if at any Time hereafter, any of the Wards of the King's Majeſty, or of any other, ſhall be granted or ſold to any Popiſh Recuſant convict, ſuch Grant or Sale ſhall be utterly void and of none Effect.

Popiſh Books.

XXV. And be it further enacted by the Authority of this preſent Parliament, That no Perſon or Perſons ſhall bring from beyond the Seas, nor ſhall print, ſell or buy any Popiſh Primers, Ladies Pſalters, Manuals, Roſaries, Popiſh Catechiſms, Miſſals, Breviaries, Portals, Legends and Lives of Saints, containing ſuperſtitious Matter, printed or written in any Language whatſoever, nor any other ſuperſtitious Books printed or written in the *Engliſh* Tongue; (2) upon Pain of Forfeiture of forty Shillings for every ſuch Book; one third Part thereof to be to the King's Majeſty, his Heirs and Succeſſors, one other third Part to him that will ſue for the ſame, and the other third Part to the Poor of the Pariſh where ſuch Book or Books ſhall be found, to be recovered by Action of Debt, Bill, Plaint or Information, in any of the King's Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed, and the ſaid Books to be burned.

XXVI. And that it ſhall be lawful for any two Juſtices of Peace within the Limits of their Juriſdiction or Authority, and to all Mayors, Bailiffs and Chief Officers of Cities and Towns Corporate in their Liberties from Time to Time, to ſearch the Houſes and Lodgings of every Popiſh Recuſant convict, or of every Perſon whoſe Wife is or ſhall be a Popiſh Recuſant convict, for Popiſh Books and Relicks of Popery: (2) And that if any Altar, Pix, Beads, Pictures, or ſuch like Popiſh Relicks, or any Popiſh Book or Books, ſhall be found in their or any of their Cuſtody, as in the Opinion of the ſaid Juſtices, Mayor, Bailiff or Chief Officer, as aforeſaid, ſhall be thought unmeet for ſuch Recuſant, as aforeſaid, to have or uſe the ſame, ſhall be preſently defaced and burnt, if it be meet to be burned: (3) And if it be a Crucifix, or other Relick of any Price, the ſame to be defaced at the General Quarter-Seſſions of the Peace in the County where the ſame ſhall be found, and the ſame ſo defaced to be reſtored to the Owner again.

Juſtices may ſearch for Books printed, &c.

A Crucifix defaced.

XXVII. And be it alſo enacted by the Authority aforeſaid, That all ſuch Armour, Gunpowder and Munition, of whatſoever Kinds, as any Popiſh Recuſant convict within this Realm of *England*, hath or ſhall have in his Houſe or Houſes, or elſewhere, or in the Hands or Poſſeſſion of any other at his or their Diſpoſition, ſhall be taken from ſuch Popiſh Recuſants or others which have or ſhall have the ſame to the Uſe of ſuch Popiſh Recuſant, by Warrant of four Juſtices of Peace at their General or Quarter-Seſſions, to be holden in the ſame County where ſuch Popiſh Recuſant ſhall be reſident (other than ſuch neceſſary Weapons, as ſhall be thought fit by the ſaid four Juſtices of Peace to remain and be allowed for the Defence of the Perſon or Perſons of ſuch Recuſants, or for the Defence of his, her or their Houſe or Houſes) and that the ſaid Armour and Munition ſo taken, ſhall be kept and maintained at the Coſts of ſuch Recuſants, in ſuch Places as the ſaid four Juſtices of Peace at their ſaid Seſſions of the Peace ſhall ſet down and appoint.

A Recuſant's Armour.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any ſuch Recuſant having or which ſhall have any ſuch Armour, Gunpowder and Munition, or any of them, or if any other Perſon or Perſons which ſhall have any ſuch Armour, Gunpowder and Munition, or any of them, to the Uſe of any ſuch Recuſant, ſhall refuſe to declare or manifeſt unto the ſaid Juſtices of the Peace, or any of them, what Armour he, ſhe or they have, or ſhall have, or ſhall let, hinder or diſturb the Delivery thereof, to any of the ſaid Juſtices, or to any other Perſon or Perſons authorized by their Warrant to take and ſeize the ſame; then every ſuch Perſon ſo offending contrary to this Statute in this Behalf, ſhall forfeit and loſe to the King's Majeſty, his Heirs and Succeſſors, his and their ſaid Armour, Gunpowder and Munition, and ſhall alſo be impriſoned by Warrant of or from any Juſtices of Peace of ſuch County, by the Space of three Months, without Bail or Mainprize.

The Forfeiture of a Recuſant not delivering his Armour.

XXIX. And yet nevertheleſs, be it enacted by the Authority aforeſaid, That notwithſtanding the taking away of ſuch Armour, Gunpowder and Munition, the ſaid Popiſh Recuſant ſhall and may be charged with the maintaining of the ſame, and with the buying, providing and maintaining of Horſe, and other Armour and Munition, in ſuch Sort as other his Majeſty's Subjects from Time to Time ſhall be appointed and commanded, according to their ſeveral Abilities and Qualities, and that the ſaid Armour and Munition, at the Charge of ſuch Popiſh Recuſant, for them, and as their own Proviſion of Armour and Munition, ſhall be ſhewed at every Muſter, Shew or Uſe of Armour to be had or made within the ſaid County.

A Recuſant ſhall maintain his Armour.

XXX. Provided always, That neither this Act, nor any Thing therein contained, ſhall extend to take away or abridge the Authority or Juriſdiction of the Eccleſiaſtical Cenſures, for any Cauſe or Matter; but that the Commiſſioners of his Majeſty, his heirs and Succeſſors, in Cauſes Eccleſiaſtical, for the Time being, Archbiſhops, Biſhops and other Eccleſiaſtical Judges, may do and proceed as before the making of this Act they lawfully did or might have done; any Thing in this Act to the contrary in any wiſe notwithſtanding.

Eccleſiaſtical Cenſures.

*Farther Proviſons relating hereto* 7 *Jac.* 1. *c.* 6. 25 *Car.* 2. *c.* 2. & 16 *Geo.* 2. *c.* 30.

## CAP. VI.

### An Act to enable all his Majeſty's loving Subjects of *England* and *Wales*, to trade freely into the Dominions of *Spain*, *Portugal* and *France*.

Explained by 4 *Jac.* 1. *c.* 9. ſect. 3.

'WHEREAS divers Merchants have of late obtained from the King's moſt excellent Majeſty, under the Great Seal of *England*, a large Charter of Incorporation for them and their Company to trade into the Dominions of *Spain* and *Portugal*, and are alſo moſt earneſt Suitors to obtain the like from his ſaid Majeſty for *France*, whereby none but themſelves, and ſuch as they ſhall think fit, as being meer Merchants, ſhall take Benefit of the ſaid Charter, diſabling thereby all others his Majeſty's loving Subjects of this Realm of *England* and *Wales*, who during all the Time of her late Majeſty's Wars, were in divers Reſpects greatly charged for the Defence of their Prince and Country, and therefore ought indifferently to enjoy all the Benefits of this moſt Happy Peace; (2) and alſo debarring them from that free Enlargement of common Traffick into thoſe Dominions, which others his Majeſty's Subjects of his Realms of *Scotland* and *Ireland* do enjoy; (3) to the manifeſt impoveriſhing of all Owners of Ships, Maſters, Mariners, Fiſhermen, Clothiers, Tuckers, Spinſters, and many thouſands of all Sorts of Handicraftſmen, beſides the Decreaſe of his Majeſty's Cuſtoms, Subſidies and other Impoſitions; and the Ruin and Decay of Navigation, together with the Abating of the Prices of our Wools, Cloth, Corn and ſuch like Commodities, ariſing and growing within this his ſaid Majeſty's Realm of *England*, and the inhancing of all *French* and *Spaniſh* Commodities, by reaſon of the Inſufficiency of the Merchants, they being few in Number, and not of Ability to keep the great Number of our Ships and Seafaring-Men awork, and to vent the great Store of Commodities which this his Majeſty's Dominion of *England* doth yield; (4) and by Means that all Owners and Mariners, with divers others (if theſe Incorporations ſhould continue) ſhall be cut off from their ordinary Means of Maintenance, and preſerving their Eſtates; and finally, by reaſon that all *French* and *Spaniſh* Commodities ſhall be in a few Mens hands;

The King granted a Charter of Incorporation to certain Merchants to trade into Spain, &c. Skinner 132

The ſeveral Inconveniences that would enſue if the ſaid Charter ſhould take Effect.

'(5) In reſpect whereof, as alſo for many other manifold Inconveniencies growing thereby, much Hurt 'and Prejudice muſt needs redound to all his Majeſty's loving Subjects of this his Highneſs Realm of 'England, if Reformation for the Prevention of ſo great an Evil be not had in due Time:' (6) For Remedy whereof, be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all his Majeſty's Subjects of this his Highneſs Realm of *England* and *Wales*, from henceforth at all Times to have free Liberty to trade into and from the Dominions of *Spain*, *Portugal* and *France*, in ſuch Sort, and in as free Manner, as was at any Time accuſtomed ſithence the Beginning of this his Highneſs moſt happy Reign in this his Realm of *England*, and at any Time before the ſaid Charter of Incorporation was granted, paying to the King's moſt excellent Majeſty, his Heirs and Succeſſors, all ſuch Cuſtoms and other Duties as by the Laws and Statutes of this Realm ought to be paid and done for the ſame: The ſaid Charter of Incorporation, or any other Charter, Grant, Act, or any Thing elſe, heretofore made or done, or hereafter to be done, to the contrary in any wiſe notwithſtanding.

All the Kings Subjects may trade into and from Spain, Portugal and France.

II. Provided always, That this Act, or any Thing therein contained, ſhall not be of Force to enable or give Liberty to any Perſon or Perſons to go over Seas without Licence, who by the Laws and Statutes of this Realm, or by any Statute hereafter to be made, ſhall be reſtrained from going beyond the Seas without Licence; any Thing to the contrary notwithſtanding.

None reſtrained by Law may depart the Realm without Licence.

## CAP. VII.

### An Act to reform the Multitudes and Miſdemeanors of Attornies and Solicitors at Law, and to avoid unneceſſary Suits and Charges in Law.

'FOR that through the Abuſe of ſundry Attornies and Solicitors by charging their Clients with exceſſive Fees and other unneceſſary Demands, ſuch as were not, ne ought by them to have been 'employed or demanded, whereby the Subjects grow to be overmuch burthened, and the Practice of 'the juſt and honeſt Serjeant and Counſellor at Law greatly ſlandered: And for that to work the pri'vate Gain of ſuch Attornies and Solicitors, the Client is oftentimes extraordinarily delayed:' (2) Be it enacted by the Authority of this preſent Parliament, That no Attorney, Solicitor, or Servant to any, ſhall be allowed from his Client or Maſter, of or for any Fee given to any Serjeant or Counſellor at Law, or of or for any Sum or Sums of Money given for Copies to any Clerk or Clerks or Officers in any Court or Courts of Record at *Weſtminſter*, unleſs he have a Ticket ſubſcribed with the Hand and Name of the ſame Serjeant or Counſellor, Clerk or Clerks, or Officers aforeſaid, teſtifying how much he hath received for his Fee, or given or paid for Copies, and at what Time, and how often: (3) And that all Attornies and Solicitors ſhall give a true Bill unto their Maſters or Clients, or their Aſſigns, of all other Charges concerning the Suits which they have for them, ſubſcribed with his own Hand and Name, before ſuch Time as they or any of them ſhall charge their Clients with any the ſame Fees or Charges: (4) And that if the Attorney or Solicitor do or ſhall willingly delay his Clients Suits to work his own Gain, or demand by his Bill any other Sums of Money, or Allowance upon his Account of any Money which he hath not laid out or diſburſed, that in every ſuch Caſe the Party grieved ſhall have his Action againſt ſuch Attorney or Solicitor, and recover therein Coſts and treble Damages, and the ſaid Attorney and Solicitor ſhall be diſcharged from thenceforth from being an Attorney or Solicitor any more.

An Attorney ſhall have a Ticket of the Money which he giveth for Fees, &c. 1 Salk. 86. Aleyn 4. A Bill of Charges. Carthew 57, 147. Raym. 245.

An Attorney delaying his Client's Suit or demanding more than is due. 2 Geo. 2. c. 22. ſect. 23.

II. And to avoid the infinite Numbers of Solicitors and Attornies, be it enacted by the Authority of this preſent Parliament, That none ſhall from henceforth be admitted Attornies in any the King's Courts of Record aforeſaid, but ſuch as have been brought up in the ſame Courts, or otherwiſe well practiſed in ſoliciting of Cauſes, and have been found by their Dealings to be ſkilful and of honeſt Diſpoſition: (2) And that none to be ſuffered to ſolicit any Cauſe or Cauſes in any of the Courts aforeſaid, but only ſuch as are known to be Men of ſufficient and honeſt Diſpoſition: (3) And that no Attorney ſhall admit any other to follow any Suit in his Name; upon Pain that both the Attorney and he that followeth any ſuch Suit in his Name, ſhall each of them forfeit for ſuch Offence twenty Pound; the one Moiety whereof to our Sovereign Lord the King, his Heirs and Succeſſors, and the other Moiety to the Party grieved, to be recovered in any the ſaid Courts of Record aforeſaid, by original Writ of Debt, Bill, Plaint or Information, wherein no manner of Eſſoin, Wager of Law or Protection ſhall be allowed: And that the Attorney in ſuch Caſe ſhall be excluded from being an Attorney for ever thereafter.

Who only ſhall be Attornies or Solicitors. 2 Geo. 2. c. 23.

No following of a Suit in another's Name. 2 Geo. 2. c. 23. ſect. 10. *Further Proviſions relating to Attornies*, 12 *Geo.* 1. c. 29 2 *Geo.* 2. c. 23. 6 *Geo.* 2. c. 27. 22 *Geo.* 2. c. 13.

22 *Geo.* 2. *c.* 46. 23 *Geo.* 2. *c.* 26. *and* 33 *Geo.* 2. *c.* 16.

## CAP. VIII.

### An Act to avoid unneceſſary Delays of Executions.

'FOraſmuch as his Highneſs Subjects are now more commonly withholden from their juſt Debts, and 'often in Danger to loſe the ſame, by Means of Writs of Error, which are more commonly ſued 'than heretofore they have been:' (2) Be it therefore enacted by the Authority of this preſent Parliament, That from and after the End of this preſent Seſſion of Parliament no Execution ſhall be ſtayed or delayed upon or by any Writ of Error, or *Superſedeas* thereupon to be ſued, for the reverſing of any Judg-

In what Caſes Execution ſhall not be ſtayed upon the Suit of a Writ of Error. 2 Bulſtr. 53, 284.

3 *H.* 8. *c.* 5.

Judgment given, or to be given, in any Action or Bill of Debt upon any ſingle Bond for Debt; (3) or upon any Obligation, with Condition for the Payment of Money only; (4) or upon any Action or Bill of Debt for Rent, or upon any Contract; (5) ſued in any of his Highneſs Courts of Record at *Weſtminſter*, or in the Counties Palatine of *Cheſter*, *Lancaſter* or *Durham*, or in his Highneſs Courts of Great Seſſions in any of the twelve Shires of *Wales*; (6) unleſs ſuch Perſon or Perſons in whoſe Name or Names ſuch Writ of Error ſhall be brought, with two ſufficient Sureties, ſuch as the Court (wherein ſuch Judgment is or ſhall be given) ſhall allow of, ſhall firſt before ſuch Stay made, or *Superſedeas* to be awarded, be bound unto the Party for whom any ſuch Judgment is or ſhall be given, by Recognizance to be acknowledged in the ſame Court, in double the Sum adjudged to be recovered by the ſaid former Judgment, to proſecute the ſaid Writ of Error with Effect, and alſo to ſatisfy and pay (if the ſaid Judgment be affirmed) all and ſingular the Debts, Damages and Coſts, adjudged or to be adjudged upon the former Judgment; and all Coſts and Damages to be alſo awarded for the ſame delaying of Execution. (7) This Act to have Continuance to the End of the firſt Seſſion of the next Parliament. [Made perpetual by 3 Car. 1. c. 4. ſect. 4. 16 & 17 Car. 2. c. 8.]

Moor 853. pl. 1165. Cro. Jac. 402. Cro. Car. 59. 1 Roll 329, 392. 2 Roll 140. Farther Proviſions relating hereto, 13 Car. 2. Stat. 2. c. 2. 4 Mod. 7, 8, 245, 246. Cro. Car. 59. Mod. Caſes in Law 79, 237. Continuance of this Statue.

*Farther Proviſions relating to Executions,* 21 *Jac.* 1. *c.* 24. 16 & 17 *Car.* 2. *c.* 5 & 8. *and* 29 *Car.* 2. *c.* 3.

## CAP. IX.

### An Act for the Relief of ſuch as lawfully uſe the Trade and Handicraft of Skinners.

'WHEREAS the ſaid Artizan Skinners before the one and twentieth Year of the late Queen were at Liberty, and uſually did tranſport into the Eaſt-land Countries, Coney-ſkins, and Lamb-ſkins called Morkins, of the Growth of this Kingdom, being in great Requeſt in thoſe Countries, without Contradiction: In which one and twentieth Year of her Majeſty's Reign the Eaſt-land Merchants procured a Charter from her Majeſty, in which is contained a Prohibition therein, that none but they the Merchants of thoſe Countries might tranſport any Merchandizes thither: (2) Sithence which Time the ſaid Artizan Skinners have by Colour of thoſe Letters Patents been reſtrained from Tranſportation, and thereupon did for the Maintenance of them and their poor Families apply themſelves to their Handy Labours, and to provide and buy within this Realm, as well of Petty Chapmen as others, the ſaid Skins within this Kingdom; (3) And the Surpluſage over and above ſuch as they wrought into Manufactures, they ſold to the ſaid Merchants that had gotten the ſaid Letters Patents for Tranſportation as aforeſaid; (4) by Reaſon whereof the ſaid Artizan Skinners, with their Wives and Families, lived in good Manner, and maintained many Thouſands, both Tawers and other Workmen, and very many of them were Subſidy-men, and Men that paid many Duties in good Sort; (5) until of late Time that divers Merchants and others, for their own private Gain, do by themſelves, their Factors and Servants, in diſorderly and unmerchant-like Manner, buy, foreſtall, ingroſs and provide the ſaid Commodities, and ſo draw the whole Trade into their own Hands, and work the ſame in their own Houſes, and not contented therewith, do likewiſe ſell and retail the ſaid Skins here again unto other Merchant-Strangers, whereby they do deprive the ſaid Artizan Skinners both from buying, ſelling and Tranſportation, and thereupon the whole Trade of Artizan Skinners is utterly impoveriſhed generally throughout *England*:'

Qu. Elizabeth's Charter to the Eaſt-land Merchants, that none but they ſhould tranſport Merchandize thither.

By what Means the Artizan Skinners lived.

II. Be it therefore enacted by our Sovereign Lord the King's Majeſty, by the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons after the End of three Months next enſuing after the End of this preſent Seſſion of Parliament, uſing the Trade of Merchandize or any other, ſhall dreſs or cauſe to be dreſſed, in his or their Houſe or Houſes, or by any Workman appointed by them for that Purpoſe (thoſe Workmen not being Artizan Skinners, and uſing the Trade of the Artizan Skinners) any of the black Coney-ſkins of this Kingdom; (2) nor ſhall tranſport or carry beyond the Seas, nor cauſe to be tranſported or carried beyond the Seas, nor ſhall pack, ſhip or lade, to the Intent to tranſport or carry beyond the Seas, any black Coney-ſkins of the Breed of this Realm, unleſs the ſame Skins ſhall firſt be tawed and duly and perfectly wrought, dreſſed and packed within this Realm, by thoſe that are Artizan Skinners or Tawers unto the ſaid Artizan Skinners, according to the Science, Art and Faculty of the Artizan Skinners; (3) upon Pain of Forfeiture of ſuch Skins ſo packed, ſhipped, laden and tranſported, contrary to this Act, or the juſt and full Value thereof.

Merchants ſhall not dreſs black Coney-ſkins, nor tranſport them undreſſed;

III. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons uſing or exerciſing the Trade of a Merchant, ſhall after the End of the ſaid three Months next enſuing after the End of this preſent Seſſion of Parliament, buy, bargain or contract for, or cauſe to be bought, bargained or contracted for, any Coney-ſkins or Lamb-ſkins, commonly called Morkins, of the Breed of this Realm, or being within this Realm, under the Number of one thouſand black Coney-ſkins, or three thouſand Grey Coney-ſkins, or two thouſand Lamb-ſkins called Morkins, at a Time, and thoſe not to be bought or contracted for in or by Parcels, but to be contracted for, bargained and delivered at one Time intirely together, and not by Parcels, (except it be of the Artizan Skinners) (2) nor ſhall utter or ſell the ſame again, nor any Part thereof, to any Perſon or Perſons within this Realm in ſmall Parcels: That is to ſay, under the Number of one thouſand black Coney-ſkins, and three thouſand of grey Coney-ſkins, and two thouſand of Morkins at a Time, unleſs it be to the Artizan Skinner; (3) upon Pain of Forfeiture of the ſaid Skins or the full Value of the ſame.

How many Coney-ſkins at the leaſt a Merchant muſt buy, and ſell at one Time.

IV. And be it further enacted by the Authority aforeſaid, That after the End of the ſaid three Months next enſuing after the End of this preſent Seſſion of Parliament, no Perſon or Perſons ſhall take, retain or keep any Servant, Journeyman or Apprentice, to ſerve or work with him therein, except

Whom only a Skinner may take to be his Apprentice or Journeyman.

the ſaid Perſon ſo uſing or ſetting up the ſaid Trade, Myſtery or Occupation, have ſerved ſeven Years at the leaſt as an Apprentice therein, and do uſe the Trade and Handicraft of a Skinner; (2) upon Pain of Forfeiture of the double Value of all ſuch Skins or Furs as ſhall be dreſſed or wrought by ſuch Perſon or Perſons, his or their Servants, Journeymen or Apprentices, contrary to the Intent of this Act.

Who ſhall recover the Forfeiture, and by what Means.

V. And be it enacted by the Authority aforeſaid, That all Forfeitures and Penalties, which by Force of this Act ſhall ariſe or grow, ſhall be divided and diſtributed in Manner and Form following, that is to ſay, the one Moiety of the ſaid Penalties and Forfeitures afore-mentioned ſhall be to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to ſuch Perſon or Perſons as ſhall ſeize the ſaid Skins or Furs ſo forfeited, or ſhall ſue for the ſame Penalties and Forfeitures, by Action of Debt, Bill, Plaint or Information, in any Court of Record: In which Suits no Eſſoin, Protection or Wager of Law ſhall be allowed.

The Continuance of this Statute.

VI. This Act to endure until the End of the firſt Seſſion of the next Parliament. [3 Car. 1. c. 4. Continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. X.

### An Act for the rating and levying of the Charges for conveying Malefactors and Offenders to the Gaol.

At whoſe Charge an Offender ſhall be conveyed to Gaol.

'WHEREAS his Majeſty's honeſt and loving Subjects are much charged and burthened in conveying Felons, and other Malefactors and Offenders againſt his Majeſty's Laws and Statutes, unto the Gaol, puniſhable by Impriſonment there, the ſaid Felons and other Malefactors and Offenders, having Goods and Chattels of their own, whereby to defray the ſame Charge themſelves, to the great Encouragement of ſuch Malefactors and Offenders in their ſaid wicked and bad Courſes, and to the Diſcouragement of his Majeſty's ſaid honeſt and loving Subjects in proſecuting the ſaid Malefactors and Offenders to be puniſhed according to their Demerits:' (2) Be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That all and every Perſon and Perſons whatſoever, that from and after the End of this preſent Seſſion of Parliament, ſhall be committed to the common or uſual Gaol within any County or Liberty within this Realm, by any Juſtice or Juſtices of the Peace, for any Offence or Miſdemeanor to any ſuch Gaol, that the ſaid Perſon or Perſons ſo to be committed as aforeſaid, having Means or Ability thereunto, ſhall bear their own reaſonable Charges for ſo conveying or ſending them to the ſaid Gaol, and the Charges alſo of ſuch as ſhall be appointed to guard them to ſuch Gaol, and ſhall ſo guard them thither: (3) And if any ſuch Perſon or Perſons ſo to be committed as aforeſaid, ſhall refuſe at the Time of their Commitment and ſending to the ſaid Gaol, to defray the ſaid Charges, or ſhall

How the Charges ſhall be levied if the Priſoner refuſe to pay them.

not then pay or bear the ſame, That then ſuch Juſtice or Juſtices of the Peace ſhall and may by Writing under his or their Hand and Seal, or Hands and Seals give Warrant to the Conſtable or Conſtables of the hundred, or Conſtable or Tithing-man of the Tithing or Townſhip where ſuch Perſon or Perſons ſhall be dwelling and inhabit, or from whence he or they ſhall be committed as aforeſaid, or where he or they ſhall have any Goods within the County or Liberty, to ſell ſuch and ſo much of the Goods and Chattels of the ſaid Perſons ſo to be committed, as by the Diſcretion of the ſaid Juſtice or Juſtices of the Peace ſhall ſatisfy and pay the Charges of ſuch his or their conveying and ſending to the ſaid Gaol, the Appraiſement to be made by four of the honeſt Inhabitants of the Pariſh or Tithing where ſuch Goods or Chattels ſhall remain and be, and the Overplus of the Money which ſhall be made thereof to be delivered to the Party to whom the ſaid Goods ſhall belong.

If the Offender be not able to bear his Charges the Pariſhioners ſhall do it.

II. And be it further enacted by the Authority aforeſaid, That if the ſaid Perſon or Perſons ſo to be committed as aforeſaid, ſhall not have or be known to have any Goods or Chattels which may be ſold for the Purpoſe aforeſaid within the County or Liberty, That then an indifferent Tax or Aſſeſſment ſhall be made by the Conſtables and Church-wardens, and two or three other the honeſt Inhabitants of the Pariſh, Townſhip or Tithing were the ſaid Offender or Offenders ſhall be taken or apprehended, the ſaid Taxation being allowed under the Hand of one or more Juſtice or Juſtices of the Peace, if there be ſuch Conſtables or Church-wardens there inhabiting, and in Default of them, by four of the principal Inhabitants of the ſaid Pariſh, Townſhip or Tithing, where ſuch Offenders ſhall be taken or apprehended: (2) And if any ſo taxed or aſſeſſed ſhall refuſe to pay their ſaid Taxation, then the Juſtice or Juſtices of Peace by whom the ſaid Offenders ſhall be committed to Priſon as aforeſaid, or any other Juſtice of Peace next adjoining, ſhall and may give Warrant as aforeſaid, to the Conſtable, Tithing-man or other Officer, there to diſtrain the Goods of any ſo aſſeſſed, which ſhall refuſe to pay the ſame, and to ſell the ſame; (3) and that ſuch Perſon or Perſons ſo authorized, ſhall have full Power and Authority ſo to diſtrain, and by Appraiſement of four ſubſtantial Inhabitants of the ſaid Place, to ſell a ſufficient Quantity of the Goods and Chattels of the ſaid Perſons ſo refuſing, for the levying of the ſaid Taxation; and if any Overplus of Money come by the Sale thereof, the ſame to be delivered to the Perſon or Perſons, Owner or Owners thereof.

The Remedy if any Perſon taxed refuſe to pay.

The Defendant's Plea in an Action brought for any Thing done by Force of this Act.

III. And be it enacted by the Authority of this preſent Parliament, That if any Action of Treſpaſs or other Suit ſhall happen to be attempted or brought againſt the Perſon or Perſons for taking of any Diſtreſs, making of any Sale, or any other Act by Authority of this preſent Act, the Defendant or Defendants in any ſuch Action or Suit, ſhall and may either plead Not guilty, or otherwiſe make Avowry, Cognizance or Juſtification for the taking of the ſaid Diſtreſſes, making of Sale or other Act by Virtue of

of this Act, (2) alledging in such Avowry, Cognizance or Justification, that the said Distress, Sale, Trespass or other Thing whereof the Plaintiff or Plaintiffs complained, was done by Authority of this Act, and according to the Tenor, Purport and Effect of this Act, without any Expressing or Rehearsal of any other Matter of Circumstance contained in this present Act: (3) To which Avowry, Cognizance or Justification the Plaintiff shall be admitted to reply, That the Defendant did take the said Distress, made the said Sale, or did any other Act or Trespass supposed in his Declaration, of his own Wrong, without any such Cause alledged by the said Defendant; whereupon the Issue in every such Action shall be joined to be tried by Verdict of twelve Men, and not otherwise, accustomed in other personal Actions; (4) and upon the Trial of that Issue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same; (5) And after such Issue tried for the Defendant, or Nonsuit of the Plaintiff after Appearance, the said Defendant to recover treble Damages by reason of his wrongful Vexation in that Behalf, with Costs also on that Part sustained, and that to be assessed by the same Jury, or Writ to enquire of the Damages, as the same shall require: (6) This Act to continue until the End of the first Session of the next Parliament. [3 Car. 1. c. 4. Continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

The Defendant shall recover treble Damages and Costs of Suits.

The Continuance of this Act.

*Farther Provisions concerning Prisoners,* 13 *Car.* 2. *St.* 2. *c.* 2. 19 *Car.* 2. *c.* 4. 22 & 23 *Car.* 2. *c.* 20. 4 & 5 *W.* & *M.* *c.* 21. 8 & 9 *W.* 3. *c.* 27. 11 & 12 *W.* 3. *c.* 19. 1 *Ann. St.* 2. *c.* 6. 5 *Ann. c.* 9. 9 *Geo.* 1. *c.* 28. 11 *Geo.* 1. *c.* 22. 11 *Geo.* 2. *c.* 20. 16 *Geo.* 2. *c.* 31. 27 *Geo.* 2. *c.* 3 & 17. 30 *Geo.* 2. *c.* 28.

## CAP. XI.

### An Act for Transportation of Beer over the Seas.

'WHEREAS by a Statute made in the first Year of the Reign of our now most gracious Sovereign Lord King *James*, it is lawful to transport over the Seas Barley or Malt, when the common Price thereof shall not exceed the Prices in the said Statute limited; (2) by which said Act it is lawful for every Person and Persons, being Subjects of the King's Majesty, his Heirs and Successors, to transport of his own, and to buy and transport unto any Port beyond the Seas in Amity with his Majesty, to sell as Merchandize, in Ships, Crayers or other Vessels, whereof any *English*-born Subject or Subjects then shall be the Owner or Owners, any Barley or Malt, when the Price of every such Quarter of Barley or Malt, exceeds not at the Times, Havens and Places, where and when the same shall be shipped or laden, the Sum of fourteen Shillings current *English* Money, paying to the King's Majesty, his Heirs and Successors, for the Custom and Poundage of every such Quarter of Barley and Malt so transported, the Sum of Sixteen-pence, in full Satisfaction of all Manuer of Custom and Poundage for the same: (3) Now for that by the Transporting of Beer, the Custom and Poundage that will grow due to the King's Majesty for the same Beer will be much greater, than when the Barley or Malt whereof the said Beer is made is transported, and also that the Navy and Mariners of this Realm will be the more increased, for that one Ship or Boat Load of Barley or Malt will, if the same be brewed out into Beer, make four several Ships or Boats Load of the same Burthen of Beer to be transported: (4) The Tillage likewise of this Realm will be cherished and increased, by reason of the more speedy and often Vent of the Beer than of Barley or Malt: (5) And also by the Brewing of such Malt into Beer within this Realm to be transported, divers Port-Towns will be greatly comforted and relieved, many of his Majesty's Subjects thereby imployed and set on Work, and the Trades of Coopers and Brewers will be thereby better enabled to live and maintain themselves, their Wives, Children and Families':

When Beer may be transported by any Person, and to what Place. 1 Jac. 1. c. 25.

The several Benefits arising by the transporting of Beer more than of Malt.

II. Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and by the Commons, in this present Parliament assembled, and by the Authority of the same, That at all Times from and after the Feast of Pentecost which shall be in the Year of our Lord God one thousand six hundred and seven, it shall and may be lawful for all and every Person and Persons to transport of his own, or to buy and transport, or cause to be bought and transported, any Beer with the Cask, unto any Place or Places beyond the Seas in Amity and League with his Majesty, his Heirs or Successors, to sell as Merchandize or otherwise, in Ships, Crayers, or other Vessels, when the Price of every Quarter of Malt at the Times, Havens and Places, when and where the same shall be shipped and loaden, exceed not the Sum of sixteen Shillings current *English* Money; any Ordinance, Law, or Statute to the contrary thereof in any wise notwithstanding: (2) And that the King's Majesty, his Heirs and Successors, shall have and receive by the Customers, Comptrollers and Officers of his Ports where such Beer shall be so shipped or loaden to be transported, the Sum of eight Shillings six Pence for Impost, and eighteen Pence for Custom, to be paid by every Subject of the King's Majesty, his Heirs and Successors, for every Ton of Beer so to be transported: (3) And likewise the Sum of ten Shillings for Impost, and two and twenty Pence Half-peny for Custom, to be paid by every Stranger; (4) which shall be in full Satisfaction of all manner of Custom, Poundage, Impost, or other Duties whatsoever for the same Beer; any Constitution, Order, Law, Statute or Custom heretofore made, used or taken for transporting of any such Beer, to the contrary in any wise notwithstanding.

At what Times Beer may be transported by any Person.

What Impost and Custom shall be paid for Beer transported.

III. Provided nevertheless, and be it further enacted and declared, That this Act nor any Thing therein contained, shall extend to repeal or make void any Clause, Article or Provision contained in any former Law now in Force, touching the Bringing in of Clapboard, Cask or Shaffoldboard, but that every such Branch, Article, Clause or Provision, shall extend as well unto all and every Transportation or Transportations made lawful and warranted by Virtue of this Act, as otherwise; any Thing contained in this Act to the contrary notwithstanding. (2) This Act to continue but to the End of the first

35 Eliz. c. 11.

The Continuance of this Act. first Seſſion of the next Parliament. [3 Car. 1. c. 4. Continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4. altered by 1 W. & M. ſt. 1. c. 22.]

## CAP. XII.

### An Act for the better Preſervation of Sea-fiſh.

13 Ed. 1. c. 47. The Forfeiture for ſetting up of a new Wear, or for deſtroying the Spawn or Fry of Fiſh. Cauſes of the Deſtruction of the Brood of Fiſh.

'FOraſmuch as it is certainly known by daily Experience, that the Brood of Sea-fiſh is ſpawned and lieth in ſtill Waters, where it may have Reſt to receive Nouriſhment, and grow to Perfection, and that it is there deſtroyed by Wears, Draw-Nets, and Nets with Canvas, or like Engines in the Middle or Boſom of them, in Harbours, Havens and Creeks within this Realm, to the great Damage and Hurt of Fiſhermen, and Hindrance of the Commonwealth, for that every Wear near the main Sea taketh in twelve Hours, ſometimes the Quantity of five Buſhels, ſometimes ten, ſometimes twenty or thirty Buſhels of the Brood of Sea-fiſh; and alſo thoſe which uſe Draw-Nets, Nets with Canvas, or Engines in the midſt of them, do every Day they fiſh, deſtroy the Brood of all the Sorts of Fiſh aforeſaid in great Multitudes:

II. For Reformation whereof, Be it enacted by the Authority of this preſent Parliament, That every Perſon and Perſons that from and after the five and twentieth Day of *July* next enſuing this Seſſion of Parliament, ſhall erect or ſet up any new Wear or Wears along the Sea-ſhore, or in any Haven, Harbour or Creek, or within five Miles of the Mouth of any Haven or Creek, or ſhall willingly take, deſtroy or ſpoil any Spawn, Fry or Brood of any Sea-fiſh, in any Wear or other Engine or Device whatſoever, ſhall forfeit for every Time ſo erecting, ſetting up, taking, deſtroying or ſpoiling contrary to this Act, the Sum of ten Pounds of good and lawful Money of *England*, the one Half to the King's Majeſty, his Heirs or Succeſſors, and the other Half to him that will ſue for the ſame: (2) And that every Perſon which after the firſt Day of *October* next enſuing this Seſſion of Parliament, in any Haven, Harbour, Creek, or within five Miles of the Mouth of any Haven, Harbour or Creek of the Sea, ſhall fiſh with any Draw-net or Drag-net under three Inches meaſh, viz. one Inch and an Half from Knot to Knot, except for the taking of Smoulds in *Norfolk* only, or with any Net with Canvas, or other Engine or Device, whereby the Spawn, Fry or Brood of Sea-fiſh may be deſtroyed, ſhall forfeit ſuch Net, and alſo forfeit for every Time ſo doing, ten Shillings of lawful Money of *England*, the one Half to the Uſe of the poor People of the City, Town Corporate, Borough, Market-Town, Pariſh or Liberty, where the Offence or Offences ſhall be committed, and the other Half to the Perſon that ſhall ſue for the ſame; (3) the ſaid Forfeitures to be levied to the Uſes aforeſaid, by the Mayor, Bailiff, or other Head Officer of every City, Borough or Town Corporate: And by Warrant of one or more Juſtices of Peace, it ſhall be lawful for the Conſtables and Churchwardens of every Market-Town, Pariſh or Liberty within which any ſuch Offence or Offences ſhall be done, by way of Diſtreſs and Sale of the Offender's Goods, rendring to them the Surpluſage, according to the Order of former Statutes in ſuch Caſes of Forfeitures ordained.

The Forfeiture for fiſhing with certain Nets and Engines.

What Sort of Fiſh may be taken with the Nets prohibited.

III. Provided always, This this Act, or any Thing therein contained, ſhall not extend to puniſh any Perſon or Perſons for uſing any Net or Nets of leſſer Meaſh than is by this Statute appointed, only for taking of Herrings, Pilchards, Sprats or Lavidnian; any Thing in this Act to the contrary in any wiſe notwithſtanding.

Angleſey. Farther Proviſions relating hereto, 30 Car. 2. St. 1. c. 9. 4 & 5 W. & M. c. 23. 4 Ann. c. 21. 9 Ann. c. 26. 1 Geo. 1. St. 2. c. 18. 5 Geo. 1. c. 18. 23 Geo. 2. c. 26. ſect. 7. 26 Geo. 2. c. 9. 30 Geo. 2. c. 21 & 30. and 33 Geo. 2. c. 27.

IV. Provided further, That this Act ſhall not extend to the Iſle and County of *Angleſey*.

## CAP. XIII.

### An Act againſt unlawful Hunting, Stealing of Deer and Conies.

Certain Offences for which the Statute of 5 Eliz. c. 21. hath not provided Puniſhment.

'WHEREAS ſince the Making of the Statute of *Quinto Reginæ Elizabethæ*, *cap.* 21. there have been divers Grounds incloſed, and uſed and kept for the Preſervation and Maintenance of Deer and Conies; (2) and whereas there is not by the ſaid Statute of *Quinto Elizab.* neither by any other Act now in Force, any ſufficient Remedy provided againſt ſuch Malefactors and evil-diſpoſed Perſons, as ſhall chaſe, hunt or kill any the Deer or Conies within ſuch Grounds, ſithence the ſaid Statute of *Quinto Elizabethæ* incloſed and kept, and uſed for the Maintenance and Preſervation of the ſaid Game as aforeſaid, or any former Grounds which have been ſithence the Making of the ſaid Statute in any Part altered: (3) By Reaſon whereof many Riots, Manſlaughters, Miſchiefs, and other Inconveniences have been daily committed and done, and like to be committed and done, if circumſpect Remedy be not hereunto provided:'

*Burn V.* 1. 475 & 487.

The Penalty for breaking a Park or Warren, or for hunting of Deer or Conies. 13 Car. 2. St. 1. c. 10. Farther provided for by 7 Jac. 1. c. 13. ſect. 4.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, of this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons, after the Feaſt of St. *James* the Apoſtle next enſuing, ſhall in the Night-time, or by Day, wrongfully or unlawfully break or enter into any Park impaled, or any other ſeveral Grounds, incloſed with Wall, Pale or Hedge, and uſed or kept for the Keeping, Breeding and Cheriſhing of any Deer or Conies, and wrongfully or unlawfully ſhall hunt, drive or chaſe out, or take, kill or ſlay any Deer or Conies within any ſuch impaled Park, or cloſed Ground with Pale, Wall or other Incloſure as aforeſaid, againſt the Will, Mind or Pleaſure of the Owners, Occupiers or Poſſeſſioners of the ſame, not having lawful Title or Authority ſo to do, and thereof ſhall be lawfully convicted at the Suit of our Sove-

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reign Lord the King, his Heirs or Succeſſors, or the Party grieved, ſhall ſuffer Impriſonment of his or their Bodies by the Space of three Months; (2) and alſo ſhall yield and pay to the Party grieved his treble Damages and Coſts, to be aſſeſſed and rated by the Juſtices before whom he or they ſhall be convicted, after the ſaid three Months expired; (3) and ſhall find ſufficient Sureties for his and their good Abearing againſt the King, his Heirs and Succeſſors, and all his liege People, for the Space of ſeven Years after, or elſe ſhall remain and continue ſtill in Priſon without Bail or Mainpriſe, until ſuch Time as he or they ſo offending ſhall find ſufficient Sureties during the ſaid Time and Space of ſeven Years.

What Juſtices may hear and determine the Offences aforeſaid.

III. And be it likewiſe enacted by the Authority aforeſaid, That the Juſtices of *Oyer* and *Terminer*, Juſtices of Aſſize in their Circuits, and Juſtices of Peace and Gaol-delivery in their Seſſions, ſhall by Virtue hereof have Power and Authority to enquire, hear and determine all and ſingular the ſaid Offences, by Examination of the Offenders, and to make and award Proceſs thereupon, as well upon Indictments taken before them, as by Bill of Complaint, Information or any other Action; in which ſaid Suit or Action no Eſſoin, Wager of Law or Protection ſhall be allowed.

The Remedy of the Party grieved.

IV. And be it alſo enacted by the Authority aforeſaid, That it ſhall and may be lawful to the Party grieved, to ſue and take his further Remedy againſt all and every ſuch Offender and Offenders, for his Loſs and Damages, and to recover the treble Value of the ſame in that Behalf, as well before the Juſtices of *Oyer* and *Terminer*, Juſtices of Aſſize in their Circuits, and Juſtices of the Peace and Gaol-delivery in their Seſſions, or elſewhere in any other the King's Majeſty's Courts of Record at *Weſtminſter*; (2) and that upon true Satisfaction of the ſaid treble Damages to the Party grieved, or upon the Confeſſion or Acknowledgment thereof by the ſaid Party offending, before the Juſtices in open Seſſions holden for the County wherein the ſame Offence ſhall be committed, it ſhall be at the Liberty of the ſaid Party grieved, to whom the ſaid Offence is committed, to releaſe at his Pleaſure the Suretiſhip of the good Behaviour, at any Time within the ſaid ſeven Years or before; any Thing in this preſent Act before mentioned or declared to the contrary notwithſtanding.

In what Caſe the Suretiſhip of the good Behaviour may be releaſed by the Party grieved.

The Penalty for ſhooting with Gun or Bow at Deer or Conies, or for keeping of Engines.

V. And be it alſo further enacted by the Authority aforeſaid, That if any Perſon or Perſons not having any Manors, Lands, Tenements or Hereditaments, of the clear yearly Value of forty Pounds, or not worth in Goods or Chattels the Sum of two hundred Pounds, ſhall uſe any Gun, Bow or Croſs-bow, to kill any Deer or Conies, or ſhall keep any Buckſtalls or Engine-hayes, Gate-nets, Purſe-nets, Ferrets or Coney-dogs, except ſuch Perſon or Perſons as ſhall have have any Ground imparked with Pale, or incloſed with Wall or Hedge as aforeſaid, uſed for the Keeping, Breeding or Cheriſhing of any Deer or Conies, the Increaſing of which ſaid Conies ſhall amount to the clear yearly Value of forty Shillings to be letten at the leaſt, or Keepers or Warreners in their Parks, Warrens or Grounds belonging to their Charge; That then any Perſon having Lands, Tenements or Hereditaments of the clear yearly Value of one hundred Pounds in Fee-ſimple, Fee-tail or for Life, in his own Right, or in the Right of his Wife, may take from the Perſon or Poſſeſſion of ſuch Malefactor or Malefactors, and to his own Uſe for ever keep, ſuch Guns, Bows, Croſs-bows, Buckſtalls or Engine-hays, Gate-nets, Purſe-nets, Ferrets and Cony-dogs.

In what Caſe the Juſtices may diſcharge the Suitor of good Abearing.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons at any Time hereafter ſhall fortune to be bound before any the Juſtices before mentioned, to the King, his Heirs or Succeſſors, for his or their good Abearing for ſeven Years, according to the Tenor of this Act, and the ſame Party or Parties ſo bound, ſhall afterward within the ſaid ſeven Years come before the Juſtices of the Peace of the ſaid County where the ſaid Offence was committed, or ſome of them, in open Quarter-Seſſions, and there in the ſaid Seſſions confeſs and acknowledge his or their ſaid Offence or Offences, and that he or they is or are ſorry therefore, and ſatisfy the Party or Parties grieved, according to the Tenor of this Act: That then the ſame Juſtices before whom the ſaid Confeſſion ſhall be ſo made, ſhall and may have Power and Authority by Virtue of this Act, in the ſame open Seſſions, or in any other Seſſions afterwards to be holden before the ſaid Juſtices in the ſaid County, within the ſaid Term of ſeven Years, if it ſhall ſeem good to their Diſcretions, to diſcharge the ſaid Recognizance and Bond ſo taken, and alſo the ſaid Party and Parties ſo bound; this Act, or any Thing therein contained, to the contrary thereof notwithſtanding.

A Park or Warren made without the King's Licence.

VII. Provided always, That this Act, or any Thing herein contained, do not extend to any Park or incloſed Ground, hereafter to be made and uſed for Deer or Conies, without the Grant or Licence of our Sovereign Lord the King, his Heirs or Succeſſors.

Offences committed in the Night only. Repealed by 7 Jac. 1. c. 13. *Farther Proviſions relating hereto*, 22 & 23 *Car.* 2. *c.* 25. 4 & 5 *W.* & *M.* *c.* 23. 5 *Ann.* *c.* 14. 9 *Ann.* *c.* 25. 3 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 19. 10 *Geo.* 2. *c.* 32. *and* 28 *Geo.* 2. *c.* 12.

VIII. Provided always, and be it further enacted, That this Act, nor any Thing therein contained, ſhall extend to any Offence or Offences concerning the Hunting, Chaſing or killing of Deer or Conies, which ſhall be done or committed in the Day-time, but only to ſuch Offences as ſhall be hereafter done or committed in the Night-time only; any Thing in this Act contained to the contrary thereof notwithſtanding. [3 Car. 1. c. 4. Continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. XIV.

### An Act for Explanation of the Statute of Sewers.

Water-courſes falling into the Thames within two Miles of London, ſhall be ſubject to the

'FOraſmuch as the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawſeys, Bridges, Streams and Water-courſes in and about the City of *London*, where no Paſſage of Boats is uſed, having their Courſe and Fall into the River of *Thames*, where it doth uſually ebb and flow, and is uſed for free Paſſage of Boats to the Sea, are already by the Commiſſion of Sewers appointed to be ſurveyed, reformed and

Commiſſion of Sewers. 23 H. 8. c. 5.

'and amended where Need ſhall require, and are as needful and meet to be ſurveyed, reformed and 'amended, from Noyance of the ſaid River of *Thames*, by the Commiſſioners of Sewers, as thoſe Rivers, 'Streams and Water-courſes where the Water doth uſually ebb or flow, (2) and where more uſual Paſ- 'ſage of Boats hath been, and yet are not under the Survey, Correction and Amendment of the Com- 'miſſion of Sewers, nor of the Statute made for Sewers in the three and twentieth Year of the Reign of 'King *Henry* the Eighth, or of any other Statute made for Sewers, as the ſame ſhould have been, if the 'Hurts, Noyſances and Inconveniences now by daily Experience felt and found in thoſe Places had been 'ſeen and conſidered of:'

*Vin. V.* 19--410.

II. For Reformation whereof, be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawſeys, Bridges, Streams and Water-courſes, within the Limits of two Miles of and from the City of *London*, which Waters have their Courſe, and fall into the River of *Thames*, ſhall from henceforth be to all Intents, Conſtructions and Purpoſes, as fully ſubject to the Commiſſion of Sewers, and to all the Statutes made for Sewers, and to all Penalties in the ſame Statutes and in every of them contained, as if the ſame Places near to the ſaid City of *London* had been particularly named in the ſaid Statute of Sewers, or that therein the Water had ebbed and flowed, and therein free Paſſage with Boats and Barges to the Sea had been heretofore uſed; any Thing in the ſaid Statutes, or elſewhere, to the contrary in any wiſe notwithſtanding.

6 H. 6. c. 5.
8 H. 6. c. 3.
23 H. 8. c. 5.
25 H. 8. c. 10.
3 & 4 Ed. 6. c. 8.
1 Mar. Seſſ. 3. c. 11.
13 Eliz. c. 9.
*See farther* 7 *Ann.* c. 10.

## CAP. XV.

### An Act for the Recovering of ſmall Debts, and for the Relieving of poor Debtors, in *London*.

*Explained and amended by* 14 Geo. 2. c. 10.

'WHEREAS by Virtue of divers Acts of Common Council made within the City of *London*, the 'Lord Mayor and Aldermen of the ſame City, for the Relief of poor Debtors dwelling within the 'ſaid City, have accuſtomed monthly to aſſign two Aldermen and twelve diſcreet Commoners to be Com- 'miſſioners, and ſit in the Court of Requeſts, commonly called the Court of Conſcience, in the *Guildhall* 'of the ſame City, there to hear and determine all Matters of Debt not amounting to the Sum of forty 'Shillings to be brought before them: (2) And whereas at the Seſſions of Parliament holden at *Weſtmin-* 1 Jac. 1. c. 14. '*ſter* the nineteenth Day of *March* in the firſt Year of the Reign of our Sovereign Lord the King's Majeſty 'that now is, for the further Relief of ſuch poor Debtors, and more perfect eſtabliſhing of the ſaid Court, 'there was made and provided an Act, intituled, *An Act for Recovery of ſmall Debts, and Relieving of poor* '*Debtors in* London: (3) And whereas ſince the making of the ſaid Act, divers Perſons intending to ſub- 'vert the good and charitable Intent of the ſame, and taking hold of ſome doubtful and ambiguous Words 'therein, do wreſt the ſame for their own Lucre and Gain, to the avoiding the Juriſdiction of the ſaid 'Court, contrary to the godly Meaning of the ſaid Act:'

A mean for a Citizen of London to recover of another there a ſmall Debt. 1 Salk. 408. Cro. Car. 572.

II. For the Remedy whereof, and to the Intent that ſome more full and ample Proviſion may be made for the Relief of ſuch poor Debtors, (2) be it enacted by Authority of this preſent Parliament, That every Citizen and Freeman of the City of *London*, and every other Perſon and Perſons inhabiting or that ſhall inhabit within the ſaid City or the Liberties thereof, being a Tradeſman, Victualler or a labouring Man, which now have or hereafter ſhall have any Debt or Debts owing unto him or them, not amounting to forty Shillings, by any Citizen, or by any other Perſon or Perſons being a Victualler, Tradeſman or labouring Man, inhabiting or that ſhall inhabit within the ſaid City or the Liberties thereof, ſhall or may cauſe ſuch Debtor or Debtors to be warned or ſummoned by the Beadle or Officer of the ſaid Court of Requeſts for the Time being, by Writing to be left at the Dwelling-houſe of ſuch Debtor or Debtors, or by any other reaſonable Warning or Notice to be given to the ſaid Debtor or Debtors, to appear before the Commiſſioners of the ſaid Court of Requeſts holden in the *Guildhall* of the ſaid City: (3) And that the ſaid Commiſſioners, or any three of them or more, ſhall have Power and Authority by Virtue of this Act, from Time to Time, to ſet down ſuch Order or Orders between ſuch Party or Parties Plaintiff, and his or their ſuch Debtor or Debtors Defendants, touching ſuch Debts not amounting to the Value of forty Shillings, in Queſtion before them, as they ſhall find to ſtand with Equity and good Conſcience: (4) All ſuch their Order or Orders to be regiſtred in a Book, as they have been accuſtomed, and as well the Party Plaintiff, as the Debtor or Defendant, to obſerve, perform and keep the ſame in all Points.

The Commiſſioners may miniſter an Oath to the Plaintiff, Defendant or Witneſs.

III. And that for the more due Proceeding herein, it ſhall be lawful for the ſame Commiſſioners, or any three or more of them, to miniſter an Oath to the Plaintiff or Defendant, and alſo to ſuch Witneſſes as ſhall be produced on each Party, if the ſame Commiſſioners, or any three of them or more, ſhall ſo think it meet.

A Creditor ſuing in another Court ſhall pay Coſts, and recover none.

IV. And be it further enacted by the Authority aforeſaid, That if in any Action of Debt, or Action upon the Caſe upon an *Aſſumpſit* for the Recovery of any Debt, to be ſued or proſecuted againſt any the Perſon or Perſons aforeſaid in any of the King's Courts at *Weſtminſter*, or elſewhere, out of the ſaid Court of Requeſts, it ſhall appear to the Judge or Judges of the Court where ſuch Action ſhall be ſued or proſecuted, that the Debt to be recovered by the Plaintiff in ſuch Action doth not amount to the Sum of forty Shillings, and the Defendant in ſuch Action ſhall duly prove, either by ſufficient Teſtimony, or by his own Oath, to be allowed by any the Judge or Judges of the ſaid Court where ſuch Action ſhall depend, that at the Time of the commencing of ſuch Action ſuch Defendant was inhabiting and reſiant in the City of *London*, or the Liberties thereof, as above, that in ſuch Caſe the ſaid Judge or Judges ſhall not allow to the ſaid Plaintiff any Coſts of Suit, but ſhall award that the ſame Plaintiff ſhall pay ſo much ordinary Coſts to the Party Defendant, as ſuch Defendant ſhall juſtly prove before the ſaid Judge or Judges, it hath truly coſt him in Defence of the ſaid Suit.

V. And

V. And be it further enacted, That if any ſuch Plaintiff or Creditor, Defendant or Debtor, after Warning given to him or them, in Manner and Form before in this Act mentioned, by the ſaid Officer of the ſaid Court of Requeſts, ſhall, without ſome juſt or reaſonable Cauſe of Excuſe, refuſe to appear in the ſaid Court before the ſaid Commiſſioners, or ſhall not perform ſuch Order as the ſaid Commiſſioners, or any three or more of them, ſhall ſet down for or concerning ſuch Debts, as aforeſaid, that then it ſhall be lawful for the Officer of the ſaid Court or any other of the Serjeants at Mace of the ſaid City, by Order of the ſaid Commiſſioners, or any three or more of them, to commit ſuch Party or Parties to Priſon, into one of the Counters of the ſaid City, there to remain until he or they ſhall perform the Order of the ſaid Commiſſioners in that Behalf. The Penalty for refuſing to appear, or to obey the Order made by the Commiſſioners.

VI. Provided always, That this Act, or any Thing therein contained, ſhall not extend to any Debt for any Rent upon any Leaſe of Lands or Tenements, or any other real Contracts, nor to any other Debt that ſhall ariſe by reaſon of any Cauſe concerning a Teſtament or Matrimony, or any Thing concerning or properly belonging to the Eccleſiaſtical Court, albeit the ſame ſhall be under forty Shillings; any Thing before contained to the contrary in any wiſe notwithſtanding. Deb's for Rent, or by Reaſon of a Teſtament or Matrimony.

VII. And be it enacted by the Authority aforeſaid, That the ſaid Act made in the firſt Year of the King's Majeſty's Reign, be from the End of this Seſſion of Parliament, for and concerning any Order to be made in the ſaid Court of Requeſts after the End of this Seſſion of Parliament, utterly repealed. A Repeal of the Statute of 1 Jac. 1. c. 14.

## CAP. XVI.

### An Act for the Repeal of one Act made in the fourteenth Year of Queen *Elizabeth*'s Reign, concerning the Length of Kerſies.

'WHEREAS in the Parliament holden at *Weſtminſter* in the fourteenth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, one Act, intituled, *An Act to reform the exceſſive Length of Kerſies*, was made, intending thereby to have reſtrained them to the Length of eighteen Yards, or under; (2) immediately upon the making of which Act, by reaſon of the ſaid Law, it hath ſithence fallen out, many Clothing Towns, as well within the County of *Southampton* as in divers other Counties within this Realm of *England*, who were then in Trade with Merchant-Strangers and others uſing the Trade of Tranſporting of Kerſies by Way of Merchandize beyond the Seas, grew ſuddenly out of Trade and in great Decay, for that the ſaid Merchants would no longer buy of the Clothiers any of their ſaid Kerſies wanting their old accuſtomed Meaſure of four and twenty Yards or thereabouts, they the ſaid Merchants being by the like Cuſtom and Uſage in Trade with other Merchants for the ſaid Kerſies of the ſaid Meaſure and Length, to the great Impoveriſhment and Ruin of divers antient Towns, and of thouſands of poor people who were wont by them to be ſet on work and maintained, and to the great Loſs of our ſaid Sovereign Lady Queen *Elizabeth*, and of the King's Majeſty that now is, in their Cuſtoms and Subſidies, which in and by the ſaid former Venting and Trading of the ſaid Kerſies, did and would continually accrue and grow due for the ſame:' 14 Eliz. c. 10. The Length and Weight of Ordinary and Sorting-Kerſies. Several Inconveniencies enſuing upon the Statute of 14 Eliz. c. 10. provided for the Length of Kerſies.

II. Be it therefore enacted by the Authority of this preſent Parliament, That the ſaid Act of the fourteenth Year of the Reign of our ſaid late Sovereign Lady Queen *Elizabeth*, intituled, 'An Act to reform the exceſſive Length of Kerſies,' be from henceforth clearly and abſolutely repealed. A Repeal of the Statute of 14 Eliz. c. 10.

III. Provided always, and be it enacted by the Authority of this preſent Parliament, That Kerſies called ordinary Kerſies, ſhall not exceed the Length of four and twenty Yards to be meaſured by the Yard and Inch; (2) and that every ordinary Kerſie of the Length of four and twenty Yards aforeſaid, being well ſcoured, thicked, milled, dreſſed and fully dried, ſhall weigh eight and twenty Pounds and one Half Pound at the leaſt: (3) And that Kerſies called Sorting-Kerſies, ſhall not exceed the Length aforeſaid, and that every Sorting-Kerſie of the Length of four and twenty ſuch Yards as aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh thirty-two Pounds and one Half Pound at the leaſt: (4) And that every Kerſie of a ſhorter Length than four and twenty ſuch Yards as aforeſaid, ſhall weigh proportionably to the aforeſaid Weight, that is to ſay, every ordinary Kerſie after the Rate of one Pound and three Ounces Weight for every Yard that the ſame ſhall contain in Length, and every Sorting-Kerſie after the Rate of one Pound three Ounces and an Half Ounce in Weight, for every Yard that the ſame ſhall contain in Length. The Length and Weight of ordinary Kerſies. Sorting Kerſies.

IV. And if it happen that any Kerſie or Kerſies hereafter to be made, ſhall either exceed the ſaid Length of four and twenty ſuch Yards, as aforeſaid, or ſhall not weigh according to the reſpective Rates and Proportions aforeſaid, then every Perſon or Perſons that ſhall make, or cauſe the ſame to be made for Sale, ſhall forfeit and loſe for every Yard of ſuch Kerſies, exceeding the Length of four and twenty ſuch ſaid Yards, the ſum of five Shillings only, and no more: (2) And for every Pound-weight that ſhall be wanting according to the Proportions before reſpectively limited, ſhall forfeit two Shillings for every Pound, and no more; any former Laws or Statutes limiting or appointing any other or greater Penalty or Forfeiture to the contrary thereof in any wiſe notwithſtanding; (3) the one Moiety of the ſaid Sums, Penalties and Forfeitures to be to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that will ſue for the ſame in any of his Majeſty's Courts of Record at *Weſtminſter*, by Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed or admitted. The Forfeiture for exceeding in Length, or wanting in Weight.

V. Provided further, and be it enacted by the Authority aforeſaid, That every Perſon and Perſons ſelling or trading in any ſuch Kerſie or Kerſies, ſhall pay unto the King's Majeſty for every Piece of Kerſie containing four and twenty Yards, as much in Cuſtom and Subſidy, rateably, as ſuch Perſon or Perſons ſhould and ought to pay unto his Majeſty for one Piece and a third Part of a Piece containing eighteen Yards. 5 & 6 Ed. 6. c. 6. The Cuſtom and Subſidy for a Piece of Kerſie.

## CAP. XVII.

### An Act concerning *Welsh* Cottons.

1 Jac. 1. c. 25.

'WHEREAS in a Statute made at the first Session of Parliament holden at *Westminster* in the first 'Year of his Majesty's Reign, amongst other Things it was provided and enacted, That no Per- 'son or Persons should incur any Penalty for want of Length, Breadth or Weight of *Welsh* Cottons, un- 'der the Price of Fifteen-pence the Yard, and two Shillings the Goad, so as they be not mixed with 'Hair or other deceitful Stuff, nor for any other above that Price, except they be mix'd as aforesaid, or 'shall shrink above Half a Yard in twelve Yards at Length, or weigh less than fourteen Ounces the Yard, 'and hold not full three Quarters of a Yard broad, as by the same Statute appeareth; (2) which Proviso 'in the Construction of divers Persons doth not preserve such as make or sell coarse *Welsh* Cottons, from 'the Penalty and Danger of not adding or affixing a Seal to contain the Length, Breadth or Weight of the 'said Cottons, which Affixion of a Seal is needless when there is no Length, Breadth or Weight pre- 'scribed for them: (3) And moreover for that in all antecedent Ages the said Cottons being commonly 'used for Linings, were never seized as forfeited for want of the Seal of the Makers put unto them, nor 'used to be searched or tried by Water, but only by the Buyer:' (4) Be it therefore enacted by our So- 'vereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this present Par- liament assembled, and by the Authority of the same, That from henceforth no Person or Persons shall incur any Penalty for want of any Content Seal to contain the Breadth, Length or Weight of any *Welsh* Cottons: (5) And that no *Welsh* Cottons shall at any Time or Times hereafter be searched or tried in the Water by any Person or Persons, other than by the Buyer thereof; (6) upon Pain to forfeit for every such Offence by the Party who shall make any such Search or Trial contrary to the Intent of this Statute, five Pounds of lawful Money of *England*; the one Moiety thereof to the King's Majesty, his Heirs and Successors; the other Moiety to the Party grieved; to be recovered by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be allowed.

No Penalty for want of a Seal of Welsh Cottons.

Welsh Cottons shall not be searched or tried.

## CAP. XVIII.

### An Act for the bringing in of a fresh Stream of running Water to the North Part of the City of *London*.

'FOR that it is found very convenient and necessary to have a fresh Stream of running Water to be 'brought to the North Parts of the City of *London*, from the Springs of *Chadwel* and *Amwel*, and other 'Springs in the County of *Hertford* not far distant from the same, which upon View is found very 'feasible, and like to be profitable to many:' It is therefore enacted by the King's most excellent Majesty, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful to the Lord Mayor, Commonalty and Citizens of the City of *London*, and their Successors, at any Time or Times hereafter, to begin and continue the laying out of such convenient Limits of Ground for the Making of the Trench for the said River at the Breadth of ten Foot and not above, as to them and their Deputies and Workmen, with the Allowance of the Commissioners hereafter mentioned, or any Seven of them, shall be seen convenient and meet for the same; (2) and in that Place that they shall find to be most apt and meet for that Purpose, to have and take for the Purpose aforesaid, the Use and Liberty of such and so much Ground, as shall contain ten Foot in Breadth and not above, during and by all the Length as the said new Channel, Cut or River, shall pass, for the Conveying of the said Water from the said Springs to the City of *London*, leaving the Inheritance of the new Cut in the Owners thereof:

A new Trench may be made to convey the Water from Chadwel and Amwel to London. 4 Jac. 1. c. 12.

II. And that the said Mayor, Commonalty and Citizens of *London*, and their Successors for ever, for the Consideration hereafter expressed, shall have Liberty to dig the same Ground to be imployed for the said River or New Cut, not exceeding ten Foot in Breadth alongst all the said whole Length of the said River or New Cut, and from Time to Time for ever to maintain and preserve the same, and to lay the Earth there digged or to be digged on either Side of the same River or New Cut, in such Places as shall be thought meet for that Purpose; (2) and to have free Passage to and from the said New Cut or River, with Men, Horses, Carts and Carriages at all Times convenient, and in Places convenient, for making of the same New Cut or Trench, and for the Preserving of the same, and of the Banks thereof from Time to Time for ever, to the Intent that no Part of the said Stream be at any Time after the Making of the New Cut, without the Consent of the Mayor, Commonalty and Citizens of *London*, turned or conveyed out of the same New Cut or Watercourse.

The Mayor, &c. of London may make and maintain the New Cut.

III. In Consideration whereof the Mayor, Commonalty and Citizens of *London*, and their Successors, shall make such Satisfaction or Composition to and with the Lords, Owners and Occupiers of the same Grounds through which the New Cut or River shall be made, and with all such Person and Persons as shall sustain any Damage, Loss or Hindrance in their Mills standing upon any of the Rivers or Streams from which the Water shall be taken through the said New Cut, or River, as shall be to the Content- ment of the Lords, Owners and Occupiers of the said Grounds and Mills; (2) and in Default of their Agreement by mutual Assent, such Satisfaction or Recompence as shall be limited and appointed by the Commissioners to be assigned for that Purpose, according to the Intent of this Statute, by the Lord Chan-

Satisfaction shall be made to the Owners of the Ground where the New Cut is made.

Chancellor, or Lord Keeper of the Great Seal of *England* for the Time being, by Commiſſion under the Great Seal of *England*, or by any Nine of them, whereof Four of them to be Citizens of the City of *London*.

Sixteen Commiſſioners ſhall be appointed, and what their Authority ſhall be.

IV. And for the better Effecting of the Premiſſes, and for the due Rating of the Value of the Things to be compounded for by the true Intent of this Statute, (if the Parties ſhall not agree) Be it enacted by the Authority of this preſent Parliament, That at the Requeſt and Charges of the Mayor, Commonalty and Citizens of *London* Commiſſion or Commiſſions under the Great Seal of *England*, ſhall be granted to ſuch Perſons as the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, ſhall nominate and appoint, whereof Four ſhall be of the County of *Middleſex*, Four of the County of *Eſſex*, and Four of the County of *Hertford*, and Four of the City of *London*, and every of them having Lands and Tenements of the clear yearly Value of Forty Pounds at the leaſt: (2) Which Sixteen or any Nine of them, whereof Two to be of the City of *London*, ſhall have Power to order and ſet down what Rate or Rates, Sum or Sums of Money ſhall be paid by the Mayor, Commonalty and Citizens of *London*, to the Lords, Owners and Occupiers of the Grounds and Soil, and Mills, for which Compoſition is to be made by the Intent of this Act, if the Parties cannot of themſelves agree, and in what Manner the ſame ſhall be paid; (3) and that for the Recovery of ſuch Money as ſhall be ſo ordered and ſet down by the ſaid Commiſſioners, or any Nine of them, whereof Two to be of the City of *London*, the Party or Parties to whom the ſame Money ſhall be due to be paid by the true Intent of the ſaid Order, ſhall or may recover the ſame againſt the ſaid Mayor and Commonalty of *London*, by Action of Debt in any of his Majeſty's Courts at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The Breaches or Inundations in the New Cut ſhall be ſtopped by the Mayor, &c. of London.

V. Provided always, and be it enacted, That if in the New Cut there happen any Breaches, Inundations or Hurts, the Mayor, Commonalty and Citizens of *London*, ſhall from Time to Time ſtop the Breaches at their own Charges, and ſufficiently maintain them from Time to Time, and make ſufficient Recompence to the Party grieved for the Damage ſuſtained by the ſame Breaches riſing by their Default, to be recovered by Action of the Caſe grounded upon this Statute.

Bridges and Paſſages over and through the New Cut.

VI. And be it further enacted by the Authority aforeſaid, That the Mayor, Commonalty, and Citizens of *London*, and their Succeſſors for ever, ſhall make and maintain at their Coſts and Charges from Time to Time, convenient Bridges and Ways for the Paſſage of the King's Subjects, and their Cattle and Carriages, over or through the ſaid New Cut or River, in Places meet and convenient.

Nothing ſhall be done until the Owners of the Ground be agreed with.

VII. And further be it enacted, That until or before a full Agreement with the Lords, Owners and Occupiers of the Premiſſes be had, or that ſuch Order and Means be deviſed and agreed upon by the Commiſſioners, by the Lord Chancellor or Lord Keeper of the Great Seal of *England* to be nominated and appointed, or the more Part of them, as ſhall ſeem meet for the due effecting of the Premiſſes, and the ſaid Commiſſion returned into the High Court of Chancery, it ſhall not be lawful to the ſaid Lord Mayor, Commonalty and Citizens, to put the ſaid Digging, Trenching or New Cutting of the ſaid New River from the ſaid Springs in Execution, nor to cut or take in any Ground for Paſſage of Water from the ſaid Springs or any of them, by Force of this Statute; any Thing in this Act to the contrary notwithſtanding.

The New Cut brought to London ſhall be ſubject to Commiſſion of Sewers.

VIII. And be it further enacted by the Authority aforeſaid, That after ſuch Time as there ſhall be a New Cut, Stream or River brought from the Springs aforeſaid, or any of them, to the City of *London*, that for the better Maintenance and Preſervation of the ſaid River or New Cut, and of all the Water therein running, to be brought to the City of *London*, the ſame ſhall be ſubject to the Commiſſion of Sewers, and to the Laws and Statutes made for Sewers, as fully to all Intents and Purpoſes, as the ſame River or New Cut had been expreſly mentioned in the ſaid Statutes of Sewers to be under the Survey of the ſaid Commiſſioners.

The Cleanſing and Conſervation of the New River ſhall be at the Coſts of the Mayor, &c.

IX. Provided nevertheleſs, and be it enacted, That all ſuch Things as ſhall be done at any Time hereafter, for the Scowring, Cleanſing, Amending and Conſervation of the ſaid New River or Cut, ſhall be at the only Coſt and Charges of the Mayor, Citizens and Commonalty of the City of *London*: (2) And that all Fines and Amerciaments which ſhall be impoſed by Virtue of the ſaid Commiſſion of Sewers, for any wilful Annoyances and Offences which ſhall be at any Time hereafter committed to the Hurt or Prejudice of the ſaid New River or Cut, or any Thing thereunto appertaining, ſhall be to the only Uſe, Benefit and Behoof of the ſaid Mayor, Commonalty and Citizens of *London*, and of their Succeſſors for ever. PR. Altered by 4 Jac. 1. c. 12.

## CAP. XIX.

Who ſhall be charged with the Repairing and Maintaining of the Highway leading from *Kingſtone* to *Nonſuch*. PR. EXP. Stat. 21 Jac. 1. c. 28.

## CAP. XX.

How Paſſage may be made by Water from *London* to *Oxford*. PR. REP. 21 Jac. 1. c. 32.

## CAP. XXI.

### An Act to reſtrain the Abuſes of Players.

The Penalty of Players on the Stage, &c. profanely abuſing the Name of God.

FOR the Preventing and Avoiding of the great Abuſe of the Holy Name of God in Stage-plays, Enterludes, May-games, Shews, and ſuch like; (2) Be it enacted by our Sovereign Lord the King's Majeſty, and by the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament

ment assembled, and by the Authority of the same, That if at any Time or Times after the End of this present Session of Parliament, any Person or Persons do or shall in any Stage-play, Enterlude, Shew, May-game or Pageant, jestingly or profanely speak or use the holy Name of God, or of Christ Jesus, or of the Holy Ghost, or of the Trinity, which are not to be spoken but with fear and Reverence, shall forfeit for every such Offence by him or them committed ten Pounds: (3) The one Moiety thereof to the King's Majesty, his Heirs and Successors, the other Moiety thereof to him or them that will sue for the same in any Court of Record at *Westminster*, wherein no Essoin, Protection or Wager of Law shall be allowed.

*Further Provisions relating hereto, 10 Geo. 2. c. 19. 12 Geo. 2. c. 28. & 25 Geo. 2. c. 36.*

## CAP. XXII.

An Act for the Paving of *Drury-lane*, and the Town of *St. Giles's* in the Fields, in the County of *Middlesex*. PR. EXP.

## CAP. XXIII.

22 H. 8. c. 5. PR.

An Act for the new making up and keeping in Reparation of *Chepstow-Bridge*. The Effect of the Stat. of 18 Eliz. c. 18. touching Repair of *Chepstow-Bridge*. A Repeal of the Statute of 18 El. c. 18. made touching *Chepstow-Bridge*. What counties shall stand charged for the making and repairing of *Chepstow-Bridge*. The Justices shall tax the Inhabitants of the Counties of *Glouceſter* and *Monmouth*. Collectors shall be appointed in every Hundred of both the Counties. Surveyors shall be appointed, and their Authority. The Collectors and Surveyors shall make Account to the Justices. The Justices may permit asking of Benevolence towards the Building of the Bridge.

## CAP. XXIV.

The Bridge over the River *Severn*, near adjoining to the Town of *Upton* upon *Severn* in the County of *Worceſter*, shall be wholly made, builded and finished within the Space of three Years after the End of this Session of Parliament, by the Inhabitants of the County of *Worceſter*, *&c.* PR. EXP.

## CAP. XXV.

A Confirmation of four Subsidies of four Shillings in the Pound, granted to the King by the Clergy. EXP.

## CAP. XXVI.

Three intire Subsidies and six Fifteens granted to the King by the Temporalty. EXP.

## CAP. XXVII.

A Confirmation of the King's General and Free Pardon, except, *&c.* EXP.

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# Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, *viz.* Angliæ, Franciæ & Hiberniæ quarto, & Scotiæ quadrageſimo.

'AT the Parliament begun and holden at *Westminster* by Prorogation the eighteenth Day of *November* 'in the fourth Year of the Reign of our most gracious Sovereign Lord *James*, by the Grace of 'God, of *England*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and of *Scotland* the fortieth: 'And there continued until the fourth Day of *July* one thousand six hundred and seven: And then 'prorogued until the sixteenth Day of *November* next following; To the high Pleasure of Almighty God, 'and to the Weal publick of this Realm, were enacted as followeth.

## CAP. I.

An Act for the utter Abolition of all Memory of Hostility, and the Dependance thereof, between *England* and *Scotland*, and for the Repressing of Occasions of Disorders in Time to come.

A Repeal of Hostile Laws, and of Hostility between England and Scotland. 4 H. 5. c. 7. Letters of Mart.

FOR the Honour, Weal and Good of these two mighty, famous and ancient Kingdoms of *England* and *Scotland*, and for the Furtherance and Advancement of the happy Union already begun in his Majesty's Royal Person; (2) Be it enacted by the King's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That one Act made in the fourth Year of the Reign of King *Henry* the Fifth, whereby it is enacted, That Letters of Mart or Repriſal be granted against the People of *Scoland*, in Case where the Subjects of *England* have been spoiled, and have complained, and not received Redress, shall for so much thereof as so concerneth the People of *Scotland*, be utterly repealed and made void.

II. And

II. And alſo that one Proviſo contained in an Act made in the three and thirtieth Year of the Reign of King *Henry* the Eighth, by which Proviſo the King's Majeſty's Subjects inhabiting within twelve Miles of the Borders of *Scotland*, are allowed and permitted to uſe Croſs-bows, Hand-guns, Hackbuts or Demihakes, or to uſe and keep in his or their Houſes or elſewhere any ſuch Croſs-bows, Hand-guns, Hackbuts and Demihakes, for ſo much of the ſaid Proviſo as ſo concerneth ſuch as ſhall inhabit within twelve Miles of the ſaid late Borders, ſhall be utterly repealed and made void. Croſs-bows, Hand-guns. 33 H. 8. c. 6.

III. And be it further enacted by the Authority aforeſaid, That theſe other Statutes hereafter following, That is to ſay, one Act made in the ſeventh Year of the Reign of King *Richard* the Second, whereby it is enacted, That no Armour, Victual or other Refreſhment be carried into *Scotland*, upon Pain of Seizure or Forfeiture: Armour, Victual. 7 R. 2. c. 16.

IV. And one other Act made in the one and thirtieth Year of the Reign of King *Henry* the Sixth, whereby it is enacted, That *March*-Law be not uſed out of the Circuit of the Counties of *Northumberland*, *Cumberland* and *Weſtmorland*, or the Town of *Newcaſtle*: March Law. 31 H. 6. c. 3.

V. And one other Statute made in the ſeventh Year of the Reign of King *Henry* the Seventh, whereby it is enacted, That *Scottiſhmen* ſhould avoid out of the Realm of *England* within a Time prefixed: Scottiſhmen. 7 H. 7. c. 7.

VI. And one other Statute made in the twenty-third Year of the Reign of King *Henry* the Eighth; And a like Statute made in the firſt Year of the Reign of the late Queen *Elizabeth*; whereby the conveying of Horſes out of *England* into *Scotland* is made Felony: 23 H. 8. c. 16. Horſes. 1 Eliz. c. 7.

VII. And one other Statute made in the ſecond and third Years of the Reign of King *Philip* and Queen *Mary*: Lands let to Scottiſhmen. 2 & 3 Ph. & M. c. 1.

VIII. And the like Statute made in the twenty-third Year of the Reign of the late Queen *Elizabeth*, whereby it is enacted, That no Lands or Tenements be let to *Scottiſhmen* upon the Borders: (2) Shall be utterly abrogated, repealed and made void: (3) And if there had appeared any other Statute of this Realm of *England*, wherein any Thing is ordained, enacted or eſtabliſhed, expreſly and by Name againſt *Scottiſhmen* as Enemies, or *Scotland* as an Enemy-Country to the Kings of this Realm or the State of the ſame, We ſhould for ſo much of them as had ſo concerned *Scottiſhmen* or *Scotland*, have utterly abrogated and annulled the ſame; ſeeing all Enmity and Hoſtility of former Times between the two Kingdoms and People is now happily taken away, and under the Government of his Majeſty, as under one Parent and Head, turned into Fraternity or Brotherly Friendſhip. 23 Eliz. c. 4. A Repeal of the former nine Statutes.

IX. Provided nevertheleſs, and be it enacted by the Authority of this preſent Parliament, That none of the Articles, Branches or Clauſes aboveſaid, in this Act before contained and expreſſed, ſhall take Effect or be in Force, or in any wiſe be deemed and expounded to take Effect or to be in Force, to any Intent, Conſtruction or Purpoſe, until theſe Acts of Parliament of the Realm of *Scotland* hereafter following; that is to ſay, one Act made in the Time of *James* the Firſt, King of *Scotland*, by which it was enacted, That all Perſons remaining in *England* without the King's Licence, did commit Treaſon: This Repeal ſhall take no Effect until other Statutes made in Scotland be repealed. Remaining in England without the King's Licence.

X. One other Act made in the Time of the ſaid King *James* the Firſt, whereby any Aſſurance with *Engliſhmen*, for taking Protection from them for Lands or Goods, is Treaſon:

XI. One other Act in the ſame King's Time, inhibiting all Buying and Selling of *Engliſh* Goods forbidden, under Pain of Eſcheat:

XII. One other Act made in the Time of *James* the Second, King of *Scotland*, That none ſhould paſs into *England* in Time of War, without Licence, under Pain of Treaſon:

XIII. One other Act made in the Reign of the ſaid King *James* the Second, containing, That no *Engliſhman* come into *Scotland* without Conduct, and that no *Scottiſhman* ſit under Aſſurance with them:

XIV. One other Act of the ſame King's Time, That no *Scottiſhman* ſupply *Berwick* and *Roxburgh*, under Pain of Treaſon:

XV. One other Act made in the Time of the ſaid King *James* the Second, That all Men be ready for Defence of the Realm againſt *England*:

XVI. Two Acts made in the Time of *James* the Third, King of *Scotland*, for reſiſting King *Edward* the Fourth:

XVII. One other Act made in the Time of the ſaid King *James* the Third, concerning the upholding of *Berwick*, and Garriſons upon the Borders:

XVIII. One Act made in the Reign of *Mary* late Queen of *Scotland*, by which it was enacted, That *Scottiſhmen* are charged to leave Aſſurances with *Engliſhmen*:

XIX. One other Act made in the Time of the ſaid Queen *Mary*, concerning aſſured *Scottiſh-men* aſſiſting the *Engliſh* Army:

XX. One Act made in the Parliament of *Scotland* in the Time of the moſt happy Reign of our moſt gracious Sovereign Lord the King that now is, containing, That the *Scottiſh* Borderers are diſcharged to marry *Engliſh* Borderers Daughters:

XXI. And laſtly, one other Act made in the Time of our ſaid Sovereign Lord the King, injoining the Warden to put in a Bill the Names of all *Engliſhmen* that occupy Lands in *Scotland*, and ſeek Redreſs according to the Treaties: (2) ſhall by Act of Parliament of the ſaid Realm of *Scotland*, be utterly repealed, fruſtrate and made void; (3) and until alſo the ſaid Parliament of the Realm of *Scotland* ſhall by their ſaid Act, make as full and ample Declaration concerning their clear Intention and Deſire of Repeal of all other hoſtile Laws of their Part, not before mentioned, if they were known, as on the Part of this Realm of *England* hath been in this preſent Act made and expreſſed, The Parliament of Scotland ſhall repeal all the hoſtile Law

A Repeal of the Stat. of 5 R. 2. Stat. 1. c. 2. touching the Reſtraint of Paſſage over the Sea. None ſhall be troubled for any Wrong done before the Death of Queen Elizabeth by the Laws of the Borders. Trials of Felonies committed by Engliſhmen in Scotland to be in the Northern Counties. Witneſs allowed to the Party arraigned upon Oath. The Proſecutor and Witneſſes ſhall be bound to give Evidence. The Acceſſary ſhall be tried, though the Principal be not convicted or attainted. What an Engliſhman committing a Felony in Scotland ſhall forfeit, and what not. A like Act ſhall be made in Scotland. The Offence ſhall be alledged in the Indictment where it is done. No Engliſhman ſhall be ſent out of England to receive his Trial in Scotland. Altered by 7 Jac. 1. c. 1. and inforced by 13 & 14 Car. 2. c. 22. The Jurors may allow or reject the Witneſſes. Trial of a Peer by his Peers.

XXII. And be it further enacted by the Authority aforeſaid, That one Act made in the fifth Year of King *Richard* the Second, concerning the Reſtraint of Paſſage of his Majeſty's Subjects out of this Realm, and every Ordinance, Proviſion, Article or Clauſe therein contained, ſhall be from henceforth utterly repealed, *&c.* [The reſt of this Act is revived 13 & 14 Car. 2. c. 22. but is obſolete ſince 5 Ann. c. 8.]

## CAP. II.

### An Act for the true making of Woollen Cloth.

4 *Ed.* 4. c. 1. Of what Length, Breadth and Weight ſeveral Sorts of Cloths made in divers Counties of this Realm ſhall be. Putting of Flocks or Lambs-wool in Cloth.

'FOR the Avoiding of many Inconveniencies happening to his Highneſs Subjects exerciſing the Myſtery and Trade of making and working of Woollen Clothes of divers Names and Natures, 'and that the Buyers of ſuch Clothes may have true and juſt Commerce without Fraud or Deceit,' It pleaſeth his moſt excellent Majeſty, with the Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, that it be enacted, (2) and by the Authority of the ſame it is enacted, That from and after fourſcore Days next after the End of this Seſſion of Parliament, every long Broad-Cloth and Cloths which ſhall be made of died Wools and mingled Colours, within any of the Shires of *Kent*, *York*, or at the Town of *Reading*, or elſewhere of like making, ſhall contain in Length at the Water, every Piece being throughly wet, between thirty and four and thirty Yards, every Yard, Yard and Inch of the Standard and no more, and in Breadth ſix Quarters and a Half of a Yard at the leaſt within the Liſts, by the whole Length of the ſame Cloth: (3) And that every Piece of the ſame Cloth being well ſcoured, thicked, milled, and fully dried, ſhall be in Weight eighty-ſix Pounds at the leaſt.

The Length, Breadth and Weight of Long-Worceſters. 5 & 6 Ed. 6. c. 6. 4 & 5 Ph. & M. c. 5.

II. And that every White Cloth which ſhall be made within the Cities of *Worceſter*, *Coventry* and *Hereford*, commonly called *Long-Worceſters*, or elſewhere of like making, ſhall contain in Length, being wet, between thirty and thirty-three ſuch ſaid Yards and Inches as is aforeſaid, and ſhall be in Breadth ſeven Quarters throughout all the whole Cloth, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh ſeventy-eight Pounds at the leaſt.

Plunkets, Azures, Blues and long white Cloths.

III. And that all and every long coloured Clothes, commonly called Plunkets, Azures and Blues, and long white Clothes, which ſhall be made in any of the Shires of *Suffolk*, *Norfolk* and *Eſſex*, or elſewhere of like making, ſhall contain in Length, being wet, between twenty-nine and thirty-two ſuch ſaid Yards and Inches, as is aforeſaid, and ſhall be in Breadth ſix Quarters and one Half Quarter within the Liſts at the leaſt, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh eighty Pounds at the leaſt: (2) And that all and every ſhort Clothes coloured, and ſhort white Cloths, commonly called Sorting-Cloths, which ſhall be made in any of the Shires laſt before-mentioned, or elſewhere of like Sort and Making, ſhall contain, being wet, in Length, between twenty-three and twenty-ſix ſuch ſaid Yards and Inches, as is aforeſaid, and in Breadth throughout the whole Piece, ſix Quarters within the Liſts at the leaſt, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh ſixty-four Pounds the Cloth at the leaſt.

The Length, Breadth and Weight of Sorting Cloths. 5 & 6 Ed. 6. c. 6. 4 & 5 Ph. & M. c. 5.

The Length, Breadth and Weight of fine ſhort Suffolks.

IV. And that all and every ſhort Cloths coloured, and ſhort white Cloths, commonly called fine Short *Suffolks*, which ſhall be made in the Shires laſt before-mentioned, or elſewhere of like making, ſhall contain, being wet, in Length, between three and twenty and ſix and twenty ſuch ſaid Yards and Inches, as is aforeſaid, and in Breadth throughout the whole Piece, ſix Quarters and an Half within the Liſts at the leaſt, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh ſixty-four Pounds the Cloth at the leaſt: (2) And that every ſuch Sorting ſhort Cloth ſhall be differenced from the ſaid fine Cloths laſt before-mentioned by a blue Selvedge or Edging on both Liſts: (3) And that every white Cloth which ſhall be made within the ſame mentioned Shires, or elſewhere of like making, commonly called Handiwarps, ſhall contain in Length between twenty-nine and thirty-two ſuch ſaid Yards and Inches, as is aforeſaid, and in Breadth ſeven Quarters, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh ſeventy-ſix Pounds at the leaſt: (4) And that all broad Plunkets, Azures, Blues, and other coloured Cloth which ſhall be made within the Shires of *Wiltſhire* and *Somerſetſhire*, or elſewhere of like making, ſhall contain, being thoroughly wet, between twenty-ſix and twenty-eight ſuch Yards and Inches, as is aforeſaid, and in Breadth ſix Quarters and an Half within the Liſts, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh ſixty-eight Pounds the Cloth at the leaſt: (5) And that every Cloth commonly called ſhort Cloths, which ſhall be made of died Wools, and mingled Colours, within the County of *York*, or elſewhere of like making, ſhall contain in Length, being thoroughly wet, between twenty-three and twenty-five ſuch Yards and Inches, as is aforeſaid, and in Breadth ſix Quarters and an Half between the Liſts, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh ſixty-ſix Pounds the Cloth at the leaſt; (6) and every Half-Piece thereof, commonly called Dozens, to be made and wrought after the ſame Rate in every Reſpect.

The Length, Breadth and Weight of Handiwarps.

Coloured Cloth made in Wiltſhire and Somerſetſhire.

Short Cloth made of died Wools in Yorkſhire.

A Half-piece called Dozens.

V. And that all broad-liſted Whites and Reds which ſhall be made in any of the Counties of *Wiltſhire*, *Glouceſterſhire*, *Oxfordſhire*, and the Eaſtern Limits of *Somerſetſhire*, or elſewhere of like making, commonly called Sorting-pack broad-liſted Cloths, ſhall contain in Length, being wet, between twenty-ſix and twenty-eight ſuch ſaid Yards and Inches, as is aforeſaid, and ſhall be in Breadth ſix Quarters

The Length, Breadth and Weight of broad-liſted Whites and Reds.

and an Half throughout the whole Cloth at the leaſt, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh every Piece of the ſame Cloth ſixty-four Pounds the Cloth at the leaſt: (2) And that all narrow-liſted Whites and Reds which ſhall be made in *Wiltſhire*, *Glouceſterſhire*, *Oxfordſhire*, and the Eaſtern Limits of *Somerſetſhire*, or elſewhere of like making, commonly called Sorting-pack Cloths, ſhall contain in Length, being wet, between twenty-ſix and twenty-eight ſuch ſaid Yards and Inches, as is aforeſaid, and ſhall be in Breadth within the Liſts ſix Quarters and a Half throughout the whole Cloth at the leaſt, and liſted with narrow Liſts, as hath been accuſtomed for Sorting-pack Cloths, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh every Piece, being White, ſixty-one Pounds at the leaſt, and being Red ſhall weigh ſixty Pounds the Piece at the leaſt. The Length, Breadth and Weight of narrow-liſted Whites and Reds.

VI. And that every fine Cloth with plain Liſts made in the Counties of *Wiltſhire*, *Glouceſterſhire*, *Somerſetſhire* and *Oxford*, or elſewhere of like making, ſhall contain in Length between twenty-nine and thirty-two ſuch ſaid Yards and Inches, as is aforeſaid, and in Breadth ſix Quarters and a Half between the Liſts throughout the whole Cloth, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh ſeventy-two Pounds at the leaſt. The Length, Breadth and Weight of fine Cloths with plain Liſts.

VII. And that all and every Cloths, having ſtop Liſts and not plain Liſts, ſhall contain in Length between thirty and thirty-three of ſuch ſaid Yards and Inches as is aforeſaid, and in Breadth ſeven Quarters within the Liſts, throughout the whole Cloth, and in Weight ſeventy-eight Pounds at the leaſt, as all *Worceſter* Cloths are limited: (2) And that every Broad-Cloth commonly called *Tauntons*, *Bridgwaters* and *Dunſters*, made in the Weſtern Parts of *Somerſetſhire*, or elſewhere of like making, ſhall contain, being throughly wet, between twelve and thirteen ſuch ſaid Yards and Inches, as is aforeſaid, and in Breadth ſeven Quarters of a Yard at the leaſt, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh thirty Pounds the Cloth at the leaſt: (3) and every narrow Cloth of like Sort and Making within the ſaid County of *Somerſetſhire*, or elſewhere, ſhall contain in Length, being throughly wet, between twenty-four and twenty-five ſuch Yards and Inches, as is aforeſaid, and in Breadth one Yard within the Liſts at the leaſt, and liſted with a narrow Liſt, and well ſcoured, thicked, milled, and fully dried, ſhall weigh thirty Pounds a-piece at the leaſt, and the Half-Cloth thereof to be of a proportionable Length and Weight, and of like Breadth, as aforeſaid: (4) And that all ſuch like broad Cloths and narrow Cloths laſt before-mentioned, made within the County of *York* into Whites and Reds, the broad Cloth to hold the ſame Lengths, Breadth and Weight, but the narrow Cloth to be allowed by this Statute to contain between ſeventeen and eighteen Yards of like Meaſure, Breadth, and in Weight proportionable, as aforeſaid. Cloths having ſtopped Liſts. Broad-cloths called Tauntons, Bridgwaters and Dunſters. Broad and narrow Cloths made in Yorkſhire.

VIII. And that all *Devonſhire* Kerſies called Dozens, ſhall contain in Length at the Water between twelve and thirteen ſuch ſaid Yards and Inches, as is aforeſaid, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh thirteen Pounds the Cloth at the leaſt; (2) And all Cloths called Check-Kerſies, Straights and plain Greys, ſhall contain in Length at the Water between ſeventeen and eighteen ſuch ſaid Yards and Inches as is aforeſaid, and in Breadth one Yard at the leaſt by all the Length, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh twenty-four Pounds the Piece at the leaſt: (3) And that all Cloths called Ordinary Peniſtones or Foreſt-Whites, ſhall contain in Length in the Water between twelve and thirteen ſuch ſaid Yards and Inches, as is aforeſaid, and in Breadth five Quarters and an Half, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh twenty-eight Pounds the Piece at the leaſt: (4) And that all Peniſtones called Sorting-Peniſtones, ſhall contain in Length in the Water between thirteen and fourteen ſuch Yards and Inches, and ſhall be in Breadth ſix Quarters and a Half, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh thirty-five Pounds the Piece at the leaſt. Devonſhire Kerſies called Dozens. Check-Kerſies, Straights and plain Grey. Ordinary Peniſtones or Foreſt-whites. Sorting-peniſtones.

IX. And be it likewiſe enacted by the Authority aforeſaid, That all Cog-ware, Kendal and Carpt-meals, ſhall from henceforth be made in ſuch Sort as ſhall beſt pleaſe the Buyer, and ſhall not be ſearched or ſealed, or be ſubject to any other Penalty than ſuch as was impoſed thereon before the nine and thirtieth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, ſo as they ſhrink not above one Yard for every twenty Yards. Cog-ware, Kendal and Carpt-meals. 39 Eliz. c. 20.

X. And be it enacted by the Authority aforeſaid, That all Kerſies called Waſhers, or Waſh-whites, made within the Counties of *York*, *Lancaſter* or elſewhere of like making, ſhall contain in Length at the Water, being half-thicked, between ſeventeen and eighteen Yards of the Meaſure aforeſaid, and being quarter thicked, ſhall contain between eighteen and nineteen ſuch Yards and Inches, as is aforeſaid, and being clean ſcoured and fully dried, ſhall weigh ſeventeen Pounds the Piece at the leaſt. (2) And that no Cloth-worker, Sheer-man or Fuller, ſhall raiſe or row, or cauſe to be raiſed or rowed, any kind of Cloths or Kerſies in or with any Oils, Gooſe Greaſe, Swines Greaſe, or any ſuch like Thing of any kind of Greaſes or Oils, but ſhall ſhear the ſame Cloth, Kerſie, plain and ſtraight, without laying in or on any of the aforeſaid Oils, Gooſe Greaſe, Swines Greaſe, or any other liquid or moiſt Thing, but only upon the Edge of the Shears with Semet or Oil, upon Pain to forfeit for every Time ſo doing contrary to the true Meaning of this Statute, thirteen Shillings four-pence; (3) And that no Cloth-worker, Sheer-man or Fuller, ſhall raiſe, full, or row or ſhear the Liſts and Sides of Cloths and Kerſies, better than the Midſt, but ſhall work all alike; (4) upon Pain of forfeiting for every Cloth, Kerſie, plain and ſtraight, done contrary to the true Meaning of this Statute, thirteen Shillings four-pence. The Length and Weight of Waſhers, or Waſh-whites. There ſhall be no Rowing, or Raiſing of Cloth. There ſhall be no different Rowing, Raiſing, Fulling or Shearing of the Liſts of Cloths.

XI. And that no Cloth-worker, or any other Perſon or Perſons whatſoever, ſhall have or uſe for the Cutting or Taking away of the Wool from the Back-ſides of any Cloths and Kerſies, any Knife or Knives, Rubſter or Rubſters, Pumiſtone, or any other Device whatſoever, but only to ſhear the ſame Back-ſide with a Pair of Shears; (2) on Pain of forfeiting for every Piece wherein or whereupon the ſame ſhall be ſo done, the Sum of thirteen Shillings, four-pence. There ſhall be no cutting off Wool from the Back-ſides of Cloth.

There shall be no Blowing, Spouting or Bedewing any Cloth on the Sides near the Lists. The Forfeiture for Blowing, Spouting, &c. of a Cloth for Encreaſe of Weight.

XII. And be it further enacted by the Authority of this preſent Parliament, That no Cloth-worker, Sheer-man or Fuller, or any other Perſon or Perſons whatſoever, ſhall from and after the Feaſt of St. *John* Baptiſt next enſuing the End of this preſent Seſſion of Parliament, blow, ſpout or bedew any kind of Broad-cloth or Kerſie on the Sides and Edges near the Liſts thereof with any Water, or other liquid or moiſt Thing whatſoever, whereby the Edges or Sides of any Cloth or Kerſie may make Shew to be better than it is in the Ridge, Creſt or Midſt thereof; (2) upon Pain to forfeit for every ſuch Offence the Sum of thirteen Shillings four-pence of lawful Money of *England*: (3) And if any Perſon or Perſons ſhall blow, ſpout, wet or bedew, or cauſe to be blowed, ſpouted, wet or bedewed with any liquid or moiſt Thing any kind of Cloth or Kerſie of whatſoever Country, Making or Name, for Increaſe of Weight, thereby to deceive the Buyers or Searchers, ſuch Perſon or Perſons ſhall forfeit and loſe for every ſuch Offence the Sum of forty Shillings of like lawful Money of *England*.

Agreement for the Dying, Dreſſing, Shearing and Rowing of Cloth.

XII. And be it further enacted by the Authority aforeſaid, That all the ſaid white Cloths and coloured Cloths, which by this preſent Act are not limited and appointed to be wrought, dreſſed and ſhorn, ſhall have Allowance and Abatement for the Dying, Dreſſing, Rowing and Shearing thereof, for every ſuch ſaid ſhort broad Woollen Cloths four Pounds in Weight, and no more, and the long Cloths five Pounds and no more, and ſo after that Rate in all and every the ſame Half-woollen Cloth, Kerſie, and other the ſaid Woollen Cloth.

Into what Kind of Cloths only Flocks, Thrums, and Lambswool, may be put. Rep. 21 Jac. 1. c. 18.

XIV. And be it alſo enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons lawfully exerciſing the Trade or Art of a Clothier, or making of Cloths, to make Flocks, Thrums and Lambs Wool into Cloth of one only Kind or Making, which ſhall contain in Length, being throughly wet, between twelve and thirteen ſuch Yards and Inches, as is aforeſaid, and in Breadth one Yard at the leaſt within the Liſts, and being clean ſcoured, thicked, milled, and fully dried, ſhall weigh fifteen Pounds the Piece at the leaſt.

The Means to know Cloth made of Flocks, Thrums, &c.

XV. And for the better and more eaſy Diſtinction and Knowledge of every ſuch Cloth from Cloth made of perfect Wool, every Cloth made of Flocks, Thrums and Lambs Wool, ſhall have the one Liſt wholly of black Yarn, and on the other Side a Selvedge only: (2) And that from henceforth no Perſon or Perſons ſhall put any Hair, Flocks, Thrums or any Yarn made of Lambs Wool, or other deceiveable Thing or Things, in or upon any other broad Woollen Cloth, Half-Cloth, Kerſie, Frize, Dozen, Bays, Peniſtone, Cotton, *Taunton* Cloth, *Bridgewater*, *Dunſter* Cotton, or other Cloth, of what Nature, Kind and Name ſoever, made to be ſold, and ſold, not being made and liſted with ſuch black Liſt and Selvedge as aforeſaid; (3) upon Pain to forfeit every ſuch of the ſaid Woollen Cloth, Half-Cloth, Kerſie, Frize, Dozen, Peniſtone, Cotton and other Woollen Cloth, of what Nature, Kind and Name ſoever, other than ſuch as ſhall be liſted and made as aforeſaid, whereinto or upon which any ſuch Hair, Flocks, Thrums, Yarn of Lambs Wool, or other deceiveable Thing ſhall be put or uſed, or the Value thereof.

The Penalty for putting of any Hair, Flocks, &c. into any other Cloth.

Places where Flannel, Wadnals and Coverlets be made.

XVI. Provided always, that in ſuch Towns, Places and Counties, where Flannel, Wadnals and Coverlets or Blankets are uſually made, the ſame may be made in ſuch Sort as heretofore hath been lawfully uſed and accuſtomed; this Statute or any Thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The Forfeiture where the Cloth is longer than is appointed.

XVII. And if any of the ſaid Broad Woollen Clothes, or Half-Cloth, or any other Kind of Woollen Clothes, Dozens, Cottons or other Sorts of Woollen Cloth before-mentioned in this preſent Act, of what Nature, Kind or Name ſoever they be of, made to be ſold, and ſold, ſhall be more in Length than is therefore reſpectively limited and appointed in this preſent Act; then every Perſon or Perſons ſelling the ſame, ſhall forfeit and pay for every Yard and Inch exceeding the Length ſo appointed, the Sum of ten Shillings, and no more.

The Forfeiture where the Cloth wanteth Weight.

XVIII. And if any ſuch Cloth ſhall not weigh proportionably for every ſuch Yard and Inch to the ſeveral and reſpective Weight to them ſo limited and appointed, then the ſaid Perſon and Perſons ſelling the ſame, ſhall forfeit and loſe for every Pound-weight that ſhall be wanting above two Pounds, the Sum of ten Shillings, and no more; any former Law or Statute to the contrary thereof in any wiſe notwithſtanding.

The Forfeiture if the Cloth do want Breadth.

XIX. And if any ſuch Cloth before-mentioned, not exceeding the ſeveral Lengths to them by this Statute limited or appointed, and holding the ſeveral and reſpective Weight limited and appointed, do yet fortune to want of the juſt Breadth limited or appointed; then the ſaid Perſon or Perſons ſelling the ſame, ſhall forfeit and loſe for every Cloth falling narrow thorow the whole Cloth, twenty Shillings, and throughout Half the Cloth, ten Shillings, and under half the Cloth, five Shillings only and no more; any former Laws or Statutes inflicting other or greater Penalty or Penalties to the contrary thereof in any wiſe notwithſtanding.

The Forfeiture if the Cloth be of leſs Length than the Seal doth purport.

XX. And if any Cloth or Clothes of any the Names, Natures or Making aforeſaid, which by this Statute or any Clauſe or Article therein, or any other Statute now in Force and not repealed, ſhall upon due and convenient Trial, within convenient Time after Sale thereof, in Preſence of the Party that ſold the ſame, or other Perſon or Perſons by him appointed, if he or they will be preſent at the Search and Trial thereof, or if he or they will not be preſent, having reaſonable Notice, then in his or their Abſence, be found to be of leſs Length than the Seal or Seals thereon fixed at the Time of the Sale thereof do purport; then the Owner, or Perſon or Perſons ſelling the ſame, ſhall forfeit and loſe to the Merchant, Draper, or other Perſon or Perſons that ſhall have bought the ſame, for ſo much as ſhall be wanting of the Length ſpecified in the Seal or Seals of the ſaid Cloth, after the Rate of ſix Shillings eight-pence for every Yard over and beſides the true Value of ſo much of the ſaid Cloth or Clothes, as ſhall be found wanting of the Length certified by the ſaid Seal or Seals, and no more; any former Law or Statute, inflicting other or greater Penalty, to the contrary thereof in any wiſe notwithſtanding.

XXI.

XXI. And be it further enacted by the Authority of this preſent Parliament, That all and every Branch, Clauſe and Sentence in any former Statute, whereby any other Length, Breadth or Weight, of the Clothes before-mentioned or any of them, or any other Penalty or Forfeiture concerning the Length, Breadth or Weight of the aforeſaid Clothes or any of them, or any other Offence by this Act intended to be reformed, is limited, or whereby any Penalty or Forfeiture for the Offences in this Bill mentioned, or any of them, are given to any other Perſon or Perſons than in and by this Statute is limited and intended, ſhall be from henceforth utterly repealed and made void. A Repeal of all contrary Statutes concerning the Length, Breadth and Weight of Cloths, or Forfeitures.

XXII. And be it further enacted by Authority of this preſent Parliament, That none of the Clothes aforeſaid, which by the Laws and Statutes of this Realm ought to be ſealed, of what Name, Nature or Quality ſoever they be of, being ſealed by the Overſeers authorized as well by the Statute made in the nine and thirtieth Year of the Reign of our ſaid late Sovereign Lady Queen *Elizabeth*, intituled, 'An Act againſt the deceitful Stretching and Tentring of Northern Cloth,' as alſo by a Statute made in the three and fortieth Year of her ſaid Reign, intituled, 'An Act for the true Working and Making 'of Woollen Cloth,' ſhall afterward be ſearched, tried or watered by any other Perſon or Perſons whatſoever, but only by the Merchant or Draper, or other Perſon to whom the ſame ſhall be ſold: (2) And that if any Woollen Cloth, upon the Search by the Searchers or Overſeers of the Cities, Counties, Towns or Places where the Cloth is made, ſhall be found either to exceed the Length or to want of the Weight by this Statute limited, the ſaid Searchers or Overſeers finding and certifying the ſaid Overlength and the Weight that ſhall want, or ſuch of them wherein the Offence ſhall happen to have been committed, by his or their Seal or Seals, ſhall have the one Moiety of all ſuch Penalties and Forfeitures, as by this Statute are given, limited and appointed, for Exceſs of Length or Want of Weight, and no other Perſon or Perſons: (3) And ſhall and may ſue for and recover the ſame by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; and our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, ſhall have the other Moiety. Cloth ſearched by Overſeers, ſhall not be ſearched, tried or watered again, but by the Buyer thereof. 39 Eliz. c. 20. 43 Eliz. c. 10. Farther Provided for by 21 Jac. 1. c. 18. ſect. 7. Where the Searchers or Overſeers ſhall take ſome Benefit by the Forfeitures.

XXIII. And alſo if any Woollen Cloth or Clothes, of any the Natures, Names or Makings aforeſaid, ſhall after ſuch Search in the Country or other Place aforeſaid, be found to be faulty in any Thing not certified, and appearing by the Seal or Seals of the ſaid Overſeers and Searchers, by the Merchant or Draper, or other Perſon or Perſons buying the ſame, upon due and convenient Trial within convenient Time after the Sale thereof, in Preſence of the Party that ſold the ſame, or of other Perſon or Perſons by him or them to be appointed, if he or they will be preſent at the Search and Trial thereof, or if he or they will not be preſent, having reaſonable Notice given, then in his or their Abſence; the ſaid Merchant or Draper, or other Perſon that bought the ſame, and no other, ſhall have the one Moiety of all the Penalties and Forfeitures by this Statute impoſed and incurred, and not become due to the Overſeers and Searchers aforeſaid, to his own only proper Uſe and Behoof; any former Statute, Matter or Thing whatſoever to the contrary hereof in any wiſe notwithſtanding; (2) and alſo ſhall or may ſue for and recover the ſame in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; and his Majeſty, his Heirs and Succeſſors ſhall have the other Moiety. The Forfeiture where Cloths be faulty, and not ſo certified by the Overſeer.

'XXIV. And foraſmuch as of late it hath been reputed, That a Broad Woollen Cloth ſhould and 'ought to conſiſt of four and twenty ſuch Yards and Inches as aforeſaid, and not above, and Payments 'and other Duties have been accordingly demanded and paid for the ſame:' Be it therefore enacted by the Authority aforeſaid, That if any Broad Woollen Cloth be made longer or ſhorter than four and twenty ſuch ſaid Yards and Inches, all Duties and Payments hereafter to be paid for the ſame, ſhall be demanded and made proportionable, according to the Rate and Proportion of four and twenty ſuch ſaid Yards and Inches for a whole Cloth, and not otherwiſe. Duties and Payments for a Broad Woollen Cloth.

'XXV. And whereas by this and divers other Statutes concerning Drapery and Clothing, it is enacted, 'That all and every Broad Cloth and Cloths, which ſhall be made in *Kent* and *Suſſex*, or at the Town of '*Reading*, or elſewhere of like Making, ſhall be of a certain Length, Breadth and Weight, in this or 'other the ſaid Statutes expreſſed and limited, and in like Sort for Woollen Cloths moſt uſually made in 'ſome other Counties or Towns, are firſt ſpecially and particularly named in this and other the ſaid Sta'tutes, and after follow theſe Words (or elſewhere of like Making) importing, That it ſhould be lawful 'for any Clothier, of whatſoever Town or County within this Realm, to make Cloth of like Making, 'and accordingly the ſame hath heretofore been put in Ure: Yet foraſmuch as of late ſome Doubt hath 'thereupon riſen,' Be it therefore explained and enacted, That it is and ſhall be lawful for every Clothier, of what Town or County ſoever within this Realm, where Clothing hath heretofore been uſed, to make or cauſe to be made any true Woollen Cloth, of what Name, Nature or Manner of making ſoever the ſame be, albeit the ſame Kind of Woollen Cloth do bear ſpecially the Name of ſome other County, City or Town within this Realm. This Act to continue until the End of the firſt Seſſion of the next Parliament. 5 & 6 Ed. 6. c. 6. 4 & 5 Ph. & M. c. 5. Every Clothier may make any Kind of Woollen Cloth. The Continuance of this Act.

XXVI. Provided always, and be it enacted by the Authority aforeſaid, That neither this Act, nor any Thing therein contained, ſhall extend to abridge or diminiſh any Cuſtoms or Duties appertaining to our Sovereign Lord the King's Majeſty, his Heirs or Succeſſors, or to any his Officers or Miniſters, for the Searching, Meaſuring or Sealing any the Cloths beforementioned, nor to hurt or prejudice the lawful Fees due or belonging to his Majeſty's Aulneger, or to hurt or prejudice the lawful Uſe and Exerciſe of the Office of Aulneger; ſo as after any Cloth once lawfully ſearched and lawfully ſealed, the ſame be not compelled to be further viewed, ſearched, meaſured or ſealed. [Continued by 3 Car. 1. c. 4. and farther continued by 16 Car. 1. c. 4.] The King's Duties and his Officers reſerved. Cloth once lawfully ſearched and ſealed, ſhall not be ſearched or ſealed again.

*Farther Proviſions concerning Cloth*, 7 *Jac.* 1. *c.* 16. 21 *Jac.* 1. *c.* 18 & 28. 12 *Car.* 2. *c.* 32. 22 & 23 *Car.* 2. *c.* 8. 11 & 12 *W.* 3. *c.* 20. 6 *Ann. c.* 8 & 9. 7 *Ann. c.* 13. 10 *Ann. c.* 16. 1 *Geo.* 1. *c.* 15 & 41. 11 *Geo.* 1. *c.* 24. 7 *Geo.* 2. *c.* 25. 11 *Geo.* 2. *c.* 28. and 14 *Geo.* 2. *c.* 35.

## CAP. III.

### An Act to give Coſts to the Defendant upon a Nonſuit of the Plaintiff, or Verdict againſt him.

Caſes wherein by the Statute made 23 H. 8. c. 15. the Defendant ſhall recover his Coſts. Hetley 146.

'WHEREAS in the three and twentieth Year of the Reign of King *Henry* the Eighth of famous Memory, a good and profitable Law was made, whereby it was enacted, That in Caſes where the Plaintiff in any Action, Bill or Plaint of Debt, Treſpaſs upon the Caſe, Detinue, Account, and in ſome other Actions therein eſpecially mentioned, ſhould become nonſuit, or a Verdict ſhould be had againſt the ſaid Plaintiff; that then in ſuch Caſes the Defendant ſhould have Judgment to recover his Coſts againſt every ſuch Plaintiff, as by the ſaid Law appeareth: (2) Which Law hath been found to be very good and beneficial for the Commonwealth, and thereby many have been diſcouraged from bringing frivolous and unjuſt Suits, becauſe ſuch Parties are to make Recompence to the Parties unjuſtly vexed, for the ſaid unjuſt Vexations.

1 Bulſtr. 189. 2 Bulſtr. 261. 3 Bulſtr. 248. Several Caſes wherein the Defendant ſhall recover his Coſts againſt the Plaintiff. 8 Eliz. c. 2. 2 Roll 75, 87, 213. Hob. 219. Hutt. 16, 22. March 24. Cro. Jac. 229. *Cro. Car.* 29.

'II. And foraſmuch as Actions of Treſpaſs, and Actions of *Ejectione firmæ*, and many other Actions Real and Perſonal, are within the ſame Miſchief, as the ſaid other Actions were at the Common Law, and yet were omitted out of the Proviſion of the ſaid Law:' (2) For Remedy whereof, Be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons at any Time after the End of this preſent Seſſion of Parliament, ſhall commence or ſue in any Court of Record, or in any other Court, any Action, Bill or Plaint of Treſpaſs, or *Ejectione firmæ*, or any other Action whatſoever, wherein the Plaintiff or Demandant might have Coſts (if in caſe Judgment ſhould be given for him) and the Plaintiff or Plaintiffs, Demandant or Demandants, in any ſuch Action, Bill or Plaint, after Appearance of the Defendant or Defendants, be nonſuited, or that any Verdict happen to paſs by any lawful Trial againſt the Plaintiff or Plaintiffs, Demandant or Demandants, in any ſuch Action, Bill or Plaint, that then the Defendant and Defendants, in every ſuch Action, Bill or Plaint, ſhall have Judgment to recover his Coſts againſt every ſuch Plaintiff and Plaintiffs, Demandant and Demandants, (3) to be aſſeſſed, taxed and levied in Manner and Form as Coſts in the ſaid recited Actions are to be aſſeſſed, taxed and levied in and by the ſaid Law of the three and twentieth Year of King *Henry* the Eighth. Coke Ent. 29.

23 H. 8. c. 15.

*In what Caſes Coſts are given, ſee farther* 7 *Jac.* 1. *c.* 5. 21 *Jac.* 1. *c.* 16. 16 *Car.* 1. *c.* 15. 13 *Car.* 2. *St.* 2. *c.* 2. 23 *Car.* 2. *c.* 9. *ſect.* 136. 4 & 5 *W. & M. c.* 23. 8 *W.* 3. *c.* 11. 11 & 12 *W.* 3. *c.* 9. 4 *Ann. c.* 16. *and* 14 *Geo.* 2. *c.* 17.

## CAP. IV.

### An Act to reſtrain the Utterance of Beer and Ale to Alehouſe-keepers and Tiplers not licenced.

5 & 6 *Ed.* 6. *c.* 25. In what Caſe only Ale or Beer may be ſold to an Alehouſe-keeper having no Licence. The Abuſes of Alehouſes intolerable. None ſhall ſell Ale or Beer to an Alehouſe-keeper not having Licence, but for the Expence of his Houſhold.

'FOR the better Repreſſing of Alehouſes, whereof the Multitudes and Abuſes have been and are found intolerable, and ſtill do and are like to increaſe:' (2) Be it enacted by the King's moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons by himſelf, or by any other Ways or Means, directly or indirectly, ſhall at any Time after three Months next after the End of this preſent Seſſion of Parliament, ſell, utter or deliver, or cauſe to be ſold, uttered or delivered, any Beer or Ale, to any Perſon or Perſons, or into the Houſe or Cellar of any Perſon or Perſons that then ſhall ſell or utter Beer or Ale as a common Tipler or Alehouſe-keeper, the ſame Perſon not having any Licence then in Force to ſell Ale or Beer, other than for the convenient Uſe and Expence of his, her or their Houſhold only; (3) upon Pain to forfeit for every Barrel ſold, uttered or delivered contrary to the Form and true Meaning of this Act, the Sum of ſix Shillings eight-pence, and ſo after that Rate for a greater or leſſer Quantity.

1 *Haw. P. C. c.* 78.

In what Courts the Offences aforeſaid ſhall be heard and determined.

II. And be it further enacted by the Authority aforeſaid, That all Offences to be done or committed contrary to the true Meaning of this Act, and all Penalties aforeſaid, ſhall be enquired of, ſued for, heard and determined in the Seſſions of the Peace for the County, City or Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty, wherein ſuch Offence ſhall be committed, by Action of Debt, Information, Indictment or Preſentment, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed to the Defendant: (2) And the one Half of all which Forfeitures ſhall be to the Uſe of the poor People inhabiting within the City, Borough, Hundred, Town or Liberty, where ſuch Offences ſhall be committed from Time to Time, and the other Half thereof to him or them that will ſue for the ſame.

Who ſhall have the Forfeitures.

The Poor's Half of the Forfeitures ſhall be delivered to the Overſeers.

III. And to the End that the ſaid one Half of the ſaid Forfeitures above limited to be to the Uſe of the ſaid poor People, may be truly imployed and beſtowed upon them, according to the true Meaning of this Act: (2) Be it further enacted, That the Sheriff, Bailiff or other Officer or Perſon that ſhall levy or receive any Sum or Sums of Money forfeited and recovered according to the true Meaning of this Act, ſhall and may by Virtue of this Act, without further Warrant, deliver the one Half of the ſame Sum and Sums of Money, by him or them ſo levied and received, to ſome one or more of the Churchwardens and Overſeers of the Poor of the ſame Pariſh where the ſame Offence ſhall be committed, to be by them and every of them diſtributed and beſtowed amongſt the ſaid poor People, according to the true Meaning of this Act, who ſhall likewiſe have Authority by Virtue of this Act, to diſtribute and beſtow the ſame accordingly.

IV. And

IV. And be it further enacted, That every Sheriff, Bailiff and other Officer and Perſon which ſhall levy or receive any ſuch Forfeiture or Forfeitures aforeſaid, and ſhall pay over the Moiety and one Half thereof, according to the true Meaning of this Act, ſhall be thereof diſcharged againſt the King's Majeſty, his Heirs and Succeſſors. The Officer paying the Moiety to the Overſeers, ſhall be diſcharged thereof.

V. And be it further enacted, That if any Sheriff, Bailiff or other Officer or Perſon ſhall refuſe to pay over the Moiety and one Half of the ſaid Money by him or them levied or received, or that the ſaid Churchwardens and Overſeers, to whom the ſaid Money ſhall be ſo paid, ſhall not from Time to Time, within convenient Time, truly diſtribute and beſtow the ſame to and amongſt the poor People according to the true Meaning of this Act, That then every Perſon ſo offending ſhall forfeit double the Value thereof, to be recovered and imployed as aforeſaid. The Penalty for not diſtributing the Money received to the Poor. *Farther Proviſions relating hereto, ſee 7 Jac. 1. c. 10. 21 Jac. 1. c. 7. 1 Car. 1. c. 4. 26 Geo. 2. c. 31. and 29 Geo. 2. c. 12.*

## CAP. V.

### An Act for repreſſing the odious and loathſom Sin of Drunkenneſs.

'WHEREAS the loathſom and odious Sin of Drunkenneſs is of late grown into common Uſe within this Realm, being the Root and Foundation of many other enormous Sins, as Bloodſhed, Stabbing, Murder, Swearing, Fornication, Adultery, and ſuch like, to the great Diſhonour of God, and of our Nation, the Overthrow of many good Arts and manual Trades, the Diſabling of divers Workmen, and the general Impoveriſhing of many good Subjects, abuſively waſting the good Creatures of God:' The Penalty of a Drunkard, and of him that continueth drinking in an Alehouſe. Drunkenneſs the Foundation of many other Sins, and the Cauſe of ſeveral Enormities. 1 Salk. 45.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons, which after forty Days next following the End of this preſent Seſſion of Parliament, ſhall be drunk, and of the ſame Offence of Drunkenneſs ſhall be lawfully convicted, ſhall for every ſuch Offence forfeit and loſe five Shillings of lawful Money of *England*, to be paid within one Week next after his, her or their Conviction thereof, to the Hands of the Churchwardens of that Pariſh where the Offence ſhall be committed, who ſhall be accountable therefore to the Uſe of the Poor of the ſame Pariſh: (2) And if the ſaid Perſon or Perſons ſo convicted, ſhall refuſe or neglect to pay the ſaid Forfeiture as aforeſaid, then the ſame ſhall be from Time to Time levied of the Goods of every ſuch Perſon or Perſons ſo refuſing or neglecting to pay the ſame, by Warrant or Precept from the ſame Court, Judge or Juſtices, before whom the ſame Conviction ſhall be: (3) And if the Offender or Offenders be not able to pay the ſaid Sum of five Shillings, then the Offender or Offenders ſhall be committed to the Stocks for every Offence, there to remain by the Space of ſix Hours. The Forfeiture of him that is convicted of Drunkenneſs. 7 Jac. 1. c. 10. The penalty for refuſing or being not able to pay the Forfeiture.

III. And be it further enacted by the Authority aforeſaid, That if any Conſtable, or any other inferior Officer of that Pariſh or Place where the Offence ſhall be committed, to whom that ſhall be given in Charge by the Precept of any Mayor, Bailiff or other Head Officer, or Juſtices of the Peace within their ſeveral Limits, do neglect the due Correction of the ſaid Offender, or the due Levying of the ſaid Penalties, where Diſtreſs may be had; Then every Perſon ſo offending ſhall forfeit the Sum of ten Shillings of current Money of *England*, to the Uſe of the Poor of the ſame Pariſh or Place where the Offence ſhall be committed, to be levied by way of Diſtreſs, by any other Perſon or Perſons having Warrant from any Mayor, Bailiff or other Head Officer, Juſtices of Peace, or Court, where any ſuch Conviction ſhall be, and to be paid to the Churchwardens as before limited, who are alſo to account for the ſame to the Uſe aforeſaid. The Forfeiture of an inferior Officer that doth neglect to do his Duty. *1 Haw. P. C. c. 78. Burn V. 1. 29.*

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons within this Realm of *England*, or the Dominion of *Wales*, ſhall remain or continue drinking or tipling in any Inn, Victualling-houſe or Alehouſe, being in the ſame City, Town, Village or Hamlet, wherein the ſaid Perſon or Perſons (ſo remaining drinking or tipling) doth dwell and inhabit at the Time of ſuch Drinking and Tipling; and the ſame being viewed and ſeen by any Mayor or other Head Officer, Juſtice or Juſtices of Peace within their ſeveral Limits, or duly proved in ſuch Manner and Form as is limited in and by one Act of Parliament made in the firſt Seſſion of this preſent Parliament, intituled, *An Act to reſtrain the inordinate Haunting and Tipling in Inns, Alehouſes and other Victualling-houſes*, unleſs it be in ſuch Caſe or Caſes as be tolerated or excepted in the ſaid Act; That then every Perſon or Perſons ſo offending ſhall forfeit and loſe for every ſuch Offence, the Sum of three Shillings and four Pence of current Money of *England*, to the Uſe of the Poor of the Pariſh where the ſaid Offence ſhall be committed, to be levied by way of Diſtreſs, in ſuch Manner and Form as is before appointed by this Act, for the levying of the Penalty of five Shillings for being drunk: (2) And if it happen that any Offender or Offenders againſt the true Intent of this Clauſe or Branch, being thereof lawfully convicted, be not able to pay the ſaid Forfeiture or Forfeitures; Then it ſhall and may be lawful for any Mayor, Bailiff or other Head Officer, Juſtice or Juſtices of Peace, or Court, where any ſuch Conviction ſhall be, to puniſh the ſaid Offender or Offenders by ſetting him, her or them in the Stocks for every ſuch Offence, by the Space of four Years. The Penalty for continuing drinking in an Alehouſe, &c. 7 Jac. 1. c. 10. Farther Proviſions relating hereto, 1 Car. 1. c. 4. 1 Jac. 1. c. 9.

V. For the more due Execution of this Statute, and for the better and more due Proceeding againſt ſuch Offenders, all Offences of Drunkenneſs, and of Exceſs and unmeaſurable Drinking, (2) Be it further enacted by the Authority of this preſent Parliament, That all the Offences in this Act, and in the ſaid former Act mentioned, ſhall be from Time to Time diligently enquired of and preſented before the Juſtices of Aſſizes in their Circuit, Juſtices of the Peace in their Quarter or Ordinary Seſſions, What Officers ſhall enquire of and puniſh the Offences committed againſt this Statute, and the Statute of 1 Jac. 1. c. 9.

ſions, and before the Mayors, Bailiffs or other Head Officers of every City or Town Corporate, who have Power to enquire of Traſpaſſes, Riots, Routs, Forces and ſuch like Offences, and in every Court-Leet, and thereupon ſuch due Proceedings ſhall be againſt the Offender and Offenders for their due Conviction in that Behalf, as in ſuch like Caſes upon any Indictment or Preſentment is uſed by the Laws of the Realm, or Cuſtoms of the City, Town or Place where ſuch Preſentment or Indictment ſhall be enquired of and found.

He that is the ſecond Time convicted of Drunkenneſs ſhall be bound to his Good Behaviour.

VI. And it is further enacted by the Authority aforeſaid, That if any Perſon or Perſons, being once lawfully convicted of the ſaid Offence of Drunkenneſs, ſhall after that be again lawfully convicted of the like Offence of Drunkenneſs, That then every Perſon and Perſons ſo ſecondly convicted of the ſaid Offence of Drunkenneſs, ſhall be bounden with two Sureties to our Sovereign Lord the King's Majeſty, his Heirs and Succeſſors, in one Recognizance or Obligation of ten Pounds, with Condition to be from thenceforth of Good Behaviour.

What Officers ſhall preſent the Offences aforeſaid.

VII. Be it further enacted by the Authority aforeſaid, That all Conſtables, Churchwardens, Headboroughs, Tithingmen, Aleconners and Sidemen, ſhall in their ſeveral Oaths incident to their ſeveral Offices, be charged in like Sort to preſent the Offences contrary to this Statute.

Enlarged by 21 Jac. 1. c. 7. ſect. 5. No Reſtraint of Eccleſiaſtical Juriſdictions.

VIII. Provided always, That this Act, or any Thing therein contained, do not in any wiſe abridge or reſtrain the Eccleſiaſtical Power or Juriſdiction, but that all Ordinaries, and other Eccleſiaſtical Judges and Officers, ſhall and may proceed to enquire of, cenſure and puniſh all ſuch Offenders according to the Eccleſiaſtical Laws of this Realm, in ſuch Manner and Form as before they lawfully might do; any Thing in this Act to the contrary notwithſtanding.

There ſhall be but one Puniſhment for one Offence.

IX. Provided alſo, That when any of the Offenders againſt the true Intent of this Act, or any Branch or Article thereof, hath been once puniſhed or corrected for his or her Offence, by any the Ways and Means before limited; that then the ſaid Offender ſhall not be eftſoons puniſhed or corrected for the ſame Offence by any other Ways or Means.

The Liberties of the Univerſities ſhall not be prejudiced.

X. Provided always, That this Act, or any Thing therein contained, ſhall not be prejudicial to either of the two Univerſities of this Land, but that the Chancellors, Maſters and Scholars, and the Succeſſors of them and either of them, may as fully uſe and enjoy all their Juriſdictions, Rights, Privileges and Charters, as heretofore they have or might have done; any Thing in this Act to the contrary notwithſtanding.

Within what Time an Offender ſhall be preſented. The Continuance of this Act. *See the References to the foregoing Chapter.*

XI. Provided always, That no Perſon or Perſons ſhall be puniſhed, impeached or moleſted for any Offence mentioned in this Statute, unleſs he ſhall be for the ſame Offence preſented, indicted or convicted within ſix Months after ſuch Offence comitted: (2) This Act to continue until the End of the firſt Seſſion of the next Parliament. [Made perpetual by 21 Jac. 1. c. 7. but ſee 21 Jac. 1. c. 28. which only continues it to the End of the firſt Seſſion of the next Parliament. Enforced as perpetual by 1 Car. 1. c. 4.]

## CAP. VI.

An Act for repealing of ſo much of one Branch of a Statute made in the firſt Year of his Majeſty's Reign, intituled, An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the Cutting of Leather, as concerneth the Sealing of Sheep-Skins, and to avoid Selling of tanned Leather by Weight.

The Intent of the Statute made 1 Jac. 1. c. 22. 27 H. 8. c. 14. 5 & 6 Ed. 6. c. 15. 1 M. Stat. 3. c. 8. 5 Eliz. c. 22. 8 Eliz. c. 14. 18 Eliz. c. 9.

'WHEREAS by the ſame Statute it plainly appeareth, That the Intent and Meaning thereof was to make void all former Statutes made concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the Cutting of Leather, and to comprehend in one Statute all Things mentioned in the ſame former Laws needful to be enacted concerning Tanners, Curriers, Shoemakers and other Artificers occupying the Cutting of Leather: (2) And for that in divers Branches of the ſaid late Statute touching the Sealing of Leather, amongſt many other Kinds of tanned Leather therein particularly named to be ſealed, a Rate is ſet down to be paid for Sealing of Sheep-Skins, as if Sheep-Skins had been by the Intent of the former Laws uſually ſealed; whereas in Truth Sheep-Skins are not meet to be ſealed, nor were at any Time appointed or limited by any former Law to be ſealed, becauſe the Sealing of them is a fruitleſs Charge, tending to the great Hurt and Loſs of many thouſand poor Men, and for the good of none, but only for the Gain of the Sealer thereof:'

Sheep-Skins have not been appointed by any Law to be ſealed.

There ſhall be no Penalty for houſing, buying or ſelling Sheep-Skins unſealed.

II. For Reformation whereof, Be it enacted by our Sovereign Lord the King's Majeſty, and by the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons ſhall at any Time hereafter incur any Penalty, Loſs or Forfeiture, for houſing, ſelling or buying of any tanned Sheep-Skins unſearched or unſealed, ſo as the ſaid Sheep-Skins unſearched and unſealed ſhall be wrought and converted into made Wares within this Realm of *England*; any Thing in the ſaid Statute to the contrary notwithſtanding.

1 Jac. 1. c. 22. No tanned Leather ſhall be ſold by Weight.

'III. And where ſince the making of the ſaid Statute, his Majeſty's Subjects have been much deceived and abuſed, by ſelling of tanned Leather by Weight, the ſaid Leather being neither ſufficiently tanned, nor throughly dried as it ought to be, and before Time was wont to be:' (2) Be it therefore further enacted by the Authority aforeſaid, That no Perſon or Perſons, after the End of this preſent Seſſion of Parliament, ſhall utter or ſell, or cauſe to be uttered or ſold, by Weight, any Kind of tanned Leather whatſoever, (3) upon Pain of Forfeiture of the ſaid Leather ſo uttered and ſold; the ſaid Leather or the Value thereof, to be recovered in any of the King's Majeſty's Courts of Record, by Action of Debt, Bill, Plaint

See 1 W. & M. Seſſ. 1 c. 33. ſect. 6.

or

or Information, wherein no Wager of Law, Eſſoin or Protection ſhall lie or be allowed; the one Moiety of the ſaid Forfeiture to be unto the King our Sovereign Lord, his Heirs and Succeſſors, and the other Moiety unto ſuch Perſon or Perſons as ſhall ſue for the ſame. *Farther Proviſions relating hereto, 13 & 14 Car. 2. c. 7. 1 W. & M. Seſſ. 1. c. 33. 9 Ann. c. 6. ſect. 4. 12 Ann. St. 2. c. 9. 3 Geo. 1. c. 4. 5 Geo. 1. c. 2. and 12 Geo. 2. c. 25.*

## CAP. VII.

An Act for the founding and incorporating of a Free Grammar-School in the Town of *Northleech* in the County of *Glouceſter*. PR.

## CAP. VIII.

An Act touching the drowned Marſhes of Leſnes and Fants in the County of *Kent*. 23 El. c. 13. 27 El. c. 27. Marſhes.

## CAP. IX.

An Act to explain a former Act made in the laſt Seſſion of this Parliament, intituled, *An Act to enable all his Majeſty's loving Subjects of* England *and* Wales *to Trade freely into the Dominions of* Spain, Portugal *and* France.

'WHEREAS it pleaſed our late Sovereign Lady Queen *Elizabeth* of famous Memory, by her Highneſs Letters Patents under the Great Seal of *England*, bearing Date the ſeventeenth Day of *June* in the ſecond Year of her Highneſs Reign, (in Conſideration of the good, true and faithful Obedience and Service done by the Mayor and principal Citizens of the City of *Exeter*, as well in the Time of King *Henry* the Seventh as of King *Edward* the Sixth, againſt divers Treaſons and Rebellions moved and ſtirred in thoſe Days, as alſo for the taking away, aboliſhing and amoving of many and ſundry Abſurdities and Inconveniencies which within the ſaid City and County did increaſe, by reaſon of the exceſſive Number of Artificers, and other inexpert, ignorant and unworthy Men, which did take upon them to uſe the Art, Science and Myſtery of Merchandize and Traffick of Merchant Wares, to the great Detriment of the Commonwealth of this Realm of *England*, and to the manifeſt Impoveriſhment of the ſaid City) to incorporate certain Merchants therein named, and their Succeſſors, (being Citizens and Inhabitants of the ſaid City and County) and to give and grant unto them the perpetual Name of the Governor, Conſuls, and Society of the Merchant-Adventurers of the City and County of *Exeter*, trafficking the Realm of *France* and the Dominions of the *French* King; (2) which ſaid Incorporation or Company of Merchants are found to be of great Uſe, Honour and Service to the State in general, as well in the Advancement of his Majeſty's Cuſtoms, as alſo for that the ſaid Incorporation for the Space of forty and five Years have relieved twelve poor Men with Gowns, Money and other Neceſſaries, to their great Comfort, and do ſtill yearly ſo apparel and comfort them, and by their ſaid Charter they are bound to continue and keep the ſame for ever: (3) And likewiſe they have and do not only charitably from Time to Time ſet up ſundry young Merchants with the Loan of Money at their firſt Entrance into the Trade, but alſo have raiſed, and alſo do raiſe divers ancient Merchants, who by Loſſes at the Sea have been decayed, by Means whereof they have proved afterwards profitable both to the King in Cuſtoms and other Payments, and good Members to the Commonwealth of the ſaid City:

A Corporation granted by Queen Elizabeth to certain Merchants of Exeter, ſhall continue of Force notwithſtanding the Statute of 3 Jac. 1. c. 6.

The ſeveral Benefits done by the ſame Society to the King and Commonwealth.

'II. And for that many particular Merchants of the ſaid Corporation, have in the Time of Dearth and Scarcity of Corn, adventured great Sums of Money out of their own private Stocks for Corn into foreign Kingdoms, for the Relief of the Poor, as well of the ſaid City, as of the County of *Devon*, to whom they have ſold the ſame Corn in Time of great Dearth and Neceſſity ſometimes for two Shillings ſix Pence, three Shillings, and three Shillings four Pence leſs in every Buſhel, than the Prices in the Markets have then been:

'III. And further, for that ſundry Members of the ſaid Incorporation have by their Wills and Teſtaments given divers Sums of Money to the ſaid Company to good Uſes, which muſt return to their Executors, if this Company be diſſolved, as alſo for that the ſaid Society hath from the Beginning thereof been ever found comfortable to all, and offenſive to none: (2) Therefore whereas in the laſt Seſſion of Parliament holden at *Weſtminſter* in the third Year of his Majeſty's Reign, one general Act was made, intituled, *An Act to enable all his Majeſty's loving Subjects of England and Wales, to Trade freely into the Dominions of Spain, Portugal and France:* The general Words of which Act may be objected and urged, to extend to the annihilating and diſſolving of the ſaid particular Charter and Company, contrary to the Meaning of this High Court of Parliament, and the Intent of the Makers of that Law, as is conceived by the Opinion of ſundry learned in the Laws:' May it therefore pleaſe your moſt excellent Majeſty, with the Aſſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, that it may be enacted, explained and declared, (3) and be it enacted, explained and declared, by the Authority of the ſame, That the ſaid general Law ſo made as aforeſaid, neither doth nor ſhall diſſolve, annihilate or impeach the ſaid Charter, or the ſaid Company, in any their Privileges, Liberties or Immunities granted unto them by the ſaid Charter; any Thing in the foreſaid general Act to the contrary thereof in any wiſe notwithſtanding.

The Society comfortable to all, and hurtful to none.

The Statute of 3 Jac. 1. c. 6. may be extended to the diſſolving of the ſaid Company.

The Statute of 3 Jac. 1. c. 6. neither doth nor ſhall impeach the Liberties granted by Queen Elizabeth's Charter.

## CAP. X.

PR. An Act for Confirmation of ſome Part of a Charter granted by King *Henry* the Sixth to the Mayor, Bailiffs and Burgeſſes of the Town of *Southampton*, and for the Relief of the ſaid Town. Certain Liberties granted by King *Henry* 6. to the Mayor, *&c.* of *Southampton* confirmed. A Reſtraint of all Merchants not being Free of *Southampton* to buy or ſell within the Town. A Confirmation of ſo much of the Charter of King *Henry* 6. as doth reſtrain Strangers to buy or ſell in *Southampton*. None, not being Free of the ſaid Town, ſhall buy or ſell to another not being Free. What Commodities, and for what Purpoſes may be bought by any Perſon. Buying and Selling in Fairs, or on Ship-board. The Barons and Freemen of the Cinque Ports excepted. PR.

## CAP. XI.

PR. An Act for the better Proviſion of Meadow and Paſture for neceſſary Maintenance of Huſbandry and Tillage in the Manors, Lordſhips and Pariſhes of *Marden*, alias *Mawarden*, *Bodenham*, *Wellington*, *Sutton St. Michael*, *Sutton St. Nicholas*, *Murton upon Lug*, and the Pariſh of *Pipe*, and every of them in the County of *Hereford*. The Owners and Farmers of Lands in certain Manors in the County of *Hereford*, may incloſe ſome Part thereof. The different Huſbandry of the ſaid Manors from other Parts of the Realm. Every Owner and Farmer within the Manors aforeſaid, may incloſe a third Part of his Lands, *&c.* This Act ſhall not extend to a Waſte or common Ground. A Proviſion where one Perſon is Owner of the firſt Crop, and others of the later Mowth. The Act doth not give a lawful Title to the Poſſeſſor of any Land where he had none before. None ſhall be hindred of his lawful Way. Every Perſon that doth incloſe, ſhall be abated of his Common proportionably. They who do incloſe, may be ſtinted of their Common by the Reſidue of the Commoners. The Forfeiture of him who keepeth more Cattle than is limited by his Stint. The Offences of Surcharge of Common, ſhall be enquired of and puniſhed in Leets and Courts Baron. A Proviſion where Land incloſed is diſmembred from the Tenements wherewith it was occupied. A Proviſion for the continuing of certain Grounds incloſed one Time of the Year, as they have been. The Uſage of *Lug-Meadow* ſhall not be altered.

## CAP. XII.

PR. An Act for Explanation of a Statute made in the third Year of the Reign of King *James*, intituled, *An Act for the bringing in of a freſh Stream of Running Water to the North Parts of the City of* London. An Act for the bringing of a New River to the North Parts of the City of *London*, according to a former Statute, made 3 Jac. 1. c. 18. The Mayor, *&c.* of *London* may erect a Trunk or Vault in the Earth, to convey the Water from *Chadwel*, *&c.* to *London*. The Mayor, *&c.* of *London* may from Time to Time maintain the ſaid Trunk or Vault.

## CAP. XIII.

PR. An Act for the Draining of certain Fens and Low Grounds in the Iſle of *Ely*, ſubject to Hurt by ſurrounding, containing about ſix thouſand Acres, compaſſed about with certain Banks commonly called and named the Ring of *Walderſey* and *Cooldham*. The Undertakers ſhall have for the Inning and Maintaining of the Grounds ſurrounded, two Parts thereof. Of whom the two Parts ſhall be holden. The two Parts ſhall be diſcharged of Tithes during ſeven Years. A Proviſion for the Owners, if the Grounds drained ſhall be again ſurrounded. The Undertakers ſhall not drain through other's Grounds otherwiſe than they may do by the Law.

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# Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, *viz.* Angliæ, Franciæ & Hiberniæ ſeptimo, & Scotiæ quadrageſimo tertio.

'AT the fourth Seſſion of Parliament begun and holden by Prorogation at *Weſtminſter* the ninth Day of *February* 1609. in the ſeventh Year of the Reign of our moſt gracious Sovereign Lord *James*, by the Grace of God, of *England*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and of *Scotland* the three and fortieth: And there continued until the three and twentieth Day of *July*: (And then prorogued until the ſixteenth Day of *October* next following, 1610.) To the high Pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

## CAP. I.

An Act for the better Execution of Juſtice, and ſuppreſſing of criminal Offenders in the North Parts of the Kingdom of *England*.

Where an Engliſhman ſhall have his Trial that committeth

'WHEREAS in a Statute made in the third Seſſion of this preſent Parliament, intituled, *An Act for the utter Abolition of all Memory of Hoſtility, and the Dependencies thereof, between* England *and* Scotland, *and for the Repreſſing of Occaſions of Diſcords and Diſorders in Time to come*, it was amongſt other

'other Things enacted, That no natural-born Subject of the Realm of *England*, or the Dominions of the ſame, ſhould for any High Treaſon, Miſpriſion or Concealment of High Treaſon, Petty Treaſon, or any other whatſoever Offence or Cauſe committed within *Scotland*, be ſent out of *England* where he is apprehended, to receive his Trial, until ſuch Time as both Realms ſhould be made one in Laws and Government, which is the Thing ſo much deſired, as that wherein the full Perfection of the bleſſed Union already begun in his Majeſty's Royal Perſon conſiſteth.

Felony in Scotland. 4 Jac. 1. c. 1.

'II. Since the Making of which Statute, although thoſe Parts of the Kingdom of *England*, adjoining and lying near unto the Realm and Kingdom of *Scotland*, have been and are by his Majeſty's inceſſant Care and Princely Policy, reduced to more civil and peaceable Eſtate than could in ſhort Time have been expected or hoped for: (2) Yet Experience teacheth, that Malefactors of either Realm having committed their Offences in the other Realm, do forthwith fly and eſcape into their own Country, thereby to purchaſe their Impunity, to the great and manifeſt Grievance of the one Realm, and the Diſhonour of the other: By Means whereof very many great and heinous Offences ſince the Making of the ſaid Statute have been and are ſtill likely to be committed without condign Puniſhment; (3) for that ſince the Making of the ſaid Statute, there hath not been any one Offender committing any the Offences aforeſaid in *Scotland*, that hath been proſecuted to his Trial, Judgment or Execution in *England*, by Reaſon or upon any the Branches, Laws or Ordinances in the ſaid Statute mentioned or contained: (4) Whereby it manifeſtly appeareth, that the ſaid Clauſe in the ſaid Statute contained, and before in this preſent Act expreſſly mentioned, concerning the not Sending out of *England* any natural born Subject of this Realm or the Dominions of the ſame, for any whatſoever Offence committed within the Realm of *Scotland*, to receive his Trial for any the ſaid Offences, hath not brought forth that good Effect as was hoped for, and by the ſaid Law intended, to the great Prejudice and Diſhonour of both Realms:'

If an Engliſhman ſhall commit Felony in Scotland, and then fly into England, the Juſtices may ſend the Offender into Scotland to be tried.

III. For the Preventing of which apparent and too manifeſt Miſchief and Inconvenience, Be it enacted, and by the Authority of this preſent Parliament eſtabliſhed, That if at any Time or Times after the End of this preſent Seſſion of Parliament, any Perſon or Perſons ſhall commit any Offence or Offences within the Realm of *Scotland*, which by the Laws of this Realm of *England* is, are or ſhall be declared or adjudged to be Petty Treaſon, Murder, Manſlaughter, felonious Burning of Houſes and Corn, Burglary, Robbing of Houſes by Day, Robbery, Theft or Rape, and do or ſhall fly or eſcape into the Realm of *England*, and be or ſhall be apprehended within any the Counties of *Northumberland*, *Cumberland*, *Weſtmerland*, or any Parts or Members of the ſame, or within the Parts or Places lying on the North-ſide of the River of *Tine*, commonly called or known by the Names of *Bedlintonſhire*, *Norhamſhire* and *Iſlandſhire*, the Town and County of *Newcaſtle* upon *Tine*, and the Town of *Berwick* upon *Tweed*, with the Bounds and Liberties thereof; That then it ſhall and may be lawful to and for the Juſtices of Aſſize, or any one of them in the Abſence of the other, the Juſtices of Gaol-delivery at their Gaol-delivery, or any four of them, or the Juſtices of Peace in their General or Quarter-Seſſions, or any four of them, upon due and mature Examination of the ſaid Offence or Offences in open Seſſions, and pregnant Proofs of the ſame, by Warrant under their Hands and Seals, to demand and ſend all and every ſuch Offender and Offenders into the Realm of *Scotland*, there to receive their Trial for any the Offences aforeſaid by them there committed; any Thing in the ſaid Statute contained to the contrary thereof notwithſtanding.

Continuance of this Statute.

IV. This Law to continue to the End of the firſt Seſſion of the next Parliament.

A like Act is to be made in Scotland.

V. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That this Statute, nor any Clauſe therein contained, ſhall take Effect or be in Force, or in any wiſe be deemed or expounded to take Effect, to any Intent, Conſtruction or Purpoſe, until a Law by Act of Parliament be made and eſtabliſhed with the Realm of *Scotland*, for the Remanding and Sending out of the Realm of *Scotland* into the Realm of *England*, all and every Perſon and Perſons born within the Realm of *Scotland*, or the Dominions of the ſame, which ſhall at any Time hereafter commit any the Offences aforeſaid within the Realm of *England*, to receive his or their Trial in the Realm of *England*, for all and every the ſaid Offences by them committed in the ſaid Realm of *England*. [3 Car. 1. c. 4. continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. II.

### An Act that all ſuch as are to be naturalized, or reſtored in Blood, ſhall firſt receive the Sacrament of the Lord's Supper, and the Oath of Allegiance and the Oath of Supremacy.

What they ſhall be bound unto who ſhall be naturalized or reſtored in Blood.

'FOraſmuch as the Naturalizing of Strangers, and reſtoring to Blood Perſons attainted, have been ever reputed Matters of mere Grace and Favour, which are not fit to be beſtowed upon any others than ſuch as are of the Religion now eſtabliſhed in this Realm;' (2) Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That no Perſon or Perſons of what Quality, Condition or Place ſoever, being of the Age of eighteen Years or above, ſhall be naturalized or reſtored in Blood, unleſs the ſaid Perſon or Perſons have received the Sacrament of the Lord's Supper within one Month next before any Bill exhibited for that Purpoſe, and alſo ſhall take the Oath of Supremacy, and the Oath of Allegiance, in the Parliament-Houſe, before his or her Bill be twice read: (3) And for the better Effecting of the Premiſſes, Be it further enacted by the Authority aforeſaid, That the Lord Chancellor of *England*, or Lord Keeper of the Great Seal for the Time being, if the Bill begin in the Upper Houſe, and the Speaker of the Commons Houſe of Parliament for the Time being, if the Bill begin there, ſhall have

When this Act ſhall take Place.

have Authority at all Times during the Seſſion of Parliament, to miniſter ſuch Oath and Oaths, and to ſuch Perſon and Perſons, as by the true Intent of this Statute is to be miniſtred. This Act to take Place from and after the End of this preſent Seſſion of Parliament.

*Farther Provi ons relating hereto,*
11 & 12 *W.* 3. *c.* 6. 7 *Ann. c.* 5. 1 *Geo.* 1. *c.* 4. 4 *Geo.* 2. *c.* 21. 13 *Geo.* 2. *c.* 7. 20 *Geo.* 2. *c.* 44. 22 *Geo.* 2. *c.* 45. *and* 25 *Geo.* 2. *c.* 39.

## CAP. III.

An Act for the Continuing and better Maintenance of Huſbandry and other manual Occupations, by the true Imployment of Monies given and to be given for the Binding out of Apprentices.

How Money given for Binding of poor Children to Occupations ſhall be beſtowed.

'FOraſmuch as the true Labour and Exerciſe of Huſbandry, and the Bringing up of Apprentices of both Sexes in Trades and manual Occupations, are Things very profitable in the Commonwealth, and acceptable and pleaſing unto Almighty God, there being already great Sums of Money freely given, and more in Time to come like to be given, by divers well-diſpoſed Perſons, unto the Corporations of divers Cities, Boroughs, Towns Corporate, and unto divers Perſons in ſundry Towns not Corporate, and Pariſhes within this Realm of *England*, to be continually imployed in the Binding out as Apprentices, of a great Number of the pooreſt Sort of Children unto needful Trades and Occupations; the Experience whereof hath brought forth very great Profit and Commodity unto thoſe Cities, Towns and Pariſhes where any Parts of the ſaid Monies have been ſo given and imployed, and ſo no Doubt there will conſequently enſue thereof the exceeding good of the Commonwealth in general: (2) And for that the moſt Part of the poorer Sorts of Children, would (as heretofore) without ſuch good Care and Aſſiſtance be brought up in Idleneſs, and diſordered Kinds of Life, to their utter Overthrow, and to the great Prejudice of the whole Commonwealth: (3) And for that it is very likely that many other well-diſpoſed People will be the better encouraged, willingly to follow the like good Example in beſtowing alſo good Sums of Monies to the ſame good and godly Purpoſes, if it might be ſo provided, that ſuch Monies as have been already ſo freely given, or as hereafter ſhall be given, for the Binding out of ſuch poor Children Apprentices, may continually hereafter remain, and be wholly imployed accordingly.'

How Money given for the Binding out of poor Children Apprentices ſhall be employed, and by whom.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Sums of Money ſo freely given at any Time within three Years laſt paſt, or hereafter to be given by any Perſon or Perſons, to be continually imployed for the Binding out of Apprentices as aforeſaid, ſhall for ever from henceforth continue and be from Time to Time uſed and employed to ſuch Uſes, Intents and Purpoſes only, and by ſuch Perſons, and in ſuch Manner and Form as ſhall be hereafter by this preſent Act ſpecified and declared, except the ſame have been or ſhall be otherwiſe ordered or diſpoſed by the Givers thereof; That is to ſay, (2) That all Corporations of all Cities, Boroughs, and Towns Corporate, by what Name or Names ſoever they ſhall be known or incorporated, and in Towns and Pariſhes not incorporate, the Parſon or Vicar of every ſuch Town or Pariſh, together with the Conſtable or Conſtables, the Churchwarden or Churchwardens, Collectors, and the Overſeers for the Poor for the Time being, or the moſt Part of them, where any ſuch Sum or Sums of Money are already given, or ſhall be hereafter given, to be ſo imployed, ſhall from Time to Time within the ſaid ſeveral Cities, Boroughs, Towns and Pariſhes reſpectively, have the Nomination and Placing of ſuch Apprentices, and the Guiding and Imployment of all ſuch Monies as have been heretofore ſo given, or which hereafter ſhall be given, to and for the continual Binding forth of ſuch and ſo many Apprentices, and in ſuch Sort as is already, or ſhall hereafter be ſo given and appointed, either by the laſt Will and Teſtament, or by any Writing or Writings under the Hands and Seals of any Perſon or Perſons which hath already, or hereafter ſhall ſo give any Sum or Sums of Monies unto the good and godly Purpoſes and Intents aforeſaid: (3) And if the Corporation of any ſuch Cities, Boroughs or Towns Corporate, by what Name or Names ſoever they ſhall be called or incorporated, or any the Perſon or Perſons in the other Towns and Pariſhes above mentioned, appointed by this Act to have continually the Guiding and Imployment of ſuch Sums of Monies ſo already given, or hereafter to be given, to the Intents and Purpoſes aforeſaid, ſhall at any Time hereafter wilfully forbear or refuſe, according to their Duties in this Behalf, to imploy ſuch Sums of Money ſo given or to be given as aforeſaid, for the Binding out of ſuch Apprentices, by Means of which wilful Forbearance or Refuſing, the ſaid Money ſhall not be imployed accordingly; that then they and every of them ſo offending contrary to this Act, ſhall forfeit for every ſuch Offence, the Sum of three Pounds ſix Shillings and eight Pence lawful *Engliſh* Money; the one Half thereof to be given to the Poor of the Town or Pariſh where ſuch Fault or Offence ſhall be done or committed; the other Moiety to the Party that ſhall ſue for the ſame; (4) and that every Man that will, may and ſhall be admitted to ſue for the ſame Moiety, for the Uſe and Benefit of the ſaid Poor, and ſhall be alſo admitted to ſue for the Forfeiture of the other Moiety, in any of the King's Majeſty's Courts of Record, to his own Benefit and Behoof, by Action of Debt, Bill, Plaint or Information, wherein no Protection, Wager of Law or Eſſoin ſhall be admitted or allowed.

The Forfeiture of thoſe who of Duty ought, and yet refuſe to employ the Money.

The Party which receiveth the Money ſhall be bound with Sureties to repay it.

III. And for that all Monies ſo given may the better continue to and for the Purpoſes aforeſaid, Be it enacted by the Authority aforeſaid, That the Maſter, Miſtreſs or Dame of every ſuch Apprentice or Apprentices that ſhall receive any ſuch Sum or Sums of Money as aforeſaid, ſhall become bound with one or two ſufficient Sureties, by Bond or Obligation in double the Sum which they and every of them ſhall ſo receive

ceive with ſuch Apprentice or Apprentices as aforeſaid, unto the Corporation of any ſuch City or Town Corporate, by what Name or Names ſoever they ſhall be called or incorporated, or to ſuch Perſon or Perſons in the other Towns and Pariſhes not incorporated, appointed by this Act to have continually the Guiding and Imployment of all ſuch Sums of Money ſo already given or hereafter to be given, to the Intents and Purpoſes aforeſaid reſpectively, upon Condition to repay ſuch Sum or Sums of Money, as he or ſhe ſhall ſo receive with any ſuch Apprentice or Apprentices, at the End of ſeven Years next enſuing the Date of the ſaid Obligation, or within three Months next after the End of the ſaid ſeven Years: (2) And if ſuch Apprentice ſhall happen to die within the ſaid Space of ſeven Years, then within one Year after his or her ſaid Death; (3) and if the Maſter, Miſtreſs or Dame, to whom any ſuch Apprentice or Apprentices ſhall be bound, ſhall happen to die within the ſaid Space of ſeven Years, then within one Year next after his or her ſaid Death; (4) ſo as the ſaid Monies may be again imployed for placing ſuch Apprentice with ſome other Perſon of the ſame Trade, to ſerve out the Reſidue of the Years of his or her former Apprenticeſhip, by the Diſcretion of the ſaid Perſons truſted as aforeſaid.

Within what Time the Money ſhall be put forth.

IV. And be it further enacted by the Authority aforeſaid, That every ſuch Sum or Sums of Money ſo given or to be given in Manner and Form, and to and for the good Uſes and Intents aforeſaid, ſhall always be put forth and imployed by the Parties aforeſaid, that by this Act ſhall have the Diſpoſing and Imployment thereof, within three Months at the furtheſt, after ſuch Money ſhall come to the Hands of the ſaid Parties, that by the Intent and true Meaning of this Act ought to diſpoſe and imploy the ſame; (2) and if at ſuch Times there ſhall not be found fit and apt Perſons to be bound out Apprentices as aforeſaid, within the ſaid Cities, Towns and Pariſhes where ſuch Sums of Money are or hereafter ſhall be given to be imployed as afore is declared; then ſuch of the pooreſt Children of any of the Pariſhes next adjoining ſhall be bound Apprentices in Manner as aforeſaid, as by the Care and good Diſcretions of the Parties which by this Act have the Diſpoſing and Imployment of the ſaid Sums of Money in the Cities, Towns and Pariſhes where it was firſt given to be imployed, ſhall be thought fit and convenient, taking ſuch Bonds and Obligations of the Perſons that ſhall receive the ſaid Sums of Money ſo put forth, and with ſuch Sureties, and upon ſuch Conditions, as is above mentioned and declared.

A Proviſion if there be not fit Perſons in that Pariſh to be Apprentices.

What Sort of Perſons ſhall be Apprentices.

V. Provided always, and be it enacted by the Authority aforeſaid, That Choice from Time to Time be made of the pooreſt Sorts of Children of every ſuch City, Town and Pariſh, where ſuch Monies ſhall be ſo given, and whoſe Parents are leaſt able to relieve them: (2) And that no ſuch Apprentice ſhall be above the Age of fifteen Years when he or ſhe ſhall be ſo firſt bound out an Apprentice.

Account ſhall be made of the Money employed.

VI. And for the better Execution of this Act, Be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons appointed by this Act to have the Imploying and Diſpoſing of any Sum or Sums of Money ſo given or to be given as aforeſaid, within any Town or Pariſh not corporate, ſhall after the End of this preſent Seſſion of Parliament, once every Year in the *Eaſter* Week, or within one Month next after *Eaſter* Day, make a true and perfect Account before four, three, or two Juſtices of the Peace, dwelling in or next to every of the ſaid Towns or Pariſhes, of all ſuch Sum and Sums of Money as they or any of them have imployed in binding of Apprentices, by Virtue of this Act, and of all Bonds and Obligations taken for the Payment thereof, and alſo of all ſuch Sums of Money as then ſhall happen to be remaining in their Hands not imployed: (2) And alſo ſhall at the Making and Yielding up of the ſaid Account, or within ten Days then next following, yield and deliver up unto ſuch as ſhall happen next to ſucceed them, or then to be in the ſaid Rooms and Places, all ſuch Obligations and Bonds as by them or any of them have been before that Time taken to the Uſes aforeſaid; as alſo all Sums of Money remaining in their or any of their Hands to be imployed as aforeſaid, and not imployed at the Time of the yielding up of the ſaid Account.

A Remedy where any Party truſted ſhall break the Truſt, or commit any, Offence.

VII. And further be it enacted by the Authority aforeſaid, That if any of the Parties appointed and truſted by this Act to have the Diſpoſing and Imployment of any of the ſaid Sums of Money ſo given or to be given as aforeſaid, ſhall in any Point or Degree break the Truſt and Confidence in them in this Behalf repoſed, or ſhall commit any other Miſdemeanor or Offence in Miſimploying of the ſaid Sums of Money, or any Part thereof, or in doing any other Act or Acts contrary to their Duties, and the true Intent and Meaning of this Act, for which there is not by this Act any Penalty given or appointed, then it ſhall and may be lawful for any Perſon or Perſons whatſoever, in the Behalf of the Poor of ſuch City, Borough or Pariſh, to exhibit his Petition to the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, touching the ſame: Which Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, ſhall thereupon have full Power and Authority to award a Commiſſion out of the High Court of Chancery, under the Great Seal of *England*, to ſuch and ſo many Perſons as his Lordſhip ſhall think meet, to enquire, hear and determine the ſaid Offences, and every of them: (2) And if the ſaid Commiſſioners or the moſt Part of them ſhall find, that any Sum or Sums of Money ſo given or to be given, are loſt, impaired, waſted or diminiſhed, then they or the moſt Part of them ſhall likewiſe have Power, by Virtue of this Act and of their ſaid Commiſſion, to rate, raiſe and collect the ſaid Sum of Money ſo loſt, impaired, waſted or diminiſhed, upon ſuch Perſon or Perſons in Places not incorporate, as by this Act are appointed to have the Guiding and Ordering of the ſaid Monies, if they or any of them have failed in their ſaid Duties in that Behalf, or otherwiſe upon the able Inhabitants of ſuch City, Town or Pariſh, where the ſame ſhall ſo happen, as in the Diſcretion of the ſaid Commiſſioners or the greateſt Part of them ſhall be thought fitteſt, and to return the ſaid Commiſſion and the Manner of the Execution thereof, into the ſaid High Court of Chancery within three Months next after the Execution thereof: (3) And if any Perſon or Perſons ſhall find himſelf grieved by any Thing done by the ſaid Commiſſioners, then upon Complaint thereof made in the High Court of Chancery, the ſaid Lord Chancellor or Lord Keeper for the Time being, ſhall have full Power and Authority to order and decree the ſame, as to his Lordſhip ſhall be thought moſt fit to ſtand with Equity and good Conſcience.

A Remedy for any Party grieved by the Commiſſioners.

## CAP. IV.

An Act for the due Execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and ſturdy Beggars, and other lewd and idle Perſons.

39 Eliz. c. 4 & 5. Houſes of Correction ſhall be provided: And the Government of them. 2 Inſt. 728. *Burn V.* 2. 523.

'WHEREAS heretofore divers good and neceſſary Laws and Statutes have been made and provided for the Erection of Houſes of Correction, for the ſuppreſſing and puniſhing of Rogues, Vagabonds and other idle, vagrant and diſorderly Perſons; which Laws have not wrought ſo good Effect as was expected, as well for that the ſaid Houſes of Correction have not been built according as was intended, as alſo for that the ſaid Statutes have not been duly and ſeverely put in Execution, as by the ſaid Statutes were appointed:' (2) For Remedy whereof, Be it enacted and eſtabliſhed by our Sovereign Lord the King's Majeſty, and by the Lords Spiritual and Temporal, and by the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Laws and Statutes now in Force, made for the Erecting and Building of Houſes of Correction, and for puniſhing of Rogues, Vagabonds, and other wandring and idle Perſons, ſhall be put in due Execution.

There ſhall be a Houſe of Correction provided in every Shire to ſet idle Perſons to work. 39 Eliz. c. 4.

II. And be it further enacted and eſtabliſhed by the Authority aforeſaid, That before the Feaſt of Saint *Michael* the Archangel, which ſhall be in the Year of our Lord God one thouſand ſix hundred and eleven, there ſhall be erected, built or otherwiſe provided, within every County of this Realm of *England* and *Wales*, where there is not one Houſe of Correction already built, purchaſed, provided or continued, one or more fit and convenient Houſe or Houſes of Correction, with convenient Backſide thereunto adjoining, together with Mills, Turns, Cards and ſuch like neceſſary Implements, to ſet the ſaid Rogues or ſuch other idle Perſons on work; the ſame Houſes to be built, erected or provided in ſome convenient Place or Town in every County: (2) Which Houſes ſhall be purchaſed, conveyed or aſſured unto ſuch Perſon or Perſons as by the Juſtices of Peace or the more Part of them, in their Quarter-Seſſions of the Peace to be holden within every County of this Realm of *England* and *Wales*, upon Truſt, to the Intent the ſame ſhall be uſed and imployed for the keeping, correcting and ſetting to work of the ſaid Rogues, Vagabonds, ſturdy Beggars and other idle and diſorderly Perſons.

The Forfeiture of every Juſtice of Peace if the Houſe of Correction be not provided.

III. And be it further enacted by the Authority aforeſaid, That if the ſaid Houſe ſo to be erected, purchaſed or provided, ſhall not be erected, built or otherwiſe provided before the Feaſt of Saint *Michael* the Archangel, which ſhall be in the Year one thouſand ſix hundred and eleven next enſuing the laſt Day of this preſent Seſſion of Parliament, That then every Juſtice of Peace within every County of this Realm of *England* and *Wales*, where ſuch Houſe and Backſide ſhall not be erected or provided, ſhall forfeit for his ſaid Neglect, five Pounds of lawful *Engliſh* Money; (2) the one Moiety thereof to be unto him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information; in which Suit no Protection, Eſſoin or Wager of Law ſhall be admitted; and the other Moiety thereof to be employed and beſtowed towards the erecting, building, procuring or providing the ſaid Houſe and Backſide, and ſuch neceſſary Implements as aforeſaid.

A Governor ſhall be appointed of every Houſe of Correction, and his Authority.

IV. And be it further enacted and eſtabliſhed by the Authority aforeſaid, That the Juſtices of Peace of every County within the Realm of *England* and *Wales*, at their Quarter-Seſſions of the Peace to be holden for their ſeveral Counties (next after the Erecting, Providing or Building of the ſaid Houſe or Houſes, and ſo from Time to Time) or the moſt Part of them, ſhall elect, nominate and appoint at their Will and Pleaſure, one or more honeſt fit Perſon or Perſons, to be Governor or Maſter of the ſaid Houſe or Houſes ſo to be purchaſed, erected, built or provided: (2) Which Perſon and Perſons ſo choſen by Virtue of this preſent Act, ſhall have Power and Authority to ſet ſuch Rogues, Vagabonds, idle and diſorderly Perſons, as ſhall be brought or ſent unto the ſaid Houſe, to work and labour (being able) from Time to Time, for ſuch Time as they ſhall continue and be remaining in the ſaid Houſe of Correction, and to puniſh the ſaid Rogues, Vagabonds, idle and diſorderly Perſons, by putting Fetters or Gives upon them, and by moderate whipping of them: (3) And that the ſaid Rogues, Vagabonds and idle Perſons, during ſuch Time as they ſhall continue and remain in the ſaid Houſe of Correction, ſhall in no Sort be chargeable to the Country for any Allowance, either at their bringing in or going forth, or during the Time of their Abode there, but ſhall have ſuch and ſo much Allowance as they ſhall deſerve by their own Labour and Work.

The Rogues ſhall not be chargeable to the Country.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Juſtices of Peace of every County, within every of their ſeveral Diviſions, twice in every Year at the leaſt, and oftner, if there be Occaſion, ſhall aſſemble and meet together for the better Execution of this Statute: and that ſome four or five Days before their Aſſembly and Meeting, the ſaid Juſtices or the more Part of them ſhall by their Warrant command the Conſtables and Tithingmen of every Hundred, Town, Pariſh, Village and Hamlet, within their ſaid ſeveral Diviſions, which ſhall be aſſiſted with ſufficient Men of the ſame Places, to make a general privy Search in one Night within their ſaid Hundreds, Towns, Villages and Hamlets, for the finding out and apprehending of the ſaid Rogues, Vagabonds, wandring and idle Perſons; (2) and that ſuch Rogues, Vagabonds, wandring and idle Perſons, as they ſhall then find and apprehend in the ſaid Search, ſhall by them be brought before the ſaid Juſtices at their ſaid Aſſembly or Meeting, there to be examined of their idle and wandring Life, there to be puniſhed, or otherwiſe by their Warrant to be ſent or conveyed unto the ſaid Houſe or Houſes of Correction within the ſaid County appointed and prefixed there, to be delivered to the Maſter or Governor of the ſaid Houſe, or to his Deputy or Aſſignee, to be ſet to Labour and Work: (3) At which Days and Times of Aſſembly and Meeting ſo to be held by the ſaid Juſtices of Peace, the Conſtables and Tithingmen of every Hundred,

General privy Search ſhall be made in every Hundred, Town, &c.

Repealed by 12 Annæ, Stat. 2. c. 23. ſect. 28.

Pariſh, Town, Village and Hamlet, ſhall then appear in every their ſeveral Diviſions, before the ſaid Juſtices of Peace, at the ſaid Aſſemblies or Meetings, and there ſhall give Account and Reckoning upon Oath in Writing, and under the Hand of the Miniſter of every Pariſh, what Rogues, Vagabonds and wandring and diſorderly Perſons they have apprehended, both in the ſame Search, and alſo between every ſuch Aſſemblies and Meetings, and how many have been by them puniſhed or otherwiſe ſent unto the Houſes of Correction: Which if the ſaid Conſtables or Tithingmen ſhall neglect to perform, as alſo to convey ſafely all ſuch Rogues, with all other idle and diſorderly Perſons, at the Charge of the Hundred, as by the Juſtices of Peace their Warrants ſhall be ſent unto the Houſes of Correction in the ſame County; that then they ſhall forfeit ſuch further Fines, Pains and Penalties, as by the ſaid Juſtices of Peace or the moſt Part of them ſhall be thought fit and convenient, not exceeding the Sum of forty Shillings for every Offence. The Conſtables Account of Vagabonds apprehended.

'VI. And for that it is convenient that the Maſters or Governors of the ſaid Houſes of Correction 'ſhould have ſome fit Allowance and Maintenance for their Travel and Care to be had in the ſaid Ser-'vice, as alſo for the relieving of ſuch as ſhall happen to be Weak and Sick in their Cuſtody, and that 'the Subjects of this Realm ſhould in no Sort be over-charged, to raiſe up Money for Stocks to ſet ſuch 'on Work as ſhall be committed to their Cuſtody;' (2) Be it therefore enacted and eſtabliſhed by the Authority of this preſent Parliament, That the Maſters or Governors of the ſaid Houſes of Correction, ſhall have ſuch Sums of Money yearly, as ſhall be thought meet by the moſt Part of the Juſtices of Peace within the ſaid County at the Quarter-Seſſions of the Peace, the ſame to be paid quarterly beforehand by the Treaſurers appointed by one Act made in the three and fortieth Year of the late Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor*, during the Time they the ſaid Maſters and Governors ſhall be imployed in the ſaid Service, (the ſaid Maſter or Governor giving ſufficient Security for the Continuance and Performance of the ſaid Service) (3) which if the ſaid Treaſurer ſhall neglect or refuſe to perform, That then the ſaid Maſter or Governor of the Houſe of Correction ſhall have Authority by this preſent Act to levy the ſame, or ſo much thereof as ſhall be unpaid, upon the ſaid Treaſurer's Account, in ſuch Manner and Form as by the ſaid Statute they the ſaid Treaſurers are appointed and authorized to levy the weekly Sum or Payment being to them unpaid. The Governor's Allowance for his Pains and Maintenance. 43 Eliz. c. 2.

'VII. And becauſe great Charge ariſeth upon many Places within this Realm by Reaſon of Baſtardy, 'beſides the great Diſhonour of Almighty God,' Be it therefore enacted by the Authority aforeſaid, That every lewd Woman, which after this preſent Seſſion of Parliament ſhall have any Baſtard which may be chargeable to the Pariſh, the Juſtices of Peace ſhall commit ſuch lewd Woman to the Houſe of Correction, there to be puniſhed and ſet on work, during the Term of one whole Year; (2) and if ſhe ſhall eftſoons offend again, That then to be committed to the ſaid Houſe of Correction as aforeſaid, and there to remain until ſhe can put in good Sureties for her Good Behaviour, not to offend ſo again. The Puniſhment of lewd Women who have Baſtards. 18 Eliz. c. 3. 2 Bulſtr. 348. 3 Car. 1. c. 4. ſect. 15.

'VIII. And for that many wilful People finding that they having Children, have ſome Hope to have 'Relief from the Pariſh wherein they dwell, and being able to Labour, and thereby to relieve themſelves 'and their Families, do nevertheleſs run away out of their Pariſhes, and leave their Families upon the 'Pariſh;' (2) For Remedy whereof, Be it further enacted by this preſent Parliament, and the Authority of the ſame, That all ſuch Perſons ſo running away ſhall be taken and deemed to be incorrigible Rogues, and endure the Pain of incorrigible Rogues: (3) And if either ſuch Man or Woman being able to work, and ſhall threaten to run away and leave their Families as aforeſaid, the ſame being proved by two ſufficient Witneſſes upon Oath, before two Juſtices of Peace in that Diviſion; That then the ſaid Perſons ſo threatening ſhall by the ſaid Juſtices of Peace be ſent to the Houſes of Correction, (unleſs he or ſhe can put in ſufficient Sureties for the Diſcharge of the Pariſh) there to be dealt with and detained as a ſturdy and wandring Rogue, and to be delivered at the ſaid Aſſembly or Meeting, or at the Quarter-Seſſions, and not otherwiſe. A Remedy for them that run away and leave their Children to the Charge of the Pariſh. 5 Geo. 1. c. 8.

'IX. And becauſe there ſhall be the more Care taken by all ſuch Maſters of the Houſes of Correction, 'that when the Country hath been at Trouble and Charge to bring all ſuch diſorderly Perſons, as afore-'ſaid, to their ſafe Keeping, that then they ſhall perform their Duties in that Behalf,' (2) Be it therefore enacted by the Authority aforeſaid, That if they ſhall not every Quarter-Seſſions yield a true and lawful Account unto the Juſtices of Peace of all ſuch Perſons as have been committed to their Cuſtody, or if the ſaid Perſons committed to their Cuſtody, or any of them, ſhall be troubleſome unto the Country, by going abroad, or otherwiſe ſhall eſcape away from the ſaid Houſe of Correction before they ſhall be from thence lawfully delivered; that then the ſaid Juſtices ſhall ſet down ſuch Fines and Penalties upon the ſaid Maſter and Governors, as the moſt Part of them in their Quarter-Seſſions ſhall think fit and convenient; (3) and all Fines and Penalties not herein before limited ſhall be paid unto the Treaſurer, and accounted for by the Treaſurer aforeſaid. (4) This Act to have Continuance for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament after the ſaid ſeven Years. [3 Car. 1. c. 4. continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.] The Governors ſhall give Account to the Juſtices of all Perſons committed to their Cuſtody. The Continuance of this Act.

## CAP. V.

An Act for Eaſe in pleading troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſty's Officers, for the lawful Execution of their Office.

'FOR Eaſe in pleading againſt many cauſeleſs and contentious Suits which have been, and daily are 'commenced and proſecuted againſt Juſtices of Peace, Mayors or Bailiffs of Cities and Towns 'Corporate, Headboroughs, Port-Reves, Conſtables, Tithingmen, Collectors of Subſidies and Fifteens, 'who The Plea of an Officer impleaded for the Execution of his Office.

Cro. Car. 175, 285, 467. Vaugh. 213. Noy 32. *Burn V.* 2. 93.

'who for due Execution of their Office have been troubled and moleſted, and ſtill are like to be trou-
'bled and moleſted, by evil-diſpoſed contentious Perſons, to their great Charge and Diſcouragement
'in doing of their Offices:' (2) Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Action, Bill, Plaint or Suit, upon the Caſe, Treſpaſs, Battery or falſe Impriſonment, ſhall be brought after forty Days next after the End of this Seſſion of Parliament, in any of his Majeſty's Courts at *Weſtminſter* or elſewhere, againſt any Juſtice of Peace, Mayor or Bailiff of City or Town Corporate, Headborough, Port-Reve, Conſtable, Tithingman, Collector of Subſidy or Fifteens, for or concerning any Matter, Cauſe or Thing, by them or any of them done by Virtue or Reaſon of their or any of their Office or Offices, That it ſhall be lawful to and for every ſuch Juſtice of Peace, Mayor, Bailiff, Conſtable or other Officer or Officers before named, and all others which in their Aid or Aſſiſtance, or by their Commandment, ſhall do any Thing touching or concerning his or their Office or Offices, to plead the general Iſſue, that he or they are not guilty, (3) and to give ſuch Special Matter in Evidence to the Jury which ſhall try the ſame, which Special Matter being pleaded had been a good and ſufficient Matter in Law to have diſcharged the ſaid Defendant or Defendants of the Treſpaſs, or other Matter laid to his or their Charge: (4) And that if the Verdict ſhall paſs with the ſaid Defendant or Defendants in any ſuch Action, or the Plaintiff or Plaintiffs therein become nonſuit, or ſuffer any Diſcontinuance thereof, That in every ſuch Caſe the Juſtices or Juſtice, or ſuch other Judge before whom the ſaid Matter ſhall be tried, ſhall by Force and Virtue of this Act allow unto the Defendant or Defendants his or their double Coſts, which he or they ſhall have ſuſtained by Reaſon of their wrongful Vexation in Defence of the ſaid Action or Suit; (5) for which the ſaid Defendant or Defendants ſhall have like Remedy as in other Caſes where Coſts by the Laws of this Realm are given to the Defendants. (6) And this Act to continue for ſeven Years, and from thence to the End of the next Parliament after the ſaid ſeven Years. [This Statute is enlarged, and made perpetual, 21 Jac. 1. c. 12. but ſee 21 Jac. 1. c. 28. which only continues it to the End of the firſt Seſſion of the next Parliament.]

1 Roll 274. Moor 845. 2 Mod. 184.

The Defendant allowed double Coſts of Suit. 3 Bulſtr. 77.

Continuance of this Act.

## CAP. VI.

### An Act for adminiſtring the Oath of Allegiance, and Reformation of married Women Recuſants.

3 Jac. 1. c. 4. Who ſhall take the Oath of Obedience to the King, and by whom it ſhall be miniſtred, and within what Time. 1 Bulſtr. 199. 1 *Hawk. P. C. c.* 12.

'WHEREAS by a Statute made in the third Year of your Majeſty's Reign, intituled, *An Act for the better Diſcovering and Repreſſing of Popiſh Recuſants*, the Form of an Oath to be miniſtred and given to certain Perſons in the ſame Act mentioned is limited and preſcribed, tending only to the Declaration of ſuch Duty as every true and well-affected Subject, not only by Bond of Allegiance, but alſo by the Commandment of Almighty God, ought to bear to your Majeſty, your Heirs and Succeſſors: (2) Which Oath ſuch as are infected with Popiſh Superſtition do oppugne with many falſe and unſound Arguments, the juſt Defence whereof your Majeſty hath heretofore undertaken and worthily performed, to the great Contentment of all your loving Subjects, notwithſtanding the Gain-ſayings of contentious Adverſaries.

Every Perſon above the Age of eighteen Years herein intended ſhall take the Oath of Obedience.

'II. And to ſhew how greatly your Loyal Subjects do approve the ſaid Oath;' They proſtrate themſelves at your Majeſty's Feet, beſeeching your Majeſty that the ſame Oath may be adminiſtred to all your Subjects: To which End we with all humbleneſs beſeech your Highneſs that it may be enacted, (2) and be it enacted, by the Authority of this preſent Parliament, That all and every Perſon and Perſons, as well Eccleſiaſtical as Temporal, of what Eſtate, Dignity, Preheminence, Sex, Quality or Degree ſoever he, ſhe or they be, or ſhall be, above the Age of eighteen Years, being hereafter in this Act mentioned and intended, ſhall make, take and receive a corporal Oath upon the Evangeliſts, according to the Tenor and Effect of the ſaid Oath ſet forth in the ſaid forementioned Statute, before ſuch Perſon or Perſons as hereafter in this Act is expreſſed: That is to ſay, (3) all and every Archbiſhop and Biſhop that now is or hereafter ſhall be, before the Lord Chancellor or Lord Keeper of the Great Seal for the Time being.

Before whom each Perſon ſhall take the Oath. 3 Jac. 1. c. 4.

Archbiſhops and Biſhops, Eccleſiaſtical Judges and Officers.

III. And all and every Eccleſiaſtical Judge, Officer and Miniſter, of what Eſtate, Dignity, Preheminence or Degree ſoever he or they be or ſhall be, before the Archbiſhop of the Province, or Biſhop, or other Ordinary of the Dioceſe for the Time being, wherein ſuch Eccleſiaſtical Judge, Officer or Miniſter ought to exerciſe his ſaid Office, Place or Function.

A Baron or Baroneſs, or above that Degree, Privy Counſellors and Preſidents.

IV. And all and every Perſon and Perſons of or above the Degree of a Baron of Parliament, or Baroneſs of this your Highneſs Realm of *England*, and all of your Highneſs Privy Council reſiding in *London* or *Weſtminſter*, or within thirty Miles thereof, and the Preſidents of *Wales* and the North Parts, before any four of your Highneſs Privy Council, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal or Principal Secretary for the Time being, to be one: (2) And if ſuch Perſon or Perſons live and reſide in the Country, diſtant above thirty Miles from *London*, then before the Lord Biſhop of the Dioceſe, or ſuch other Perſon or Perſons as the Lord Chancellor or Lord Keeper of the Great Seal for the Time being ſhall thereto by Writ of *Dedimus poteſtatem* authorize.

The ſworn Servants of the King, the Queen, Prince, &c.

V. And all and every the ſworn Servants, ordinary and extraordinary, of your Highneſs, the Queen's Grace, or of the Houſhould of the Prince of *Wales*, and of the reſt of your Highneſs Children, before the Lord Steward, the Lord Chamberlains and Vice-Chamberlains to your Highneſs and the Queen, the Treaſurer and Comptroller of your Highneſs Houſhold, the Maſter of your Highneſs Horſe, the Dean of the Chapel, and the Knight-Marſhal for the Time being, the Officers of the Green-Cloth, or any three of them.

VI. All and every Temporal Judge, Juſtices of Peace, Sheriffs, Eſcheators, Feodaries, and other Officers and Miniſters of Juſtice in this preſent Act not ſpecially mentioned, and every other Perſon or Perſons that doth or ſhall receive any Fee of your Highneſs, your Heirs and Succeſſors, before the Lord Chancellor or Lord Keeper of the Great Seal, Lord Treaſurer, Lord Admiral, Lord Warden of the five Ports, for the Time being, or one of them, or before one of the Chief Juſtices of either of your Majeſty's Bench, or of the Common Pleas, or before the Juſtices of Aſſize of the ſame County where the Parties reſide, or other ſuch Perſons as the Lord Chancellor or Keeper of the ſaid Great Seal ſhall thereunto authorize. Judges, Miniſters of Juſtice, and they who receive the King's Fee.

VII. And all Mayors, Bailiffs or other Chief Officers of Cities and Towns Corporate, by what Name ſoever they be called or known, before ſuch Perſon or Perſons as uſually adminiſter the Oath to them at their firſt Entrance into their ſaid Offices. Chief Officers of Cities and Towns Corporate.

VIII. And all and every the Knights, Citizens, Burgeſſes and Barons of the five Ports of the Commons Houſe of Parliament, at any Parliament or Seſſion of Parliament hereafter to be aſſembled, before he or they ſhall be permitted to enter into the ſaid Houſe, before the Lord Steward for the Time being, or his Deputy or Deputies: (2) And the Maſter of the Ordnance, Lieutenant of the Tower of *London*, and Mint-Maſter there, the four principal Officers of your Navy under the Lord Admiral, before the Lord Chancellor or Lord Keeper of the Great Seal, and the Lord Admiral for the Time being, or any of them. Knights, Citizens, Burgeſſes and Barons of the Parliament. The Maſter of the Ordnance, Lieutenant of the Tower, &c.

IX. And all the Officers, Miniſters, Servants and others, within your ſaid Tower of *London*, before the Lieutenant of the Tower. Officers and Servants in the Tower.

X. And all the Vice-Admirals, Captains, Maſters, Officers, Miniſters and Soldiers in your Highneſs Ships, or any of them, before the ſaid four principal Officers of your Navy, or any two of them. Officers and Soldiers in Ships.

XI. And all Perſons having Charge of Caſtles, Fortreſſes, Block-houſes or Garriſons, and all Captains who ſhall have Charge of Soldiers, within this your Highneſs Realm, before the Juſtices of Aſſize of the ſame County, or before two Juſtices of the Peace of the ſame County, City or Liberty, where the ſame Caſtles, Fortreſſes or Block-houſes ſhall ſtand, or the Charge of Soldiers ſhall be. Captains of Caſtles, Soldiers.

XII. All Doctors, Advocates and Proctors of the Civil Law, and their Clerks, before the Biſhop of the Dioceſe where they ſhall for the moſt part dwell or reſide. Doctors, Advocates and Proctors of the Civil Law.

XIII. And all and every Perſon or Perſons Temporal that hereafter ſhall ſue Livery or *Ouſter le main* out of the Hands of your Highneſs, your Heirs or Succeſſors, before his or their *Ouſter le main* ſued forth and allowed, before the Maſter of the Wards and Liveries, or before the Surveyor and Attorney of your Highneſs ſaid Court, in open Court. Suers of Livery.

XIV. All the Serjeants at Law, Servants to the Judges in your Highneſs Courts at *Weſtminſter*, and all other in the Serjeants Inns, before the Chief Juſtice of your Majeſty's Bench, the Chief Juſtice of the Common Pleas, and the Chief Baron of your Exchequer, or ſome or one of them. Serjeants at the Law, and the Judges Servants.

XV. All your Highneſs Subjects in the Inns of Court, or that hereafter ſhall be admitted thereunto, and the Principals and Treaſurers of every Inn of Chancery, before the Readers and Benchers of the ſeveral Houſes whereto they belong, or four of them at the leaſt, in their open Halls. Gentlemen of the Inns of Court, and Principals of the Inns of Chancery.

XVI. All other your Majeſty's Subjects, as well Ancients as others, not being Principal or Treaſurer, that now are or hereafter ſhall be admitted into any Inn of Chancery, before the Principal or Treaſurer, and Ancients of the ſeveral Inns of Chancery, or four of them, in their open Halls. All of the Inns of Chancery.

XVII. All Prothonotaries, Philizers, Officers, Miniſters, Attornies and Clerks, that now are or hereafter ſhall be admitted to Write or Practiſe in any of your Highneſs Courts at *Weſtminſter*, or in any other Court of Record, before the Judge or Judges of the ſame Court. Prothonotaries, Officers, Attornies, Clerks, &c.

XVIII. All Clerks of the Chancery, and all their Under-Clerks, and all other Officers of the ſaid Court of Chancery, and their Clerks, before the Maſter of the Rolls for the Time being, or before two of the Maſters of the ſaid Court of Chancery. Clerks and Officers of the Chancery.

XIX. And all Parſons, Vicars and Curates, and all other Perſons Eccleſiaſtical taking Orders, and all and every School-Maſter and Uſher, before the Biſhop of the Dioceſe, or other Ordinary in the ſame, ſitting in open Court. Parſons Vicars, Curates, &c. School-maſter. Uſher.

XX. The Vice-Chancellors of both the Univerſities for the Time being, and the Preſidents, Wardens, Provoſts, Maſters of Colleges and Halls, and all other Heads and Principals of Houſes, Proctors, and Beadles of the Univerſities, publickly in the Convocation, before the Senior Maſters there preſent. The Vice-Chancellors in the Univerſities, and Principals of Colleges or Halls.

XXI. And all and every other Perſons whatſoever, that is or ſhall be promoted to any Degree in School, before the Vice-Chancellor of the ſaid Univerſity for the Time being, in the Congregation-Houſe. Perſons promoted to Degree in School.

XXII. All Fellows of Houſes, and all Scholars of Halls or Colleges, that now are or hereafter ſhall be received into the ſame, being under the Degree of a Baron, before the Preſident, Maſter, Provoſt, Warden, or other Head or Chief Governor of that College, Hall or Houſe, whereunto he ſhall be received, and in the open Hall. Fellows and Scholars in Colleges.

XXIII. And all Doctors of Phyſick, and all other who practiſe Phyſick, that now are or hereafter ſhall be admitted into the College of Phyſicians in *London*, before the Preſident of the ſame College for the Time being. Doctors and Practiſers of Phyſick.

XXIV. And

Aldermen, Sheriffs, and Freemen of Cities and Towns Corporate.

XXIV. And all Aldermen, Sheriffs and Under Officers whatsoever, of the Cities and Towns Corporate, and all such as hereafter shall be made Freemen of the said City or Town Corporate, before the Mayor, Bailiffs, or other Chief Officer of the said City or Town, in the open Hall.

When the Persons aforesaid shall take the said Oath.

XXV. And to the Intent that due Execution may be had of the Premisses without Delay, it is further enacted by the Authority aforesaid, That all the Persons before named, who have any certain Time limited or expressed when to take the aforesaid Oath, shall at the Time therein prescribed take the same, and the rest within six Months next after the End of this present Session of Parliament.

Who may tender the said Oath, and to whom.

XXVI. And be it further enacted by Authority of this present Parliament, That it shall and may be lawful to and for any one of the Privy Council of your Highness, or of your Heirs and Successors, and to and for every Bishop in his Diocese, to require any Baron or Baroness of the Age of eighteen Years or above, to take the said Oath; (2) and to and for any two Justices of Peace within any County, City, or Town Corporate, whereof one to be of the *Quorum*, to require any Person or Persons of the Age of eighteen Years or above, under the Degree of a Baron or Baroness, to take the said Oath: (3) And if any Person or Persons of or above the said Age and Degree, now stand or hereafter at any Time shall stand and be presented, indicted or convicted for not coming to Church or not receiving the Holy Communion or Sacrament of the Lord's Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or other having lawful Power to take such Presentment or Indictment, then three of the Privy Council of your Highness, your Heirs and Successors, whereof the Lord Chancellor, Lord Treasurer, Lord Privy Seal or Principal Secretary to be one, upon Knowledge thereof, shall require such Person or Persons to take the said Oath: (4) And if any other Person or Persons whatsoever, of and above the said Age, and under the said Degree, now stand or at any Time hereafter shall stand, and be presented, indicted or convicted for not coming to Church or receiving the Holy Communion or Sacrament of the Lord's Supper, according to the Laws and Statutes of this Realm, before the Ordinary or any other having lawful Power to take such Presentment or Indictment; or if the Minister, Petty Constable and Church-wardens, or any two of them, shall at any Time hereafter complain to any Justice of Peace, near adjoining to the Place where any Person complained of shall dwell, and the said Justice shall find Cause of Suspicion; that then any one Justice of Peace, within whose Commission or Power such Person or Persons shall at any Time hereafter be, or to whom Complaint shall be made as aforesaid, shall upon Notice thereof require such Person or Persons to take the said Oath: (5) And that if any Person or Persons, being of the Age of eighteen Years or above, shall refuse to take the said Oath, duly tendered to him or her, according to the true Intent and Meaning of this Statute, that then the Persons authorized by this Law to give the said Oath, shall and may commit the same Offender to the Common Gaol, there to remain without Bail or Mainprize, until the next Assizes or General Quarter-Sessions to be holden for the said Shire, Division, Limit or Liberty; where the said Oath shall be again in the said open Sessions required of such Person by the said Justices of Assize or Justices of the Peace then and there present, or the greater Number of them: (6) And if the said Person or Persons, of the Age of eighteen Years or above, shall refuse to take the said Oath, being tendered to him or her by the said Justices of Assize and Gaol-delivery, in their open Assizes or Gaol-delivery, or the Justices of Peace or the greater Part of them in their General or Quarter-Sessions, every Person so refusing shall incur the Danger and Penalty of *Præmunire*, mentioned in a Statute made in the sixteenth Year of the Reign of King *Richard* the Second, (except Women covert, who shall be committed only to Prison, there to remain without Bail or Mainprize till they will take the said Oath.)

The Penalty for refusing to take the said Oath. 12 Co. 132.

16 R. 2. c. 5. 1 Roll 91.

Disabled to execute or practise certain Offices or Sciences.

XXVII. And be it further enacted, That every Person refusing to take the said Oath as above, shall be disabled to all Intents and Purposes, to execute any publick Place of Judicature, or bear any other Office (being no Office of Inheritance or Ministerial Function) within this your Highness Realm of *England*: (2) Or to use or practice the Common Law or Civil Law, or the Science of Physick or Surgery, or the Art of an Apothecary, or any Liberal Science, for his or their Gain, within this Realm, until such Time as the same Person shall receive the same Oath, according to the Intent of this Statute.

The Penalty of a married Woman Recusant that shall not come to the Church and receive the Sacrament.

*See farther*, 25 *Car.* 2. *c.* 2. *and* 16 *Geo.* 2. *c.* 30.

XXVIII. And be it further enacted, That if any married Woman (being lawfully convicted as a Popish Recusant for not coming to Church) shall not within three Months next after such Conviction conform herself, and repair to the Church and receive the Sacrament of the Lord's Supper, according to the former Laws and Statutes made and provided in that Behalf touching Recusants; That then she shall be committed to Prison by one of the Privy Council of your Highness, your Heirs or Successors, or by the Bishop of the Diocese, if she be a Baroness, or if she be under that Degree, by two Justices of the Peace of the same County, whereof one to be of the *Quorum*, there to remain without Bail or Mainprize until she shall conform herself and come to Church, and receive the Sacrament of the Lord's Supper, unless the Husband of such Wife shall pay to the King's Majesty, his Heirs or Successors, for the Offence of his said Wife, for every Month ten Pounds of lawful Money of *England*, or else the third Part (in three Parts to be divided) of all his Land and Tenements, at the Choice of the Husband whose Wife is so convicted as aforesaid, for and during so long Time as she remaining a Recusant convicted, shall continue out of Prison, during which Time (and no longer) she may be at Liberty.

CAP.

## CAP. VII.

### An Act for the puniſhing and correcting of Deceit and Frauds committed by Sorters, Kembers and Spinſters of Wool, and Weavers of Woollen Yarn.

'WHEREAS by the Trade of Clothing, making of Bays, Says and other Cloths and Stuffs made of Wool or partly of Wool, many poor People are ſet on work, and great Profit hath grown to the Poor and Commonwealth thereby; (2) yet now by the Abuſe and Deceit of the Sorters, Kembers, Carders and Spinſters of Wool to them delivered, by the Perſons uſing the Trades aforeſaid, and Weavers of the Yarn made of ſuch Wool, who are ſet on work by the Clothier, Maker of Bays, Says and other Cloths and Stuffs aforeſaid, by unjuſtly, deceitfully and falſly purloining, imbezilling, ſelling and detaining of Part thereof, to the great Damage of the Clothier and others uſing the Trades aforeſaid, whereby true Cloth-making is much hindered and Idleneſs doth daily increaſe: (3) So that many exerciſing the Trades before-mentioned are greatly impoveriſhed, and the Parties which commit the Offences aforeſaid, being poor and altogether unable to make Recompence or Satisfaction for the Treſpaſſes, Deceits and Abuſes aforeſaid, have much diſcouraged the ſaid Clothier, Maker of Bays and others of the Trades aforeſaid, to ſet poor People on work, whereby much Poverty doth increaſe and more is like daily to increaſe, to the great Damage and Hinderance of the Commonwealth:' 23 H. 8. c. 17.

II. For the Preventing and Reformation whereof, be it enacted by the Authority of this preſent Parliament, That all and every ſuch lewd Perſon and Perſons, who ſhall at any Time after twenty Days next after the End of this Seſſion of Parliament, unjuſtly, falſly or deceitfully convey away, imbezil, purloin, ſell or detain any Part of the Wool or Yarn delivered by any Clothier, Maker of Bays, Says, or by any other Perſon or Perſons making any ſuch Cloths or Stuffs, to any ſuch Sorter, Carder, Kember, Spinſter or Weaver of Wool or Yarn; That in every ſuch Caſe and Caſes, as well the Sorter, Carder, Kember, Spinſter and Weaver ſo offending, as the Buyer and Buyers, Receiver and Receivers of the ſame, knowing the ſame, being thereof lawfully convicted (by Confeſſion of the Party or Parties ſo offending, or by one ſufficient Witneſs upon Oath before Two or more of the King's Majeſty's Juſtices of the Peace of the ſame County or Liberty where the ſame Offence or Offences ſhall be committed, or if it be within a Town Corporate, before the Mayor, Bailiff or Chief Officer, and one more of the Aldermen or moſt ſubſtantial Perſons of the ſaid Town, (2) who ſhall by Force of this Act have full Power and Authority to miniſter the ſame Oath, and finally to hear, end and determine all and every the Offences aforeſaid); (3) ſhall give and make to the Party or Parties grieved, ſuch Recompence and Satisfaction for ſuch their Damage and Loſs, as by the ſaid Juſtices or chief Officers ſhall be ordered and appointed: (4) And if the Party or Parties ſo offending ſhall not be thought, in the Diſcretion of the ſaid Juſtices or Chief Officers, able or ſufficient, or do not make Recompence or Satisfaction for the ſame Offence or Offences, in ſuch Manner and Form as by the ſaid Juſtices or Chief Officers ſhall be ordered and appointed as aforeſaid, then the Party or Parties offending, for the firſt Offence to be apprehended and whipped, or ſet in the Stocks, in the Place where the Offence is committed, or in ſome Market-Town in the ſaid County, near unto the Place where the Offence or Offences aforeſaid ſhall be committed, as ſhall be limited and apointed by the ſaid Juſtices of the Peace or Chief Officers: (5) And for the ſecond Offence, to incur the like or ſuch further Puniſhment by Whipping, or being put in the Stocks, as the ſaid Juſtices of the Peace or Chief Officers ſhall in their Diſcretion think fit and convenient.

The Penalty of a Worker of Wool or Yarn that doth imbezil or detain any Part thereof.

III. And be it likewiſe enacted by the Authority aforeſaid, That all and every Receiver and Receivers, Buyer and Buyers of any Wool or Yarn, imbezilled or purloined, contrary to the Meaning of this Act, knowing the ſame to be imbezilled or purloined, ſhall be ſubject to like Puniſhment as by this Act is inflicted or provided to be inflicted upon any ſuch Perſon ſo imbezilling or purloining any ſuch Wool or Yarn as aforeſaid.

The Puniſhment of the Receiver or Buyer of imbezilled Yarn. 1 Salk. 181.

IV. And be it likewiſe enacted, That all and every Spinner and Spinners of Wool within the County of *Eſſex*, that ſhall receive any Wool to be ſpun into Yarn for any Clothier or Maker of Bays, Says or other Stuffs aforeſaid, dwelling in the Town of *Cogſhal*, *Bocking*, *Braintree*, *Halſteed*, *Wittam* or *Colcheſter*, within the ſaid County, and ſhall deliver back again the Yarn made of the ſaid Wool by any ſhorter Reel than hath been there uſual of ancient Time, that is to ſay, the ſaid Reel containing two Yards about, ſhall be ſubject to like Puniſhment as by this Act is inflicted or provided to be inflicted upon any Perſon or Perſons imbezilling and purloining Yarn as aforeſaid.

Spinners of Wool in certain Towns in Eſſex. *Further Proviſions concerning Wool*, 12 *Car.* 2. c. 32. 13 & 14 *Car.* 2. c. 18 & 19. 1 *W. & M. St.* 1. c. 32.

7 & 8 *W.* 3. c. 28. 9 & 10 *W.* 3. c. 40. 10 & 11 *W.* 3. c. 10. 3 *Geo.* 1. c. 21. 4 *Geo.* 1. c. 11. 5 *Geo.* 1. c. 11. *Sect.* 14. 12 *Geo.* 1. c. 34. 13 *Geo.* 1. c. 23. 5 *Geo.* 2. c. 21. 12 *Geo.* 2. c. 21. 15 *Geo.* 2. c. 27. 25 *Geo.* 2. c. 14. 26 *Geo.* 2. c. 8 & 11. 29 *Geo.* 2. c. 33 *and* 30 *Geo.* 2. c. 12.

## CAP. VIII.

### An Act to enlarge an Act of Parliament made in the ſecond and third Year of King *Philip* and Queen *Mary*, intituled, *An Act for the keeping of Milch-Kine, or breeding and rearing of Calves.*

'WHEREAS in the ſecond and third Years of King *Philip* and Queen *Mary*, a profitable Act was made for the Avoiding of the Scarcity of Cattle and Victual, intituled, *An Act for the Keeping of Milch-Kine, and for the breeding and rearing of Calves*; (2) which Act being then made only to continue to the End of the next Seſſion of Parliament, was found ſo neceſſary for the Good of the 2 & 3 Ph. & M. c. 3.

13 Eliz. c. 25.

'Commonwealth, that after many Continuances of it by ſeveral Parliaments, it was at length, in the 'thirteenth Year of the Reign of our late Queen *Elizabeth* of happy Memory, made perpetual: (3) Be-'cauſe the ſaid Act hath not produced ſo good Effect as was expected, in Reſpect it did and doth ex-'tend only to ſuch Paſture Grounds as were incloſed before the ſaid Act, and wherein no Perſon at the 'Making of the ſaid Act had Common for any Cattle at any Time of the Year, and not to ſuch Paſture 'Grounds as ſithence have been converted from Tillage, and incloſed or taken out of Commons and 'incloſed, whereas in all Equity and Conſcience, many of the ſaid late Incloſures deſerve no Way to 'be kept and enjoyed with more Liberty, than the ſaid former and ancient Incloſures:'

The Statute of 2 & 3 Ph. & M. c. 3. ſhall be extended to Grounds ſince incloſed or hereafter to be incloſed.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons, in this preſent preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid former Act, and the Pains and Penalties therein contained, ſhall from and after the Feaſt of Saint *Michael* the Archangel now next enſuing, be extended and conſtrued, taken, expounded and adjudged to extend, as fully to all Intents, Conſtructions and Purpoſes, with the ſame Proviſoes, and in like Manner, to all and every the Grounds apt and meet for Milch-Kine, ſince the making of the ſaid Act incloſed or hereafter to be incloſed, and not to be laid open to Common at any Time of the Year, and to the Occupiers thereof, as to the Grounds before the ſaid Act made ſeveral, and wherein none had Intereſt of Common at the Time of Making the ſaid Act, and to the Occupiers thereof, and as if the ſaid Grounds ſo lately incloſed and hereafter to be incloſed and made ſeveral, had been ſo incloſed and held ſeveral at the Time of the Making of the ſaid Act, and as if no Perſon or Perſons, other than the Owners thereof, then had Intereſt of Common therein; any Word, Sentence or Clauſe in the ſaid former Act to the contrary in any wiſe notwithſtanding.

## CAP. IX.

An Act for the bringing of freſh Streams of Water by Engine from *Hackney-Marſh* to the City of *London*, for the Benefit of the King's College at *Chelſey*. A College ſhall be erected at *Chelſey*, and a Trench ſhall be made to convey Water from the River of *Lee* to *London*, to maintain the ſame. The Provoſt and Fellows may dig a Trench out of the River of *Lee*, or ſcour any old already made, and may erect Engines, Water-works, *&c.* and Houſes or Coverings for the ſame. May dig for opening of Springs of freſh Water, and convey the ſame by Trenches into a Pond, and may convey in Pipes under the Ground from the Water-works unto the City and Suburbs of *London*, the ſame Water. Certain Places exempt through the which the Water is not to be conveyed.

## CAP. X.

### An Act for Reformation of Alehouſe-keepers.

5 & 6 Ed. 6. c. 25. The Penalty for any Offence committed againſt the Statute of 4 Jac. 1. c. 5. 1 Haw. P. C. c. 78. 1 Jac. 1. c. 9. 4 Jac. 1. c. 5. Farther Proviſions relating hereto, 21 Ja. 1. c. 7.

'WHEREAS notwithſtanding all former Laws and Proviſions already made, the inordinate and extreme Vice of exceſſive Drinking and Drunkenneſs doth more and more abound, to the great 'Offence of Almighty God, and the waſteful Deſtruction of God's good Creatures:' (2) Be it enacted by the Authority of this preſent Parliament, That if any Perſon being an Alehouſe-keeper (after ſix Weeks next enſuing this preſent Seſſion of Parliament) ſhall be lawfully convicted for any Offence or Offences committed againſt any of the Branches of two former Acts of Parliament made ſithence the Beginning of this preſent Parliament, the one intituled, *An Act to reſtrain the inordinate Haunting and Tipling in Inns, Alehouſes and other Victualling-houſes*; the other intituled, *An Act againſt the odious and loathſom Sin of Drunkenneſs*; That then every Perſon or Perſons ſo convicted, ſhall for the Space of three Years next enſuing the ſaid Conviction, be utterly diſabled to keep any ſuch Alehouſe.

1 *Car.* 1. *c.* 4. 26 *Geo.* 2. *c.* 31. *and* 29 *Geo.* 2. *c.* 12.

## CAP. XI.

### An Act to prevent the Spoil of Corn and Grain, by untimely Hawking, and for the better Preſervation of Pheaſants and Partridges.

The Penalty for killing of Pheaſants or Partridges at undue Times, or by undue Means. 1 Jac. 1. c. 27. Burn V. 1. 490.

'WHEREAS in the firſt Seſſion of this preſent Parliament there was a good Law made, amongſt other Things for the Preſervation of the Game of Pheaſants and Partridges, which hath not 'yielded that good Succeſs as was by the ſame Law hoped for and intended, through diſorderly and 'unſeaſonable Hawking, whereby great Quantity of Corn and Grain hath been and is not only un-'charitably ſpoiled and deſtroyed, but great Numbers of Pheaſants and Partridges thereby killed and 'ſpoiled, before they be either fit to be hawked at, or to be uſed for Food or Diet:'

II. For the Preventing of both which Inconveniencies and Miſchiefs, Be it enacted by the Authority of this preſent Parliament, That all and every Perſon or Perſons whatſoever, which at any Time after the End of this preſent Seſſion of Parliament doth or ſhall hawk at, deſtroy or kill any Pheaſant or Pheaſants, Partridge or Partridges, with any Kind of Hawk or Hawks, Dog or Dogs, by Colour of Hawking, between the firſt of *July* and the laſt Day of *Auguſt*, and the ſame Offence or Offences being proved by the Confeſſion of the Party, or by the Teſtimony of two ſufficient Witneſſes upon Oath, before two or more Juſtices of the Peace of the ſaid County, City or Town Corporate wherein the Offence ſhall be committed, or the Party offending apprehended, ſhall be by the ſaid Juſtices of the Peace, for

for every ſuch Offence, committed to the common Gaol of the ſaid County, City or Town Corporate, where the Offence ſhall be committed, or the Parties apprehended; (2) there to remain for one whole Month without Bail or Mainpriſe, unleſs that the ſaid Offender do or ſhall forthwith upon the ſaid Conviction pay, or cauſe to be paid, to the Churchwardens of the ſaid Pariſh, or unto the Overſeers of the Poor, or ſome of them, where the ſaid Offence ſhall be committed, or the Party apprehended, to the Uſe of the Poor of the ſame Pariſh, the Sum of forty Shillings for every ſuch Hawking at any Pheaſant or Partridge, and twenty Shillings for every ſuch Pheaſant or Partridge which any and every ſuch Perſon and Perſons ſo offending and convicted (as aforeſaid) by himſelf, his Hawk or Hawks, Dog or Dogs, ſhall take, kill or deſtroy, contrary to the true Purport, Intent and Meaning of this preſent Statute.

He that is puniſhed by this Law ſhall be excuſed for any other.

III. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be at any Time hereafter convicted and puniſhed by Virtue of this Law, That then the Party ſo puniſhed ſhall not for the ſame Offence be eftſoons called in Queſtion, and puniſhed by Virtue of any other Law touching or concerning the like Offences.

Within what Time an Offender ſhall be accuſed.

IV. Provided alſo, That no Offenders ſhall be impeached or puniſhed by Virtue of this Act, unleſs he or they be accuſed as delinquent, before the ſaid Juſtices of Peace, within ſix Months next after the ſaid Offence or Offences committed or done.

'V. And whereas by a Proviſo in the ſaid Statute contained, it is provided, That it ſhall and may 'be lawful to and for every Perſon and Perſons which have or ſhall have free Warren, and to and for 'every Lord of a Manor, and to every Freeholder which is or ſhall be ſeiſed in his own Right, or 'in the Right of his Wife, of Lands, Tenements or Hereditaments, to the clear yearly Value of ten 'Pounds or more by the Year, over and above all Charges and Repriſes, of ſome Eſtate of Inheritance; '(2) or of Lands, Tenements or Hereditaments, in his own Right, or in the Right of his Wife, 'for Term of Life or Lives, of the yearly Value of thirty Pounds over and above all Charges and 'Repriſes; (3) or be or which ſhall be worth in Goods or Chattels two hundred Pounds; (4) by him 'or themſelves, or by his or their menial Servants (ſufficiently authoriſed from his or their Maſter for 'that Purpoſe) to take Pheaſants and Partridges (in the Day-time only) with Nets, in and upon his 'and their own, or his or their Maſters free Warren, Manor and Freehold, or on any Part of them, 'betwixt the Feaſt of St. *Michael* the Archangel, and the Feaſt of the Birth of our Lord God yearly; 'any Thing in the ſaid Law to the contrary notwithſtanding: (5) By Colour of which Liberty ſo given 'by the ſaid Proviſo, it is found by Experience, that the ſaid Games of Pheaſants and Partridges have 'been and ſtill are likely to be much ſpoiled and deſtroyed by many mean Tenants and Freeholders, 'againſt the Will of the Lords or Owners of Inheritance of the ſaid Lands and Tenements:'

A Repeal of a Branch of the Statute of 1 Jac. 1. c. 27. allowing certain Perſons to take Pheaſants and Partridges.

VI. Be it therefore enacted by the Authority aforeſaid, That the ſaid Proviſo, and every Clauſe, Article and Thing therein contained, ſhall be from the End of this preſent Seſſion of Parliament, utterly repealed, fruſtrate and made void; any Thing in the ſaid Proviſo contained to the contrary notwithſtanding.

Who may take Pheaſants and Partridges, where and when.

VII. And that it ſhall and may be lawful for every Perſon or Perſons which have or ſhall have free Warren, and to and for every Lord of a Manor, and to and for every Freeholder which is or ſhall be ſeiſed in his own Right, or in the Right of his Wife, of Lands, Tenements and Hereditaments, to the clear yearly Value of forty Pounds or more, by the Year, over and above all Charges and Repriſes, of ſome Eſtate of Inheritance; (2) or of Lands, Tenements and Hereditaments in his own Right, or in the Right of his Wife, for Term of Life or Lives, of the yearly Value of fourſcore Pounds over and above all Charges and Repriſes; (3) or which ſhall be worth in Goods or Chattels four hundred Pounds; (4) by him or themſelves, or by his or their menial and houſhold Servants (ſufficiently authorized from his or their Maſter for that Purpoſe) to take Pheaſants and Partridges (in the Day-time only) in and upon his and their own, or his and their Maſter's free Warren, Manor and Freehold as aforeſaid, or on any Part of them, betwixt the Feaſt of St. *Michael* the Archangel and the Birth of our Lord God yearly; any Thing in the ſaid Law before mentioned to the contrary notwithſtanding.

'VIII. And whereas the ſaid Games of Pheaſants and Partridges are exceſſively ſpoiled and deſtroyed by 'baſe Perſons, of bad and mean Condition, making a Trade and Living of the Spoiling and Deſtroying 'of the ſaid Games, who are not of Sufficiency to pay any Penalty in any former Statute mentioned, nor 'to anſwer the Coſts and Charges of any that ſhould inform and proſecute againſt them in any of his Ma'jeſty's Courts: (2) By Reaſon whereof, and for that the ſaid Offenders are hardly diſcovered, and ſeldom 'or never found offending in the Preſence of divers Witneſſes, ſo that it is very hard to convict them by 'the Teſtimony of more Witneſſes than one, by Reaſon that they ſpoil and deſtroy the ſaid Games ſe'cretly, and for the moſt part in the Night-time, and do carry ſuch Pheaſants and Partridges as they ſo de'ſtroy, likewiſe by Night, to Cities and Market-Towns to be ſold:' (3) Be it therefore further enacted by the Authority aforeſaid, That all and every Perſon or Perſons which from and after the firſt Day of *September* next, ſhall take, kill or deſtroy any Pheaſant or Partridge with Setting-dogs and Nets, or otherwiſe with any Manner of Nets, Snares or Engines, and the ſame Offence or Offences being proved by the Confeſſion of the Party, or by the Teſtimony of one ſufficient Witneſs upon Oath, before two or more Juſtices of the Peace of the ſame County, City or Town Corporate, wherein the Offence ſhall be committed, or the Party offending apprehended, ſhall be by the ſaid Juſtices of Peace, for every ſuch Offence, committed to the common Gaol of the ſaid County, City or Town Corporate, where the Offence ſhall be committed, or the Party apprehended, (4) there to remain for three Months without Bail or Mainpriſe, unleſs that the ſaid Offender ſhall forthwith pay or cauſe to be paid to the Churchwardens or Overſeers

The Penalty for taking any Pheaſants or Partridges with Setting-dogs, Nets, &c.

of the Poor of the ſaid Pariſh where the ſaid Offence ſhall be committed, the Sum of twenty Shillings for every Pheaſant or Partridge, which any and every ſuch Perſon or Perſons ſo offending ſhall take, kill or deſtroy as aforeſaid, contrary to the Purport and true Meaning of this Statute; (5) and further to become bound by Recognizance in the Sum of twenty Pounds to his Majeſty, his Heirs and Succeſſors, with Condition that he the ſaid Party ſo offending ſhall not at any Time thereafter take, kill or deſtroy any Pheaſant or Partridge; (6) which ſaid Recognizance ſhall be taken by any one or more Juſtices of Peace of the ſaid County, City or Town Corporate, where the ſaid Offence ſhall be committed as aforeſaid, and ſhall be returned to the then next Quarter-Seſſions, and there to remain of Record as other Recognizances taken for the Peace.

Officers may ſearch the Houſes of Perſons ſuſpected to offend.

IX. And be it further enacted, That every Conſtable and Headborough in every County, City, Town Corporate, and other Place where they ſhall be ſworn Officers, ſhall and may, by Virtue of this preſent Act, (bringing with them to that Purpoſe a lawful Warrant under the Hands of two Juſtices of the Peace of the County, City, Liberties or Town Corporate) have full Power and Authority to enter into and ſearch the Houſe or Houſes of any Perſon or Perſons (other than ſuch as by this preſent Act are allowed to take Pheaſants and Partridges with Nets as aforeſaid) being ſuſpected to have any Setting-dogs or Nets for the taking of Pheaſants and Partridges; (2) and whereſoever they ſhall find any ſuch Setting-dogs or Nets, the ſame to take, carry away and detain, kill, deſtroy and cut in Pieces, as Things prohibited by this Act, and forfeited to ſuch of the ſaid Officers as ſhall find out and take the ſame as aforeſaid.

Continuance of this Act.

X. This Law to continue unto the End of the firſt Seſſion of the next Parliament, and no longer. [3 Car. 1. c. 4. continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

*Further Proviſions relating hereto,* 13 Car. 2. St. 1. c. 10. 22 & 23 Car. 2. c. 15. 5 *Ann.* c. 14. 9 *Ann.* c. 25. 3 *Geo.* 1. c. 11. 8 *Geo.* 1. c. 19. 10 *Geo.* 2. c. 32. *and* 28 *Geo.* 2. c. 12.

## CAP. XII.

### An Act to avoid the double Payment of Debts.

In what Caſe a Tradeſman's Shop-Book ſhall be no Evidence to recover a Debt.

'WHEREAS divers Men of Trades, and Handicraftſmen keeping Shop-Books, do demand Debts of their Cuſtomers upon their Shop-Books long Time after the ſame hath been due, and when as they have ſuppoſed the Particulars and Certainty of the Wares delivered to be forgotten, then either they themſelves or their Servants have inſerted into their ſaid Shop-Books divers other Wares ſuppoſed to be delivered to the ſame Parties, or to their Uſe, which in Truth never were delivered, and this of Purpoſe to increaſe by ſuch undue Means the ſaid Debt: (2) And whereas divers of the ſaid Tradeſmen and Handicraftſmen, having received all the juſt Debt due upon their ſaid Shop-Books, do oftentimes leave the ſame Books uncroſſed, or any way diſcharged, ſo as the Debtors, their Executors or Adminiſtrators, are often by Suit of Law enforced to pay the ſame Debts again to the Party that truſted the ſaid Wares, or to his Executors or Adminiſtrators, unleſs he or they can produce ſufficient Proof by Writing or Witneſſes, of the ſaid Payment, that may countervail the Credit of the ſaid Shop-Books, which few or none can do in any long Time after the ſaid Payment:' (3) Be it therefore enacted by the Authority of this preſent Parliament, That no Tradeſman or Handicraftſman keeping a Shop-Book as is aforeſaid, his or their Executors or Adminiſtrators, ſhall after the Feaſt of St. *Michael* the Archangel next coming, be allowed, admitted or received to give his Shop-Book in Evidence in any Action for any Money due for Wares hereafter to be delivered, or for Work hereafter to be done, above one Year before the ſame Action brought, except he or they, their Executors or Adminiſtrators, ſhall have obtained or gotten a Bill of Debt or Obligation of the Debtor for the ſaid Debt, or ſhall have brought or purſued againſt the ſaid Debtor, his Executors or Adminiſtrators, ſome Action for the ſaid Debt, Wares or Work done, within one Year next after the ſame Wares delivered, Money due for Wares delivered, or Work done.

38 Ed. 3. Stat. 1. c. 12.

2 Salk. 690.

Intercourſe of Traffick between Merchants.

II. Provided always, That this Act, or any Thing therein contained, ſhall not extend to any Intercourſe of Traffick, Merchandizing, Buying, Selling, or other Trading or Dealing for Wares delivered or to be delivered, Money due, or Work done or to be done, between Merchant and Merchant, Merchant and Tradeſman, or between Tradeſman and Tradeſman, for any Thing directly falling within the Circuit or Compaſs of their mutual Trades and Merchandize, but that for ſuch Things only, they and every of them ſhall be in Caſe as if this Act had never been made; any thing herein contained to the contrary thereof notwithſtanding.

Continuance of this Act. 5 Eliz. c. 6.

III. This Act to continue to the End of the firſt Seſſion of the next Parliament, and no longer. [3 Car. 1. c. 4. continued until the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. XIII.

### An Act for the Explanation of one Statute made in the ſecond Seſſion of this preſent Parliament, intituled, *An Act againſt unlawful Hunting and Stealing of Deer and Conies.*

The Forfeiture for hunting or killing of Deer in a Park, &c. 3 Jac. 1. c. 13.

'WHEREAS Queſtion and Doubt hath grown and riſen upon the Expoſition of a Statute made in the ſecond Seſſion of this preſent Parliament, intituled, *An Act againſt unlawful hunting and ſtealing of Deer and Conies*, for that in the Body of the ſaid Act all unlawful hunting, driving or chaſing out, or taking, killing or ſlaying any Deer or Conies within any the Parks, Places or Grounds in the ſaid Statute mentioned, againſt the Will, Mind or Pleaſure of the Owners, Occupiers or Poſſeſſioners of the ſame (as well by Day as by Night) is prohibited and made penal, in ſuch Manner and Form as in and

'by

'by the said Statute it doth and may more plainly appear; and yet by a Proviso in the said Statute contained, it is enacted, That the said Act, nor any Thing therein contained, should extend to any Offence or Offences concerning the hunting, chasing or killing of Deer or Conies, which should be done or committed in the Day-time, but only to such Offences as should be then after done or committed in the Night-time only; any Thing in the said Act contained to the contrary notwithstanding:

'II. For the Explanation of which Doubt and Question, and for that it is found by Experience, that Malefactors of that Kind have been much encouraged to chase, hunt, kill and destroy Deer in the Day-time by Colour of the said Proviso, whereby many Deer, as well in the Parks of our Sovereign Lord the King, as of many his Highness loving Subjects, have been and are still like to be unlawfully and riotously chased, hunted and destroyed by many idle, loose and disorderly Persons: (2) Be it therefore enacted by the Authority of this present Parliament, That from and after the Feast of St. *James* the Apostle next ensuing, so much of the said Proviso in the said Statute contained, as concerneth the hunting, chasing out or killing of Deer only, shall be repealed, frustrated and made void; any Thing in the said Proviso of the said Act contained to the contrary thereof in any wise notwithstanding.

A Repeal of so much of a Proviso contained in the Statute of 3 Jac. 1. c. 13. as concerned the hunting of Deer. *Burn V.* 1. 475 & 487.

'III. And whereas it was by the said former Statute, amongst other Things, enacted, That if any Person or Persons did or should wrongfully or unlawfully hunt, chase or drive out, or take, kill or slay any Deer within any Park or other Place in the said Statute mentioned, against the Will, Mind or Pleasure of the Owners, Occupiers or Possessioners of the same, that then every such Person so offending should satisfy and pay unto the Party grieved his treble Damages, in such Manner and Form as in the said Statute is mentioned: (2) By reason of the Uncertainty whereof, few or no Offenders have been discouraged in their said Huntings, Drivings, Chasings out, taking, killing or slaying of Deer:'

IV. For Remedy whereof, Be it further by the Authority of this present present Parliament enacted, That if any Person or Persons from and after the Feast of Saint *James* the Apostle next coming after the End of this present Session of Parliament, shall willingly commit any the Offences in the said Statute mentioned, concerning the unlawful chasing out, hunting, driving, taking, killing or slaying of Deer in any Park or inclosed Ground, which now is or hereafter shall be made or used for Deer, against the Will, Mind or Pleasure of the Owners, Occupiers, Possessioners, or Keepers of the same; That then all and every such Person and Persons so offending shall for every such Offence pay and satisfy unto the Party grieved the Sum of ten Pounds of current Money of *England*, or else treble Damages and Costs, at the Election of the Party grieved; (2) the same to be recovered in such Manner and Form as in and by the said Statute is limited and appointed for the Recovery, Taxing or Assessing of the said treble Damages; any Thing in the said Statute or in this present Act contained to the contrary notwithstanding.

V. This Law to continue unto the End of the first Session of the next Parliament. [3 Car. 1. c. 4. continued unto the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

Continuance of this Act. *Farther Provisions relating hereto,*

22 & 23 *Car.* 2. *c.* 25. 4 & 5 *W. & M. c.* 23. 5 *Ann. c.* 14. 9 *Ann. c.* 25. 3 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 19. 10 *Geo.* 2. *c.* 32. *and* 28 *Geo.* 2. *c.* 12.

## CAP. XIV.

An Act for reviving of Part of a former Act made in the fourth Year of King *Edward* the Fourth, That no Stranger or Alien shall buy *English* Horns unwrought; and that the Wardens of the Horners of the City of *London* for the Time being, should have Power to search all manner of Wares appertaining to their Mystery in *London*, and twenty-four Miles on every Side of it.

'IN all humble Manner shewn and beseechen your most excellent Majesty, the Wardens and Men of Occupation of Horners of the City of *London*; That whereas in the Parliament holden at *Westminster* in the fourth Year of the Reign of King *Edward* the Fourth, grievous Complaint was made by Men of the Occupation of Horners, being infranchised in the City of *London*, how that the People of strange Lands hath come into this Land, and into divers Parts thereof, and hath bought by the Hands of their Hosts and Guides the great and chief Stuff of *English* Horns unwrought, of Tanners and Butchers, and carry the same over the Sea, and there employ the same in divers Works, to the great Damage of this Land, and to the final Prejudice of a great Number of Men being of the Occupation of Horners: 4 Ed. 4. c. 8.

'II. It pleased the King's Majesty, by the Advice and Assent of the Lords Spiritual and Temporal in that Parliament assembled, and at the Request of the Commons of the same, and by the Authority of the same Parliament, to ordain, establish and enact, That from the Feast of *Easter*, which then should be in the Year of our Lord God one thousand four hundred sixty-five, That no Stranger nor Alien, by himself or by any other, should buy any *English* Horns unwrought of any Tanners, Butchers, or of any other Persons, gathered or growing within the said City, or four and twenty Miles on every Side of the said City next adjoining: (2) And that no *Englishman*, nor other Person, should sell any *English* Horns unwrought to any Strangers, or cause them to be sent over the Sea, so that the said Horners would buy the said Horns at like Price as they were at the Time of the making of the said Act, upon Pain of Forfeiture of all such Horns so bought, sold or sent: (3) And that the Wardens of the said Mystery for the Time being, by the said Authority, should have full Power to search all manner of Ware pertaining to their Mystery, wrought or to be wrought, in all Places within the said City of *London*, and four and twenty Miles on every Side next adjoining to the same City, and within the Fairs of *Sturbridge* and *Ely*, in whose Hands they might be found: (4) And if they by their Search find any such Ware or Stuff in any Place within the said City of *London* and four and twenty Miles next adjoining to the same City,

No Stranger shall buy any English Horns unwrought in London, or within twenty-four Miles Compass thereof.

The Wardens of Horners may search for insufficient Wares,

'or within the Fairs of *Sturbridge* and *Ely*, in whose Hands soever they be to sell, that was defective and 'insufficient, it should be lawful to them to take the same Ware and Stuff, and bring it before the Mayor 'of the said City of *London*, the Mayors or Bailiffs of the aforesaid Fairs for the Time; (5) and the same 'there being proved defective, to be forfeit, the one Half thereof to our Sovereign Lord the King, and 'the other Half to the said Wardens, to be ordered at their Pleasure: (6) In which said Act it is pro-'vided, That after that Men of the said Occupation within this Land have taken out and chosen such and 'as many Horns as should be needful to their Occupation, that then it should be lawful to them all, and 'to every of them, and other Persons of this Realm of *England*, to sell and deliver all the Horns refused, 'which be not able to be occupied in their Mystery, to any Stranger or other Person, to send or carry be-'yond the Sea, or elsewhere, as should please them: (7) The which Act in the Parliament holden at '*Westminster* in the first Year of your Highness Reign, was wholly repealed and made void:

After Englishmen have chosen Horns, Strangers may buy the Residue.

1 Jac. 1. c. 25.

'III. Forasmuch as since the Repealing of the said Act, Strangers and Aliens by the Hands of divers 'of their Factors, Servants and Dealers for them, have and do (as before the making of the said 'Statute of *Edward* the Fourth they did, that is) daily buy up and procure unto themselves the great and 'chief Stuff of *English*, Horns unwrought, of Tanners and Butchers, and otherwise, and do daily con-'vey and carry them beyond the Seas, and there make them into divers Works, whereby many Hous-'holders of your Majesty's Subjects, that lived and maintained their Families, and paid Subsidies and 'other Duties to your Highness, by the Benefit of their Labour in working the said Horns, having no 'other Trade or Means by Labour to maintain and keep themselves, their Wives and Children, 'the Company being greatly increased, and the Stuff altogether in a manner transported, occasioneth 'such a Decrease of the Ware, as hereby the Company is grown so poor and decayed, as in short Time, 'if Remedy be not provided, they and theirs shall be utterly undone: (2) And also by the repealing of 'the said Act, the Wardens of the said Horners of the said City of *London* are disabled to search the 'the Wares belonging to their said Craft, as well within the said City, as in other Places in the said 'Act mentioned, and have lost their Government in their Company:' (3) Therefore pleaseth it your Highness, That it may be enacted by your most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and every Part and Point thereof, (except Power of Search within the Fairs of *Stourbridge* and *Ely*, and except the Limitation of such Prices for Horns as they were to be had for at the making of the said Act) shall be revived, and be of like Force, Power and Virtue from henceforth, as if the same had not been repealed.

The Complaint that Strangers do buy English Horns unwrought.

Part of the Statute of 4 Ed. 4. c. 8. revived, touching Horns.

None shall sell English Horns unwrought to a Stranger.

IV. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall sell any *English* Horns unwrought to any Stranger, or send any *English* Horns unwrought over the Sea, contrary to the true Meaning of the said Act; (2) upon Pain of Forfeiture of double the Value of the Horns so by him or them so sold or sent; the same Forfeiture to be recovered by him or them that will sue for the same, by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record; the one Moiety thereof to be to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them that will sue for the same; in which Suit no Protection, Privilege or Wager of Law to be admitted for the Defendant.

## CAP. XV.

### An Act concerning some Manner of Assignment of Debts to his Majesty.

What Debts only may be assigned to the King. Hob. 253. *Hugh. V.* 1. 589.

'WHEREAS it is conceived that some Manner of Assignments of Debts, if they should be made 'to his Majesty, his Heirs and Successors, the same would be inconvenient:' His Majesty there-fore is well pleased that it be enacted, (2) and be it enacted by Authority of this present Parliament, That no Debt shall at any Time after the first Day of *July*, which shall be in the Year of our Lord God one thousand six hundred and ten, be assigned to the King's Majesty, his Heirs and Successors, by or from any Debtor or Accountant to his Majesty, his Heirs or Successors, other than such Debts as did before grow due originally to the King's Debtor or Accountant *bona fide*; (3) and that all Grants and Assignments of Debts to the King's Majesty, his Heirs or Successors, which from and after the said first Day of *July* shall be had or made contrary to the true Intent of this Act, shall be void and of no Force; any Law, Custom, Privilege or Thing to the contrary in any wise notwithstanding.

## CAP. XVI.

### An Act for the Encouragement of many poor People in *Cumberland* and *Westmorland*, and in the Towns and Parishes of *Carptmell*, *Oxhead* and *Broughton* in the County of *Lancaster*, to continue a Trade of making Cogware, Kendals, Carptmeals and coarse Cottons.

4 *Ed.* 4. c. 1. Certain coarse Cloths made in the North which shall not be searched or sealed, nor Custom nor Aulnage paid for them.

'WHEREAS by a Statute made in the ninth Year of the late King *Henry* the Fourth, it was 'enacted, That no Cloth called Kendals (whereof the Dozen passed not six Shillings and eight-pence) should be sealed with the King's Seal, nor Aulnage great nor little to be paid for the same: (2) And that the Owners might freely sell the said Cloths not sealed, without forfeiting any Thing to the King for the same, notwithstanding any Statute or Ordinance made to the contrary: (3) Sithence the making of which Statute the said Kendals, and other coarse Things of like Nature, and made of the like coarse Wool, and differing in Name only, called Cogware, coarse Cottons and Carptmeals,

'have

'have been made in ſuch Sort as the Parties which made the ſame were able, and as beſt might 'pleaſe the Buyer, without being limited to any certain Weight, or to any Aſſize of Length or Breadth, 'and were never ſearched nor ſealed with any Seal, nor ſubject to any Penalty for the not ſealing 'thereof with any Seal, nor any Subſidy nor Aulnage paid for the ſame, until of late that certain evil-'diſpoſed Perſons, contrary to the true Meaning of the ſaid Law, have by Colour of a late Statute 'made in the nine and thirtieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act againſt* '*the deceitful Stretching and Tentering of Northern Cloth*, endeavoured to make the ſaid Cogware, Kendals, 'Carptmeals and coarſe Cottons, ſubject to Search, and have demanded for the ſame divers ſeveral 'Sums of Money for the Seal of the Collector of the Subſidy and Aulnage, to the great Vexation and 'Trouble of the ſaid poor People:'

The Effect of the Statue of 9 H. 4. c. 2. touching Kendal Cloth.

39 Eliz. c. 20.

II. Be it therefore enacted by the King's moſt excellent Majeſty, with the Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That from henceforth all Cogware, Kendals, coarſe Cottons and Carptmeals which are, or hereafter ſhall be made within the ſaid Counties of *Cumberland* and *Weſtmorland*, or within the ſaid Towns and Pariſhes of *Carptmeale*, *Hawkeſhed* and *Broughton* in the ſaid County of *Lancaſter*, whereof the Dozen ſhall not exceed the Rate and Price of thirteen Shillings and four-pence, ſhall be made in ſuch Sort as may beſt pleaſe the Buyer, and ſhall not be ſearched nor ſealed with any of the King's Seals, nor with any other Seal, nor any Subſidy or Aulnage, great or little, paid for the ſame: (2) But that the Owners of ſuch Cogwares, Kendals, coarſe Cottons and Carptmeals, may freely ſell the ſame not ſealed, as they have been accuſtomed, without forfeiting any Thing to the King for the ſame; any Law or Statute, or any Branch or Clauſe of any Law or Statute heretofore made to the contrary notwithſtanding.

Certain coarſe Clothes made in the North Parts, which ſhall not be ſearched nor ſealed.

*Farther Proviſions relating hereto*, 12 *Car.* 2. *c.* 22 22 & 23 *Car.* 2. *c.* 8. 11 & 12 *W.* 3. *c.* 20. 6 *Ann. c.* 8 & 9. 7 *Ann. c.* 13. 10 *Ann. c.* 16.

1 *Geo.* 1. *c.* 15 & 41. 11 *Geo.* 1. *c.* 24. 7 *Geo.* 2. *c.* 25. 11 *Geo.* 2. *c.* 28. *and* 14 *Geo.* 2. *c.* 35.

## CAP. XVII.

There ſhall be no Burning of Ling, Heath, &c. in certain Counties in Summer. EXP.

Moor-burning.

## CAP. XVIII.

An Act for the taking, landing and carying of Sea-Sand for the Bettering of Ground, and for the Increaſe of Corn and Tillage within the Counties of *Devon* and *Cornwall*.

'WHEREAS the Sea-Sand, by long Trial and Experience, hath been found to be very profitable for the Bettering of Land, and eſpecially for the Increaſe of Corn and Tillage within the 'Counties of *Devon* and *Cornwall*, where the moſt Part of the Inhabitants have not commonly uſed any 'other worth, for the Bettering of their arable Grounds and Paſtures: Notwithſtanding divers having 'Lands adjoining to the Sea Sea-Coaſts there, have of late interrupted the Bargemen, and ſuch others 'as have uſed at their free Wills and Pleaſures to fetch the ſaid Sea-Sand, to take the ſame under the 'full Sea-mark, as they have heretofore uſed to do, unleſs they make Compoſition with them at ſuch 'Rates as they themſelves ſet down, though they have very ſmall or no Damage or Loſs thereby, to the 'great Decay and Hindrance of Huſbandry and Tillage within the ſaid Counties: (2) Be it therefore enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all Perſons whatſoever, reſiant and dwelling within the ſaid Counties of *Devon* and *Cornwall*, to fetch and take Sea-Sand at all Places under the full Sea-mark, where the ſame is or ſhall be caſt by the Sea, for the Bettering of their Land, and for the Increaſe of Corn and Tillage, at their Wills and Pleaſures.

All Perſons within Devon and Cornwall may fetch Sea-Sand for the Manuring of their Land.

Sea-Sand is profitable for the bettering of Land.

II. And that it ſhall and may be alſo lawful to and for all Bargemen and Boatmen, and all other Carriers of Sea-Sand of the ſaid Counties, that ſhall fetch or take Sand as aforeſaid, to land and caſt out of their Boats and Barges ſuch Sand as they ſhall ſo fetch or take, at ſuch Places as Sand hath at any Time within the Space of fifty Years laſt paſt been uſed by ſuch Bargemen and Boatmen to be landed and caſt, and alſo to fetch and carry the ſame by and through ſuch Ways as now be, and by the Space of twenty Years laſt paſt have been, uſed for the carrying and fetching thereof, paying for the taking, caſting out and landing of every Barge-load, Boat-load or Sack of the ſaid Sand, upon the Grounds of any Man, ſuch Duties as heretofore within the ſaid Time of fifty Years have been uſed and accuſtomed to be paid for the ſame, and for Paſſage by and through the ſaid Ways; ſuch Duties as have uſually been paid by the ſaid Space of twenty Years, and in ſuch Manner and Form as the ſame within the ſaid ſeveral Times have reſpectively been uſed and accuſtomed to be paid: (2) And in ſuch Places where certain uſual Duties have not been paid, but uncertain Compoſitions have from Time to Time been made by Agreement with the Owners of the Soil there, to yield ſuch reaſonable Compoſitions as by Agreement with the ſaid Owners ſhall from Time to Time be made.

Boatmen may fetch Sea-Sand, and caſt it out of their Boats where it hath been uſed to be landed, and carry the ſame through uſual Ways.

III. This Act to continue until the End of the firſt Seſſion of the next Parliament. [3 Car. 1. c. 4. continued unto the End of the firſt Seſſion of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

The Continuance of this Act.

## CAP. XIX.

An Act for the Continuance and Reparation of a new-built Weare upon the River of *Exe*, near unto the City of *Exeter*. The new Weare ſhall be maintained, and Recompence ſhall be made to Loſers thereby.

Note: This Act is not on the Roll. PR.

CAP.

## CAP. XX.

PR. An Act for the ſpeedy Recovery of many thouſand Acres of Marſh Ground, and other Ground within the Counties of *Norfolk* and *Suffolk*, lately ſurrounded by the Rage of the Sea in divers Parts of the ſaid Counties, and for the Prevention of the Danger of the like ſurrounding hereafter. PR. Whereas the Sea hath broken into the County of *Norfolk*, and hath ſurrounded much hard Grounds, beſides the greateſt Part of the Marſhes and low Grounds within the Towns and Pariſhes hereafter mentioned, that is to ſay, the Towns and Pariſhes of *Waxtoneſham*, *Palling*, *Eccles*, *Hempſted*, *Ingham*, *Hickling*, *Horſey*, *Potter*, *Higham*, *Catfield*, *Ludham*, *Winterton*, *Eaſt-Somerton*, *Weſt-Somerton*, *Martham*, *Baſtwicke*, *Repps*, *Thurne*, *Oby*, *Clippeſby*, *Bilockby*, *Wood*, *Baſtickhorning*, *Ranworth*, *South-Walſham*, *Upton*, *Fiſhley*, *Acle*, *Caſtor St. Edmunds*, *Caſtor-Maltbey*, *Rimham*, *Herringby-Borough*, *Stocksby*, *Buxton*, *Horſtead*, *Wroxham*, *Sallowes*, *Hofton*, *Below*, *Coltſel*, *Hobbins*, *Lammas*, *Netiſhead*, *Barton*, *Sutton*, *Stalham*, *Tunſtel*, *Halvergate*, *Wickhampton*, *Thorpe*, *Redham*, *Limpenhow*, *Cantley*, *Haſſingham*, *Buckenham Ferry*, *Strumſel*, *Brundel*, *Poſtwick Thorpe* juxta *Norwich*, *Turlton*, *Norton*, *Hardley*, *Langley*, *Carleton*, *Claxton*, *Rockland*, *Surlingham*, *Bramerton*, *Wicklingham*, *Trowſe*, *Carrow*, *Haddeſtow*, *Whiteacre-Borough*, *Whiteacre-Abbey*, *Gellingham*, in the ſaid County of *Norfolk*: And *Gorleſton*, *Gapton*, *Bradwell*, *Borough-Caſtle*, *Berkleſſe*, *Baſham*, *Worlingham*, *Belton*, *Fretton*, *St. Toolies*, alias, *St. Olives*, *Herringfleet*, *Somerley Town*, *Shepton*, *Owlton*, *Kirkley* and *Barkley*, in the ſaid County of *Suffolk*: For Remedy of ſo great Calamity, it is enacted, That the Lord Chancellor ſhall from Time to Time award Commiſſions under the Great Seal to the Lord Biſhop of *Norwich*, and to any eleven or more Juſtices of the Peace of *Norfolk*, and ſix or more Juſtices of the Peace of *Suffolk*, after ſuch Tenor as hereafter followeth, that is to ſay:

The Form of the Commiſſion. The Commiſſioners to enquire by whoſe Default the Overflowings happened, and who ought to repair them. To tax the Perſons and Lands chargeable. The Commiſſioners may authorize others to levy the Money aſſeſſed. Impriſonment for Default of Diſtreſs. If the Leſſee of the Land charged do pay the Sum taxed, he may abate of the Rent. The Commiſſioners may make Orders for the Preſervation of the Grounds, and amend the ſame. The Commiſſioners may aſſeſs the King's Farmers of any Lands to be contributary. The Commiſſioners Decrees ſhall bind the King and all other Perſons Lands. In what Caſe the Commiſſioners may ſell or let to Farm the Land of the Party taxed. The Sheriffs of Norfolk and Suffolk ſhall return Juries before the Commiſſioners. All Sheriffs and Officers ſhall attend and aid the Commiſſioners.

'REX, &c. Reverendo in Chriſto Patri A. Epiſcopo Norwicenſi, nec non A. B. C. D. ſalutem. SCIATIS, quod aſſignavimus vos & quoſlibet ſex, ſive plures veſtrum, ad omnia & ſingula ſupervidenda, perluſtranda, mandanda, facienda, performanda, exequenda & peragenda, in quodam actu in Parliamento Domini JACOBI, Dei Gratia, Regis Angliæ, &c. nono die Februarii anno Regni ſui Angliæ, Franciæ & Hiberniæ ſeptimo, & Scotiæ quadrageſimo tertio, per diverſas Prorogationes apud Weſtmonaſterium tento, edito, intitulato,' An Act for the ſpeedy Recovery of many thouſand Acres of Marſh-Grounds, and other Grounds within the Counties of *Norfolk* and *Suffolk*, lately ſurrounded by the Sea in divers Parts of the ſaid Counties, and for the Prevention of the Danger of like ſurrounding hereafter, ſpecificata ſecundum tenorem, vim, formam, effectum & veram intentionem ejuſdem actus: In cujus rei teſtimonium, &c. Teſte, &c.

To continue ſeven Years next enſuing the End of this Seſſion, and from thence to the End of the firſt Seſſion of the then next Parliament. [3 Car. 1. c. 4. continued until the End of the next Seſſion of Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. XXI.

PR. An Act for Confirmation of Decrees hereafter to be made in the Exchequer-Chamber, and Duchy-Court, concerning Copyhold Lands and Tenements. Certain of the King's Copyholders Eſtates ſhall be confirmed by Decree. Decrees made concerning the King's Cophold Tenants confirmed by Parliament. A Saving of the Rights and Actions of others.

## CAP. XXII.

Taxes. A Confirmation of a Subſidy granted by the Clergy to the King. EXP.

## CAP. XXIII.

Ibid. One Subſidy and one Fifteen granted to the King by the Temporalty. EXP.

## CAP. XXIV.

Pardon. A Confirmation of the King's General and Free Pardon, except, &c. EXP.

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# Anno decimo octavo JACOBI Regis.

## CAP. I.

Three intire Subſidies granted by the Spiritualty. EXP.

## CAP. II.

Two intire Subſidies granted by the Temporalty. EXP.

Anno

# Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, *viz.* Angliæ, Franciæ & Hiberniæ viceſimo primo, & Scotiæ quinquageſimo ſeptimo.

'AT the Parliament begun and holden at *Weſtminſter* the nineteenth Day of *February* in the one and twentieth Year of the Reign of our moſt gracious Sovereign Lord *James*, by the Grace of God, of *England*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and of *Scotland* the ſeven and fiftieth: And there continued until the nine and twentieth Day of *May* following: And then prorogued until the ſecond Day of *November* one thouſand ſix hundred twenty-four; To the high Pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

## CAP. I.

### An Act for the Reviving and Making perpetual of one Act made in the nine and thirtieth Year of the late Queen *Elizabeth*, intituled, *An Act for erecting of Hoſpitals, and Abiding and Working Houſes for the Poor.*

'WHEREAS in the Parliament held in the nine and thirtieth Year of the Reign of the late Queen *Elizabeth* of happy Memory, a good Law was made, intituled, *An Act for erecting of Hoſpitals, or Abiding and Working Houſes for the Poor*; but the Power, Licence and Authority given by the ſaid Statute, to erect, found and eſtabliſh ſuch Houſes and Abiding-places, as are therein mentioned, was confined to the Space of twenty Years then next enſuing, which ſaid Time is now expired:'

The Statute of 39 Eliz. c. 5. made perpetual. *Vin V.* 16. 414 *& ſequent.*

II. Be it therefore enacted by the Authority of this preſent Parliament, That the ſaid Act and all Things therein contained, ſhall from henceforth be revived and made perpetual, to have Continuance for ever.

III. And be it alſo enacted, That all Hoſpitalts, *Maiſons de Dieu*, and Abiding-places for Poor, lame, maimed and impotent People, or for Houſes of Correction, at any Time ſince the ſaid twenty Years expired erected, founded or made, or at any Time hereafter to be erected, founded or made, according to the Purport of the ſaid Statute, ſhall be incorporated, and have perpetual Succeſſion and Capacity, to have, take and enjoy all other Privileges, Benefits and Immunities, to all Intents and Purpoſes, according to the Proviſions, Tenor, Purport and true Meaning of the ſaid Act, as if the ſame had been made, founded or endowed within the Space of twenty Years next enſuing the ſaid Statute. 43 Eliz. c. 4.

The Erection of all Hoſpitals, &c. ſince the Expiration of 39 Eliz. c. 5. confirmed. *See farther* 13 & 14 *Car.* 2. *c.* 12. 7 & 8 *W.* 3. *c.* 37. *and* 9 *Geo.* 2. *c.* 36.

## CAP. II.

### An Act for the general Quiet of the Subjects againſt all Pretences of Concealment whatſoever.

THE King's moſt excellent Majeſty, of his bleſſed and gracious Diſpoſition, and abundant Grace, deſiring that his loving Subjects, and their Heirs and Succeſſors, may quietly have and hold all and ſingular Manors, Lands, Tenements and Hereditaments, which they, their Anceſtors or Predeceſſors, or any other by, from or under whom they claim, have of long Time enjoyed, is graciouſly pleaſed that it be enacted; (2) And be it enacted by the King's moſt excellent Majeſty, by and with the Aſſent and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the King's Majeſty, his Heirs and Succeſſors, ſhall not at any Time hereafter ſue, impeach, queſtion or implead any Perſon or Perſons, Bodies Politick or Corporate, for or in any wiſe concerning any Manors, Lands, Tenements, Rents, Tithes or Hereditaments, other than Liberties and Franchiſes, or for or in any wiſe concerning the Revenues, Iſſues or Profits thereof, or make any Title, Claim, Challenge or Demand, of, in or to the ſame, or any of them, by reaſon of any Right or Title accrued and grown threeſcore Years paſt and more, and now *in eſſe*, unleſs his Majeſty or ſome of his Progenitors, Predeceſſors or Anceſtors, or ſome other Perſon or Perſons, Bodies Politick or Corporate, under whom his Majeſty any Thing hath or lawfully claimeth, have been anſwered by Force and Virtue of any ſuch Right or Title to the ſame, the Rents, Revenues, Iſſues or Profits thereof, within threeſcore Years next before the Beginning of this preſent Seſſion of Parliament, or that the ſame have been duly in Charge to his Majeſty, or the late Queen *Elizabeth*, or have ſtood *inſuper* of Record within the ſaid Space of threeſcore Years: (3) And that every Perſon or Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, and all claiming by, from or under them or any of them, for and according to their and every of their ſeveral Eſtates and Intereſts, which they have or claim to have in the ſame reſpectively, ſhall hereafter quietly and freely have, hold and enjoy, againſt his Majeſty, his Heirs and Succeſſors, claiming by any Title accrued or grown threeſcore Years paſt or above, and now *in eſſe*, all and ſingular Manors, Lands, Tenements, Rents, Tithes and Hereditaments whatſoever, except Liberties and Franchiſes, which he or they, or his or their, or any of their Anceſtors or Predeceſſors, or thoſe from, by or under whom they claim, have held or enjoyed, or taken the Rents, Revenues, Iſſues or Profits thereof,

Concealed Lands ſhall not be recovered, unleſs it may be proved that the King had Title unto them within ſixty Years before this Parliament. 3 Inſt. 188.

by the Space of threescore Years next before the Beginning of this present Session of Parliament, unless his Majesty, or some of his Progenitors, Predecessors or Ancestors, or some other Person or Persons, Bodies Politick or Corporate, by, from or under whom his Majesty any Thing hath or lawfully claimeth in the said Manors, Lands, Tenements, Rents, Tithes or Hereditaments, by Force of any Right or Title, have been answered by Virtue of any such Right or Title, the Rents, Revenues, Issues or other Profits thereof, within threescore Years next before the Beginning of this present Session of Parliament, or that the same have been duly in Charge, or stood *insuper* of Record as aforesaid, within the said Space of threescore Years: (4) And furthermore, that every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and all claiming by, from or under them, or any of them, for and according to their and every of their several Estates and Interests which they have or claim respectively, shall quietly and freely have, hold and enjoy all such Manors, Lands, Tenements, Rents, Tithes and Hereditaments, except Liberties and Franchises, as they now have, claim or enjoy, (whereof his Majesty, his Progenitors, Predecessors or Ancestors, or he or they, by, from or under whom his Majesty any Thing hath or lawfully claimeth, or some of them, by Force of some Right or Title to the same, have not been answered by Virtue of such Right or Title, the Rents, Revenues, Issues or Profits thereof, within threescore Years next before the Beginning of this present Session of Parliament:) Nor the same have been duly in Charge, or stood *insuper* of Record as aforesaid, within the said Space of threescore Years, against all and every Person and Persons, their Heirs and Assigns, having, claiming or pretending to have any Estate, Right, Title, Interest, Claim or Demand whatsoever, of, in or to the same, by Force or Colour of any Letters Patents or Grants upon Suggestion of Concealment, or wrongful Detaining, or not being in Charge, or defective Titles, or by, from or under any Patentees or Grantees, or any Letters Patents or Grants upon Suggestion of Concealment, or wrongful Detaining, or not being in Charge, or defective Titles, of or for which said Manors, Lands, Tenements, Rents, Tithes and Hereditaments, or any of them, no Verdict, Judgment, Decree, judicial Order upon Hearing, or Sentence now standing in Force, hath been had or given in any Action, Bill, Plaint or Information, in any of his Majesty's Courts at *Westminster*, for or in the Name of the King's Majesty, or of the late Queen *Elizabeth*, or for any of the said Patentees or Grantees, or for their or any of their Heirs or Assigns, within threescore Years next before the Beginning of this present Session of Parliament.

This Act shall not impeach the King's Title to any Reversion or Remainder.

II. Provided always, That this Act, or any Thing therein contained, shall not extend to bar, impeach or hinder his Majesty, his Heirs or Successors, of, for or from any Manors, Lands, Tenements, Rents, Tithes or Hereditaments, whereof any Reversion or Remainder now is in his Majesty, for or concerning the said Reversion or Remainder; (2) nor of, for or from any Reversion or Remainder, or Possibility of Reversion or Remainder, in any of his Majesty's Progenitors, or Predecessors or Ancestors, which by the Expiration, End or other Determination of any limited Estate of Fee-simple, or of any Fee-tail or other particular Estate, hath or ought to have fallen or become in Possession within the Space of threescore Years next before the Beginning of this present Session of Parliament: (3) Nor of, for or from any Right or Title first accrued or grown to his Majesty, or any of his Progenitors, Predecessors or Ancestors, of, in or to any Manors, Lands, Tenements, Rents, Tithes or Hereditaments, within the Space of threescore Years next before the Beginning of this present Session of Parliament, and not before.

III. Provided also, and be it enacted by Authority of this present Parliament, That this Act or any Thing therein contained shall not extend to any Manors, Lands, Tenements, Rents, Tithes or Hereditaments mentioned to be granted or conveyed by any of his Majesty's Progenitors, Predecessors or Ancestors, or by any other under whom his Majesty claimeth, to any Person or Persons, of any limited Estate in Fee-simple, or of any Estate in Tail or other particular Estate, which several Estates (if the same had been good and effectual in Law) have or ought to have fallen or become in Possession within threescore Years next before the beginning of this present Session of Parliament, nor to any Manors, Lands, Tenements, Rents, Tithes or Hereditaments mentioned to be granted or conveyed by any of his Majesty's Progenitors, Predecessors or Ancestors, or by any other under whom his Majesty claimeth, to any Person or Persons, in Fee-tail, or other particular Estate, whereof the Reversion or Inheritance (if such Estate-tail or other particular Estate had been good and effectual in Law) should have been and continued in his Majesty, the first Day of this present Session of Parliament.

This Act shall not extend to alter the Tenures or Services of Lands.

IV. Provided also, and be it enacted by the Authority of this present Parliament, That all and singular the said Manors, Lands, Tenements and Hereditaments shall be holden of his Majesty, his Heirs and Successors, and of other Person and Persons, Bodies Politick and Corporate, their Heirs and Successors respectively, by the same Tenures, Services, Fee-farms, Chief-rents, Herriots and other Duties, to all Intents and Purposes, as the same should or ought of Right to have been holden, if the Estates, Rights and Interests established and made sure by this present Act had been before the Making of this Act firm, good and effectual in Law: (2) Saving to every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, (other than his most excellent Majesty, his Heirs and Successors, and other than all Patentees or Grantees of Concealments or defective Titles, and all and every Person or Persons claiming from, by or under them or any of them, for, in respect, or by Reason of any such Patents or Grants of Concealments or defective Titles) all such Rights, Title, Interest, Estate, Rents, Commons, Customs, Duties, Profits and other Claims and Demands whatsoever, in, to or out of the said Manors, Lands, Tenements, Tithes or Hereditaments, as they or any of them had or ought to have had before the making of this Act; any Thing in this Act to the contrary notwithstanding.

The Right of others saved. 1 Mod. 279.

It shall not extend to annul the Custom of Two-pence paid

V. Provided always, That this Act, nor any Thing therein contained, shall extend to debar his Majesty, his Heirs or Successors, of or from such Claim and Demand as his Majesty hath made, or may rightfully make, unto a certain Duty or Custom of Two-pence upon a Chaldron of Sea-coal, to be paid

paid in the Port of the Town of *Newcastle* upon *Tine*, with the Members thereof, but that the same shall be and remain in such Sort and Degree as if this Act had never been had or made. for Sea-coal at Newcastle.

VI. Provided also, and be it enacted, That where any Fee-farm Rent, or other Rent or Rents, have been answered and paid to the King's Majesty, or to any his Predecessors, by the more Part of threescore Years last past, out of any Manors, Lands, Tenements or Hereditaments, of which Manors, Lands, Tenements or Hereditaments, the Estates, Rights or Interests being defective, are established and made sure by this Present Act; That the King's Majesty, his Heirs and Successors, shall from henceforth for ever have, hold and enjoy the said Rents and Arrearages thereof, in such Manner and Form, and as fully and amply, as the same were enjoyed by the more Part of threescore Years last past before the Beginning of this Session of Parliament. All Rents answered within sixty Years, confirmed.

VII. Provided always, and be it enacted by the Authority of this present Parliament, That no putting in Charge, nor standing *Insuper*, nor taking or answering the Farm-rents, Revenues or Profits of any of the said Lands, Tenements or Hereditaments, by Force, Colour or Pretext of any Letters Patents, or Grants of Concealments, or defective Titles, or of Lands, Tenements or Hereditaments out of Charge, or by Force, Colour or Pretext of any Inquisitions, Presentments, by or by Reason of any Commission, or other Authority to find out Concealments, defective Titles, or Lands, Tenements or Hereditaments out of Charge, shall be deemed, construed or taken to be a putting in Charge, standing *Insuper*, or taking or answering the Farm-rents, Revenues or Profits, by or to his Majesty, or any of his Progenitors or Predecessors, unless thereupon such Lands, Tenements or Hereditaments, have been upon any Information or Suit, on the Behalf of his Majesty, or of any his Progenitors or Predecessors, upon a lawful Verdict given, or Demurrer in Law adjudged, or upon a Hearing ordered or decreed for his Majesty, or any of his Progenitors or Predecessors, or of any of them within the said Space of threescore Years. The King's Title required by this Act to be within sixty Years, ought to accrue upon a Verdict or Demurrer, &c. and not upon a bare putting in Charge or standing Insuper.

VIII. Provided always, and be it enacted, That this Act, or any Thing therein contained, shall not extend, or be prejudicial to his Majesty, for or concerning any Manors, Lands, Tenements or Hereditaments, for which any Composition is, or before the End of this Session of Parliament, shall be made with his Majesty's Commissioners for defective Titles, and the Monies by such Compositions payable to his Majesty not payed before the End of this Session of Parliament, unless the said Monies shall be paid, and his Majesty's Letters Patents procured according to the true Intent of such Compositions, within three Months after the End of this Session of Parliament. This Act shall not extend to Land for which Composition is or shall be made before the End of this Parliament.

## CAP. III.

### An Act concerning Monopolies and Dispensations with Penal Laws, and the Forfeitures thereof.

'FOrasmuch as your most excellent Majesty, in your Royal Judgment, and of your blessed Disposition to the Weal and Quiet of your Subjects, did in the Year of our Lord God one thousand six hundred and ten, publish in Print to the whole Realm, and to all Posterity, That all Grants and Monopolies, and of the Benefit of any Penal Laws, or of Power to dispense with the Law, or to compound for the Forfeiture, are contrary to your Majesty's Laws, which your Majesty's Declaration is truly consonant and agreeable to the ancient and fundamental Laws of this your Realm: (2) And whereas your Majesty was further graciously pleased, expressly to command, that no Suiter should presume to move your Majesty for Matters of that Nature; (3) yet nevertheless upon Misinformations, and untrue Pretences of publick Good, many such Grants have been unduly obtained, and unlawfully put in Execution, to the great Grievance and Inconvenience of your Majesty's Subjects, contrary to the Laws of this your Realm, and contrary to your Majesty's most Royal and Blessed Intention so published as aforesaid: (4) For avoiding whereof, and preventing of the like in Time to come, May it please your excellent Majesty, at the humble Suit of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That it may be declared and enacted; (5) and be it declared and enacted by Authority of this present Parliament, That all Monopolies, and all Commissions, Grants, Licences, Charters and Letters Patents heretofore made or granted, or hereafter to be made or granted, to any Person or Persons, Bodies Politick or Corporate whatsoever, of or for the sole Buying, Selling, Making, Working or Using of any Thing within this Realm, or the Dominion of *Wales*, (6) or of any other Monopolies, or of Power, Liberty or Faculty, to dispense with any others, or to give Licence or Toleration to do, use or exercise any Thing against the Tenor or Purport of any Law or Statute; (7) or to give or make any Warrant for any such Dispensation, Licence or Toleration to be had or made; or to agree or compound with any others for any Penalty or Forfeitures limited be any Statute; or of any Grant or Promise of the Benefit, Profit or Commodity of any Forfeiture, Penalty or Sum of Money, that is or shall be due by any Statute, before Judgment thereupon had; (8) and all Proclamations, Inhibitions, Restraints, Warrants of Assistance, and all other Matters and Things whatsoever, any way tending to the Instituting, Erecting, Strengthening, Furthering or Countenancing of the same or any of them; (9) are altogether contrary to the Laws of this Realm, and so are and shall be utterly void and of none Effect, and in no wise to be put in Ure or Execution. Monopolies, &c. contrary to the Laws of the Realm. All Monopolies, &c. shall be void. Stile 214. 3 Inst. 181, 182, 183. 1 *Haw. P. C.* P. 230 *& sequent.* 3 Mod. 131.

II. And be it further declared and enacted by the Authority aforesaid, That all Monopolies, and all such Commissions, Grants, Licences, Charters, Letters Patents, Proclamations, Inhibitions, Restraints, Warrants of Assistance, and all other Matters and Things tending as aforesaid, and the Force and Validity of them and of every of them, ought to be and shall be for ever hereafter examined, heard, tried and determined by and according to the Common Laws of this Realm, and not otherwise. Monopolies, &c. shall be tried by the Common Laws of this Realm.

III. And be it further enacted by the Authority aforesaid, That all Person and Persons, Bodies Politick and Corporate whatsoever, which now are or hereafter shall be, shall stand and be disabled and uncapable All Persons disabled to use Monopolies, &c.

to have, use, exercise or put in Ure any Monopoly, or any such Commission, Grant, Licence, Charter, Letters Patents, Proclamation, Inhibition, Restraint, Warrant of Assistance, or other Matter or Thing tending as aforesaid, or any Liberty, Power or Faculty, grounded or pretended to be grounded upon them or any of them.

The Party grieved by Pretext of a Monopoly, &c. shall recover treble Damages and double Costs.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons at any Time after the End of forty Days next after the End of this present Session of Parliament, shall be hindred, grieved, disturbed or disquieted, or his or their Goods or Chattels any Way seized, attached, distrained, taken, carried away or detained, by Occasion or Pretext of any Monopoly, or of any such Commission, Grant, Licence, Power, Liberty, Faculty, Letters Patents, Proclamation, Inhibition, Restraint, Warrant of Assistance, or other Matter or Thing tending as aforesaid, and will sue to be relieved in or for any of the Premisses; That then and in every such Case, the same Person and Persons shall and may have his and their Remedy for the same at the Common Law, by any Action or Actions to be grounded upon this Statute; the same Action and Actions to be heard and determined in the Courts of King's Bench, Common Pleas and Exchequer or in any of them, against him or them by whom he or they shall be so hindred, grieved, disturbed or disquieted, or against him or them by whom his or their Goods or Chattels shall be so seized, attached, distrained, taken, carried away or detained; (2) wherein all and every such Person and Persons which shall be so hindred, grieved, disturbed or disquieted, or whose Goods or Chattels shall be so seized, attached, distrained, taken, carried away or detained, shall recover three Times so much as the Damages which he or they sustained by Means or Occasion of being so hindred, grieved, disturbed or disquieted, or by Means of having his or their Goods or Chattels seized, attached, distrained, taken, carried away or detained, and double Costs; (3) and in such Suits, or for the Staying or Delaying thereof, no Essoin, Protection, Wager of Law, Aid Prayer, Privilege, Injunction or Order of Restraint, shall be in any wise prayed, granted, admitted or allowed, nor any more than one Imparlance: (4) And if any Person or Persons shall, after Notice given, that the Action depending is grounded upon this Statute, cause or procure any Action at the Common Law, grounded upon this Stetute, to be stayed or delayed before Judgment, by Colour or Means of any Order, Warrant, Power or Authority, save only of the Court wherein such Action as aforesaid shall be brought and depending, or after Judgment had upon such Action, shall cause or procure the Execution of or upon any such Judgment to be stayed or delayed by Colour or Means of any Order, Warrant, Power or Authority, save only by Writ of Error or Attaint; That then the said Person and Persons so offending shall incur and sustain the Pains, Penalties and Forfeitures, ordained and provided by the Statute of Provision and *Præmunire* made in the sixteenth Year of the Reign of King *Richard* the Second.

He that delayeth an Action grounded upon this Statute incurs a Præmunire.

16 R. 2. c. 5.

Letters Patents to use new Manufactures, saved.

V. Provided nevertheless, and be it declared and enacted, That any Declaration before mentioned shall not extend to any Letters Patents and Grants of Privilege for the Term of one and twenty Years or under, heretofore made, of the sole Working or Making of any Manner of new Manufacture within this Realm, to the first and true Inventor or Inventors of such Manufactures, which others at the Time of the Making of such Letters Patents and Grants did not use, so they be not contrary to the Law, nor mischievous to the State, by Raising of the Prices of Commodities at home, or hurt of Trade, or generally inconvenient, but that the same shall be of such Force as they were or should be, if this Act had not been made, and of none other: (2) And if the same were made for more than one and twenty Years, That then the same for the Term of one and twenty Years only, to be accounted from the Date of the first Letters Patents and Grants thereof made, shall be of such Force as they were or should have been, if the same had been made but for Term of one and twenty Years only, and as if this Act had never been had or made, and of none other.

VI. Provided also, and be it declared and enacted, That any Declaration before mentioned shall not extend to any Letters Patents and Grants of Privilege for the Term of fourteen Years or under, hereafter to be made, of the sole Working or Making of any Manner of new Manufactures within this Realm, to the true and first Inventor and Inventors of such Manufactures, which others at the Time of Making such Letters Patents and Grants shall not use, so as also they be not contrary to the Law, nor mischievous to the State, by raising Prices of Commodities at home, or Hurt of Trade, or generally inconvenient: The said fourteen Years to be accounted from the Date of the first Letters Patents, or Grant of such Privilege hereafter to be made, but that the same shall be of such Force as they should be, if this Act had never been made, and of none other.

VII. Provided also, and it is hereby further intended, declared and enacted by Authority aforesaid, That this Act or any Thing therein contained shall not in any wise extend, or be prejudical to any Grant or Privilege, Power or Authority whatsoever heretofore made, granted allowed or confirmed by any Act of Parliament now in force, so long as the same shall so continue in Force.

Warrants granted to Justices, saved.

VIII. Provided also, That this Act shall not extend to any Warrant or Privy Seal, made or directed or to be made or directed by his Majesty, his Heirs or Successors, to the Justices of the Courts of the King's Bench or Common Pleas, and Barons of the Exchequer, Justices of Assize, Justices of *Oyer and Terminer* and Gaol-delivery, Justices of the Peace, and other Justices for the Time being, having Power to hear and determine Offences done against any Penal Statute, to compound for the Forfeitures of any Penal Statute, depending in Suit and Question before them or any of them respectively, after Plea pleaded by the Party Defendant.

Charters granted to Corporations, saved.
3 Inst. 185.

IX. Provided also, and it is hereby further intended, declared and enacted, That this Act or any Thing therein contained shall not in any wise extend or be prejudicial unto the City of *London*, or to any City, Borough or Town Corporate within this Realm, for or concerning any Grants, Charters or Letters Patents, to them or any of them made or granted, or for or concerning any Custom or Customs used by or within them or any of them; (2) or unto any Corporations, Companies or Fellowships of any Art, Trade, Oc-

Occupation or Myſtery, or to any Companies or Societies of Merchants within this Realm, erected for the Maintenance, Enlargement, or ordering of any Trade of Merchandize; (3) but that the ſame Charters, Cuſtoms, Corporations, Companies, Fellowſhips and Societies and their Liberties, Privileges, Powers and Immunities, ſhall be and continue of ſuch Force and Effect as they were before the Making of this Act, and of none other; any Thing before in this Act contained to the contrary in any wiſe notwithſtanding.

Letters Patents that concern Printing, Saltpetre, Gunpowder, great Ordnance, Shot, or Offices, ſaved.

X. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Diſablement, Penalty, Forfeiture, or other Thing before-mentioned, ſhall not extend to any Letters Patents or Grants of Privilege heretofore made, or hereafter to be made, of, for or concerning Printing, (2) nor to any Commiſſion, Grant or Letters Patents heretofore made, or hereafter to be made, of, for or concerning the Digging, Making or Compounding of Salt-petre or Gunpowder, or the Caſting or Making of Ordnance, or Shot for Ordnance, (3) nor to any Grant or Letters Patents heretofore made, or hereafter to be made, of any Office or Offices heretofore erected, made or ordained, and now in Being, and put in Execution, other than ſuch Offices as have been decried by any his Majeſty's Proclamation or Proclamations: (4) But that all and every the ſame Grants, Commiſſions and Letters Patents, and all other Matters and Things tending to the Maintaining, Strengthning and Furtherance of the ſame, or any of them, ſhall be and remain of the like Force and Effect, and no other, and as free from the Declarations, Proviſions, Penalties and Forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwiſe.

This Act ſhall not extend to Commiſſions for Allum Mines.

XI. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Diſablement, Penalty, Forfeiture, or other Thing before-mentioned, ſhall not extend to any Commiſſion, Grant, Letters Patents or Privilege heretofore made, or hereafter to be made, of, for or concerning the Digging, Compounding or Making of Allum or Allum Mines, but that all and every the ſame Commiſſions, Grants, Letters Patents and Privileges ſhall be and remain of the like Force and Effect, and no other, and as free from the Declarations, Proviſions, Penalties and Forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwiſe.

Nor to the Liberties of Newcaſtle upon Tine, nor to Licences of keeping Taverns.

XII. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Penalty, Forfeiture, or other Thing before-mentioned, ſhall not extend or be prejudical to any Uſe, Cuſtom, Preſcription, Franchiſe, Freedom, Juriſdiction, Immunity, Liberty or Privilege, heretofore claimed, uſed or enjoyed by the Governors and Stewards, and Brethren of the Fellowſhip of the Hoaſt-men of the Town of *Newcaſtle* upon *Tine*, or by the antient Fellowſhip, Guild or Fraternity, commonly called Hoaſt-men, (2) for or concerning the Selling, Carrying, Lading, Diſpoſing, Shipping, Venting or Trading of or for any Sea-coals, Stone-coals or Pit-coals, forth or out of the Haven and River of *Tine*; or to any Grant made by the ſaid Governor and Stewards, and Brethren of the Fellowſhip of the ſaid Hoaſt-men, to the late Queen *Elizabeth*, of any Duty or Sum of Money to be paid for or in Reſpect of any ſuch Coals as aforeſaid; (3) nor to any Grants, Letters Patents or Commiſſion, heretofore granted, or hereafter to be granted, of, for or concerning the Licencing of the Keeping of any Tavern or Taverns, or ſelling, uttering or retailing of Wines to be drunk or ſpent in the Manſion Houſe or Houſes, or other Place in the Tenure or Occupation of the Party or Parties ſo ſelling or uttering the ſame; or for or concerning the Making of any Compoſitions for ſuch Licences, ſo as the Benefit of ſuch Compoſitions be reſerved and applied to and for the Uſe of his Majeſty, his Heirs or Succeſſors, and not to the private Uſe of any other Perſon or Perſons.

Nor to Letters Patents granted to Sir Robert Manſel, Knt. or to James Maxewell, Eſq;

XIII. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Penalty, Forfeiture, or other Thing before-mentioned, ſhall not extend or be prejudicial to a Grant or Privilege for or concerning the Making of Glaſs, by his Majeſty's Letters Patents under the Great Seal of *England*, bearing Date the two and twentieth Day of *May* in the one and twentieth Year of his Majeſty's Reign of *England*, made and granted to Sir *Robert Manſel* Knight, Vice-Admiral of *England*: (2) Nor to a Grant or Letters Patents bearing Date the twelfth Day of *June* in the thirteenth Year of his Majeſty's Reign of *England*, made to *James Maxewell* Eſquire, concerning the Tranſportation of Calves Skins: (3) But that the ſaid ſeveral Letters Patents laſt mentioned ſhall be and remain of the like Force and Effect, and as free from the Declarations, Proviſions, Penalties and Forfeitures before-mentioned, as if this Act had never been had nor made, and not otherwiſe.

Nor to thoſe granted to Abraham Baker, or Edward Lord Dudley.

XIV. Provided alſo, and be it declared and enacted, That this Act, or any Declaration, Proviſion, Penalty, Forfeiture or other Thing before-mentioned, ſhall not extend or be prejudicial to a Grant or Privilege for or concerning the Making of Smalt, by his Majeſty's Letters Patents under the Great Seal of *England*, bearing Date the ſixteenth Day of *February* in the ſixteenth Year of his Majeſty's Reign of *England*, made or granted to *Abraham Baker*: (2) Nor to a Grant or Privilege, for or concerning the Melting of Iron Ewer, and of Making the ſame into Caſt-works or Bars with Sea-coals or Pit-coals, by his Majeſty's Letters Patents under the Great Seal of *England*, bearing Date the twentieth Day of *February* in the nineteenth Year of his Majeſty's Reign of *England*, made or granted to *Edward* Lord *Dudley*; (3) but that the ſame ſeveral Letters Patents and Grants ſhall be and remain of the like Force and Effect, and as free from the Declarations, Proviſions, Penalties and Forfeitures before-mentioned, as if this Act had never been had nor made, and not otherwiſe.

## CAP. IV.

### An Act for the Ease of the Subject, concerning Informations upon Penal Statutes.

28 *El. c.* 5. Informations upon Penal Statutes shall be prosecuted in the Counties where the Offences were committed. 4 Inst. 172. Style 209, 223, 340, 356, 381, 383. 1 Vent. 8. 3 Inst. 193. Latch 192. Hetley 103. 5 Mod. 225. Cro. Car. 112, 146, 316. Jones 193. Raym. 394. 1 Hale H. P. C. 297. 2 *Haw. P. C. c.* 26.

'WHEREAS the Offences against divers and sundry Penal Laws and Statutes of this Realm may better, and with more Ease and less Charge to the Subject, be commenced, sued, informed against, prosecuted and tried in the Counties where such Offences shall be committed: (2) And whereas the poor Commons of this Realm are grievously charged, troubled, vexed, molested and disturbed by divers troublesome Persons, commonly called Relators, Informers and Promoters, by prosecuting and inforcing them to appear in his Majesty's Courts at *Westminster*, and to answer Offences supposed by them to be committed against the said Penal Laws and Statutes, or else to compound with them for the same:' (3) For Remedy whereof, be it enacted by the Authority of this present Parliament, That all Offences hereafter to be committed against any Penal Statute, for which any common Informer or Promoter may lawfully ground any popular Action, Bill, Plaint, Suit or Information, before Justices of Assize, Justices of *Nisi prius* or Gaol-delivery, Justices of *Oyer* and *Terminer*, or Justices of Peace in their General or Quarter-Sessions, shall after the End of this present Session of Parliament be commenced, sued, prosecuted, tried, recovered and determined, by Way of Action, Plaint, Bill, Information or Indictment, before the Justices of Assize, Justices of *Nisi prius*, Justices of *Oyer* and *Terminer* and Justices of Gaol-delivery, or before the Justices of Peace of every County, City, Borough or Town Corporate, and Liberty, having Power to enquire of, hear and determine the same, within this Realm of *England*, or Dominion of *Wales*, wherein such Offences shall be committed, in any of the Courts, Places of Judicature, or Liberties aforesaid respectively, only at the Choice of the Parties which shall or will commence Suit or prosecute for the same, and not elsewhere, save only in the said Counties, or Places usual for those Counties, or any of them: (4) And that the like Process upon every popular Action, Bill, Plaint, Information or Suit, to be commenced, or sued, or prosecuted after the End of this present Session of Parliament, by Force of or according to the Purport of this Act, be had and awarded, to all Intents and Purposes, as in an Action of Trespass, *Vi & Armis*, at the Common Law; (5) and that all and all Manner of Informations, Actions, Bills, Plaints and Suits whatsoever, hereafter to be commenced, sued, prosecuted or awarded, either by the Attorney General of his Majesty, his Heirs or Successors for the Time being, or by any Officer or Officers whatsoever for the Time being, or by any common Informer or other Person whatsoever, in any of his Majesty's Courts at *Westminster*, for or concerning any of the Offences, Penalties or Forfeitures aforesaid, shall be void and of none Effect; any Law, Custom or Usage to the contrary thereof notwithstanding.

1 *Vent.* 8. Carthew 465. 1 *Lev.* 249.

Upon Default of proving that the Offence was committed in the same County the Defendant shall be found Not guilty. Carthew 290. 2 Mod. 246. Hutt. 98. 3 *Lev.* 71. 2 *Mod.* 246.

II. And be it further enacted by the Authority aforesaid, That in all Informations to be exhibited, and in all Bills, Counts, Plaints and Declarations, in any Action or Suit to be commenced against any Person or Persons, either by or on the Behalf of the King, or any other, for or concerning any Offence committed or to be committed against any Penal Statute, the Offence shall be laid and alledged to have been committed in the said County where such Offence was in Truth committed, and not elsewhere: (2) And if the Defendant to any such Information, Action or Suit, pleadeth that he oweth nothing, or that he is not guilty; and the Plaintiff or Informer in such Information, Action or Suit, upon Evidence to the Jury that shall try such Issue, shall not both prove the Offence laid in the said Information, Action or Suit, and that the same Offence was committed in that County; then the Defendant and Defendants shall be found not guilty.

The Informer shall make Oath that the Offence was committed in the same County where the Suit is commenced. 1 Salk. 372, 373.

III. And be it further enacted by the Authority aforesaid, That no Officer or Minister in any Court of Record shall receive, file or enter of Record any Information, Bill or Plaint, Count or Declaration, grounded upon the said Penal Statutes or any of them, which before by this Act are appointed to be heard and determined in their proper Counties, until the Informer or Relator hath first taken a corporal Oath before some of the Judges of that Court, that the Offence or Offences laid in such Information, Action, Suit or Plaint, was or were not committed in any other County than where by the said Information, Bill, Plaint, Count or Declaration, the same is or are supposed to have been committed, and that he believeth in his Conscience, the Offence was committed within a Year before the Information or Suit, within the same County where the said Information or Suit was committed, the same Oath to be there entred of Record.

The Defendant in an Information upon a Penal Statute may plead the General Issue.

IV. And be it also enacted by the Authority aforesaid, That if any Information, Suit or Action shall be brought or exhibited against any Person or Persons, for any Offence committed or to be committed against the Form of any Penal Law, either by or on the Behalf of the King, or by any other, or on the Behalf of the King and any other, it shall be lawful for such Defendants to plead the General Issue, that they are not guilty, or that they owe nothing, and to give such special Matter in Evidence to the Jury that shall try the same, which Matter being pleaded, had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants against the said Information, Suit or Action, and the said Matters shall be then as available to him or them, to all Intents and Purposes, as if he or they had sufficiently pleaded, set forth or alledged the same Matter in Bar, or Discharge of such Information, Suit or Action.

Certain Offences excepted.

V. Provided always, That this Act, or any Clause contained therein, shall not extend to any Information, Suit or Action, grounded upon any Law or Statute made against Popish Recusants, or for or concerning Popish Recusancy, or against those that shall not frequent the Church and hear Divine Service: (2) nor to any Information, Suit or Action, for Maintenance, Champerty, or Buying of Titles; (3) nor to any Suit or Information grounded upon the Statute made in the first Year of the Reign of our

Sovereign Lord the King, of a Subsidy granted to the King, of Tonnage, Poundage, Wool, &c. (4) nor for or concerning the concealing or defrauding the King, his Heirs or Successors, of any Custom, Tonnage, Poundage, Subsidy, Impost or Prisage; (5) or for transporting of Gold, Silver, Ordnance, Powder, Shot, Munition of all Sorts, Wool, Wool-fells or Leather, but that such Offence may be laid or alledged to be in any County, at the Pleasure of any Informer; any Thing in this Act to the contrary notwithstanding. 18 El. c. 5.

1 Jac. 1. c. 33. *Farther Provisions relating hereto,* 4 & 5 W. & M. c. 18. and 9 Ann. c. 20.

## CAP. V.

### An Act that Sheriffs, their Heirs, Executors and Administrators, having a *Quietus est*, shall be absolutely discharged of their Accounts.

'FOrasmuch as divers Sheriffs of several Counties within this Realm of *England* and Dominion of *Wales* 'have been of late much troubled and vexed long Time after that they have passed their Accounts, 'and had their *Quietus est*, and charged a-new with Arrearages, Debts and other Sums of Money pre- 'tended to have been by them levied and received, and not formerly accounted for, to the great Dis- 'couragement of others, to take upon them the said Office;' (2) Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whensoever any Sheriff or Sheriffs within this Realm of *England* or Dominion of *Wales*, upon the Passing of their Accounts, shall have their *Quietus est*, That then and from thenceforth the said Sheriff or Sheriffs, their Heirs, Executors and Administrators, Lands, Tenements, Goods and Chattels, shall be absolutely discharged of all Manner of Sum or Sums of Money which he or they shall have so levied or received, and pretended not to be accounted for within the said Account whereupon he or they had their *Quietus est*, unless such Sheriff or Sheriffs shall be called in Question for such Sum or Sums of Money pretended to be levied and received, and not accounted for, within the Space of four Years after the Time of their said Account and *Quietus est*: (3) And that every Officer or Minister that shall send out or cause to be sent out any Writ or Process, or by whose Default any Writ or Process shall be sent out, contrary to this Act, shall for every such Offence forfeit and pay to the Party grieved forty Pounds, with his Cost and Damages; the said Sum of forty Pounds and the said Costs and Damages to be recovered by any Action of Debt, Bill, Plaint or Information, to be brought and prosecuted in the Court of the King's Bench or the Court of the Common Pleas, at the Election of the Plaintiff: Wherein no Privilege, Protection, Essoin or Wager of Law shall be allowed to the Defendant.

12 Ed. 4. c. 1. A Quietus est granted to a Sheriff shall discharge him of all Accounts due to the King.

The Officer that vexeth the Sheriff contrary to this Act shall forfeit 40l. Farther provided for by 13 & 14 Car. 2. c. 21. sect. 8.

II. And further be it enacted, That every such Offender being three Times lawfully convicted of any such Offence or Offences, upon the Trial of such Action of Debt, Bill, Plaint or Information, shall for such his Offence or Offences contrary to the true Meaning of this Act, be utterly disabled to be or continue in any Office or Imployment in the said Court of Exchequer or in any other Court of Justice whatsoever.

For the third Offence shall be disabled to continue in any Office. *Farther Provisions relating hereto,* 3 Geo. 1. c. 15. 6 Geo. 1. c. 21. sect. 53. 20 Geo. 2. c. 37. 24 Geo. 2. c. 48. sect. 12. and 32 Geo. 2. c. 14.

## CAP. VI.

### An Act concerning Women convicted of small Felonies.

'WHEREAS by the Laws of this Realm the Benefit of Clergy is not allowed to Women con- 'victed of Felony, by Reason whereof many Women do suffer Death for small Causes;' (2) Be it enacted by the Authority of this present Parliament, That any Woman being lawfully convicted by her Confession or by the Verdict of twelve Men, of or for the felonious Taking of any Money, Goods or Chattels, above the Value of Twelve-pence, and under the Value of ten Shillings, or as accessary to any such Offence, the said Offence being no Burglary nor Robbery in or near the Highway, nor the felonious Taking of any Money, Goods or Chattels, from the Person of any Man or Woman privily, without his or their Knowledge, but only such an Offence, as in the like Case a Man might have his Clergy, shall for the first Offence be branded and marked in the Hand, upon the Brawn of the left Thumb with a hot burning Iron, having a Roman T upon the said Iron: The said Mark to be made by the Gaoler openly in the Court before the Judge; (3) and also to be further punished by Imprisonment, Whipping, Stocking or sending to the House of Correction, in such Sort, Manner and Form, and for so long Time (not exceeding the Space of one whole Year) as the Judge, Judges or other Justices before whom she shall be so convicted, or which shall have Authority in the Cause, shall in their Discretion think meet, according to the Quality of the Offence, and then to be delivered out of Prison for that Offence; any Law, Custom or Usage to the contrary notwithstanding. (4) This Act to continue until the End of the first Session of the next Parliament. [3 Car. 1. c. 4. continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

For Felony where Clergy allowed to the Man, the Woman shall be burned in the Hand. 2 Haw. P. C. 339.

CAP.

## CAP. VII.

### An Act for the better Repressing of Drunkenness, and restraining the inordinate Haunting of Inns, Alehouses and other Victualling-houses.

The Statutes of 1 Jac. 1. c. 9. 4 Jac. 1. c. 5. made perpetual. One Witness shall be sufficient to convict a Man of Tipling and Drunkenness. 5&6 *Ed.* 6. *c.* 25. The Oath of him that confesseth the Offence shall be a sufficient Proof against anyother.

'WHEREAS one Statute, intituled, *An Act to restrain the inordinate Haunting of Tipling in Inns, Alehouses and other Victualling-houses*, made in the first Year of his Highness happy Reign of *England*, and another Statute, intituled, *An Act to repress the odious and loathsome Sin of Drunkenness*, made in the fourth Year of his Highness Reign of *England*, were made to continue to the End of the first Session of the next Parliament, and by Experience have been found good and necessary Laws;' Be it therefore enacted, That the said Statutes, with the Alterations and Additions hereafter expressed, shall be put in due Execution and continue for ever: (2) And whereas by the said Statutes, Proof of two Witnesses is required, Be it enacted, That Proof of one Witness from henceforth shall be allowed and taken for sufficient in that Behalf: (3) And that the voluntary Confession (before any such Persons as by the said Act are authorized to minister the Oath) of any Person offending either of the said Statutes, shall suffice to convince the Person so offending; (4) after such Confession, the Oath of the Party so confessing shall and may be taken, and be a sufficient Proof against any other offending at the same Time.

He that stays tipling in an Inn, &c. shall incur the Penalty inflicted by 4 Jac. 1. c. 5. *Burn V.* 1. 29. 1 *Haw. P. C. c.* 78.

II. And be it further enacted, That if any other Person or Persons, wheresoever his or their Habitation or Abiding be, shall at any Time hereafter be found upon View, or his own Confession, or Proof of one Witness, to be Tipling in any Inn, Alehouse or Victualling-house, such Person or Persons shall be from henceforth adjudged and construed to be within the said Statutes, as if he or they had inhabited and dwelt in the City, Town Corporate, Market-Town, Village or Hamlet where the said Inn, Alehouse or Victualling-house is or shall be, where he or they shall be so found tipling, and shall incur the like Penalty, and the same to be in such Sort levied and disposed, as in the said Act is expressed concerning such as there inhabit: (2) And the voluntary Confession of such Person or Persons so offending, before such as by the said Statutes are authorized to minister the Oath, shall suffice to convince themselves; (3) and after such Confession, the Oath of such Person or Persons so confessing, shall and may be taken by such as by the said Act have Authority to minister an Oath, and shall be a sufficient Proof against any other offending at that Time.

He that is convicted of Drunkenness shall forfeit 5*s*.

III. And be it further enacted, That any Justice of Peace in any County, and any Justice of Peace or other Head Officer in any City or Town Corporate, within their Limits respectively, shall from henceforth have Power and Authority, upon his own View, Confession of the Party, or Proof of one Witness upon Oath before him, which he by Virtue of this Act shall have Power to administer, to convince any Person of the Offence of Drunkenness, whereby such Person so convict shall incur the Forfeiture of five Shillings for every such Offence, and the same to be levied, or the Offender otherwise punished, as in the said Statute is appointed: And for the second Offence he shall become bound to the good Behaviour, as if he had been convicted in open Sessions; any Thing in the said former Statute made in the fourth Year of his Majesty's Reign to the contrary notwithstanding.

For the second Offence he shall be bound to the good Behaviour.

An Alehouse-keeper offending shall be disabled from keeping an Alehouse three Years after.

IV. And be it further enacted, That if any Person being an Alehouse-keeper, or that shall at any Time hereafter be an Alehouse-keeper, shall at any Time hereafter be lawfully convict for any Offence against any the Branches of either of the said two former Statutes, according to the Alterations and Additions therein contained, or against the true Meaning of this present Statute; That every Person so convict shall for the Space of three Years next ensuing the said Conviction be utterly disabled to keep any such Alehouse.

4 Jac. 1. c. 5. Constables, &c. shall be charged (on their Oaths) to present the Offences committed against 1 Jac. 1. c. 9. *Farther provided for, by* 26 *Geo.* 2. *c.* 31. *and* 29 *Geo.* 2. *c.* 12.

'V. And whereas in the said Statute made in the fourth Year of his said Majesty's Reign, intituled, *An Act to repress the odious and loathsome Sin of Drunkenness*, Constables, Churchwardens, Headboroughs, 'Tithing-men, Aleconners and Sidemen are appointed in the Oaths incident to their Offices, to be likewise charged to present the Offences contrary to the said Statute;' (2) Be it enacted, That the said Oath shall always hereafter be also enlarged, and extend to present all Offences done contrary to the Statute made in the first Session of Parliament held in the first Year of his Highness Reign, intituled, *An Act to restrain the inordinate Haunting and Tipling in Inns and Alehouses, and other Victualling-houses*, with the Alterations and Additions in this Act contained, made in the said fourth Year of his said Majesty's Reign, according to the Alterations and Additions of the same in this Act expressed. 1 Car. 1. c. 4.

## CAP. VIII.

### An Act to prevent and punish the Abuses in procuring Process and *Supersedeas* of the Peace and good Behaviour, out of his Majesty's Courts at *Westminster*, and to prevent the Abuses in procuring Writs of *Certiorari* out of the said Courts, for the removing of Indictments found before Justices of the Peace in their General Sessions.

'WHEREAS divers turbulent and contentious Persons, some out of Malice and others in Hope of Gain by way of Composition, do oftentimes upon their corporal Oaths peremptorily and corruptly taken, or otherwise upon false Suggestions and Surmises, procure Process of the Peace or good Behaviour out of his Majesty's Courts of Chancery and King's Bench, against divers of his Majesty's quiet Subjects, whose Dwellings and Abodes are (for the most part) in Counties far distant and remote

'from the said Courts, to their intolerable Trouble and Vexation, whereas they might upon good 'Cause shewed receive Justice at the Hands of the Justices of the Peace in the Counties where they 'dwell;'

Process and Writs of Supersedeas of the Peace, or good Behaviour, shall not be granted but upon Motion in open Court. Certioraries shall not be allowed, unless the Indictee will be bound to pay Costs.

II. For Remedy whereof, Be it enacted by the Authority of this present Parliament, That all Process of the Peace or good Behaviour, after the End of this Session of Parliament to be granted or awarded out of the same Courts or either of them, against any Person or Persons whatsoever, at the Suit of or by the Prosecution of any Person or Persons whatsoever, shall be void and of none Effect, unless such Process shall be so granted or awarded, upon Motion first made before the Judge or Judges of the same Courts respectively, sitting in open Court, and upon Declaration in Writing, upon their Corporal Oaths, to be then exhibited unto them, by the Parties which shall desire such Process, of the Causes for which such Process shall be granted or awarded, by or out of any the said Courts respectively, and unless that such Motion and Declaration be mentioned to be made upon the Back of the Writ; the said Writings there to be entred and remain of Record: (2) And that if it shall afterwards appear unto the said Courts or either of them respectively, that the Causes expressed in such Writings or any of them be untrue; that then the Judge or Judges of the said Courts or either of them respectively, shall and may award such Costs and Damages unto the Parties grieved, for their or any of their wrongful Vexations in that Behalf, as they shall think fit: And that the Party or Parties so offending shall and may be committed to Prison by such Judge or Judges, until he or they pay the said Costs and Damages. (3) 'And whereas divers 'turbulent and contentious Persons, deservedly fearing to be bound to the Peace or good Behaviour by 'the Justices of Peace of the Counties where they dwell, do oftentimes procure themselves to be bound 'to the Peace or good Behaviour in the said Courts or one of them, upon insufficient Sureties, or upon 'colourable Prosecution of some Person or Persons, who will be ready at all Times to release them at 'their own Pleasure; whereupon his Majesty's Writs of *Supersedeas* are oftentimes directed to the Ju- 'stices of Peace and other his Majesty's Officers, requiring them and every of them to forbear to arrest 'or imprison the Parties aforesaid for the Causes abovesaid; by Means whereof the said turbulent and 'contentious Persons misdemean themselves amongst their Neighbours with Impunity, to the great Of- 'fence and Disturbance of their Neighbours amongst whom they converse and live, and to the Affront 'of the Justices of Peace, and to the evil Example and Encouragement of like evil-disposed Persons:'

III. Be it therefore enacted by the Authority aforesaid, That all Writs of *Supersedeas* after the End of this present Session of Parliament, to be granted by or out of either of the Courts aforesaid, shall be void and of none Effect, unless such Process be granted likewise upon Motion in open Court first made as aforesaid, and upon such sufficient Sureties, as shall appear unto the Judge or Judges of the same Court respectively upon Oath, to be assessed at five Pounds Lands, or ten Pounds in Goods, in the Subsidy-Book, at the least; (2) which Oaths, and the Names of such Sureties, with the Places of their Abode, and where they stand so assessed in the Subsidy-Books, shall be entred and remain of Record in the same Courts: (3) And unless it shall also first appear unto the said Judge or Judges, from whom such *Supersedeas* is desired, That the Process of the Peace, or good Behaviour, is prosecuted against him or them, desiring such *Supersedeas bona fide*, by some Party grieved, in that Court out of which such *Supersedeas* is desired to be so awarded and directed.

March 27, pl. 63.

'IV. And whereas divers lewd and evil-disposed Persons, commonly called common Bailers or 'Knights of the Post, being base and beggarly Persons, do oftentimes procure themselves to be as- 'sessed at high Rates in the Subsidy-Books, and sometimes do falsly take upon them the Names of other 'Men of good Ability, of Purpose to enable themselves to be accepted for Bail, which Persons being of 'small or no Ability or Worth, are ready for Lucre and Gain to become bound by Recognisance as 'Sureties for such Persons as shall procure themselves to be bound to the Peace or good Behaviour as 'aforesaid; by Means whereof the Judge or Judges of the said Courts not knowing them, may be easily 'abused and Justice deluded:'

False Sureties procured for the gaining of Writs of Supersedeas shall be punished by the Judges.

V. Be it further enacted by the Authority aforesaid, That the Judge or Judges of the Courts aforesaid respectively, or of either of them, upon Proof of any the Misdemeanors aforesaid, to be committed in the obtaining of the aforesaid Writs of *Supersedeas*, or procuring such Surety as aforesaid, shall and may likewise punish the false and insufficient Sureties and Bailers aforesaid, and the Procurers thereof, according to their Discretions, so as such Punishment extend not to the Loss of Life or Member.

'VI. And whereas divers Bills of Indictments of Riot, Forcible Entry, or of Assault and Battery, be- 'ing found before the Justices of Peace at their Quarter-Sessions of the Peace or otherwise, are oftentimes 'removed from the Counties where such Indictments are found, by Writs of *Certiorari* unto them directed 'out of the said Courts, by or by the Means of the Persons so indicted, who well know that few or no 'Persons grieved by such their Outrages and Misdemeanors whereof they stand so indicted, will undergo 'the Travel or Charge of Prosecution of such Indictments so removed, by bringing the Parties so indicted 'to Trial; by Means whereof, such Offenders for the most part escape unprosecuted and unpunished, 'and the King loseth the Fines which ought and should have been imposed upon them, if such Indict- 'ments had been prosecuted, and not removed:'

Certioraries shall not be allowed unless the Indictee will become bound to pay Costs. Farther Provisions relating to Certioraries, 13 & 14 Car. 2. c. 6. sect. 16. 22 Car. 2. c. 12. sect. 4.

VII. Be it therefore enacted, That all such Writs of *Certiorari* shall from and after the End of this present Session of Parliament, be delivered at some Quarter-Sessions of the Peace in open Court: (2) And that the Parties indicted shall before the Allowance of such *Certioraries* become bound unto such Person or Persons which shall prosecute such Bills of Indictment against them, in the Sum of ten Pounds, with such sufficient Sureties as the Justices of Peace at their said Quarter-Sessions of the Peace shall think fit, with Condition to pay unto the said Prosecutors of such Bills of Indictment, within one Month after the Conviction of such Parties indicted, such reasonable Costs and Damages as the said Justices of Peace of such Counties where

5 & 6 W. & M. c. 11. 8 & 9 W. 3. c. 33. and 13 Geo. 2. c. 18.

where such Bills of Indictment shall be found, in the said Sessions of the Peace shall assess or allow: (3) And that in Default thereof, it shall be lawful for the said Justices to proceed to Trial of such Indictments; any such Writs of *Certiorari* to remove the same Indictments notwithstanding.

## CAP. IX.

EXP.

An Act for the Free Trade and Traffick of *Welsh* Clothes, Cottons, Frizes, Linings and Plains in and through the Kingdom of *England* and Dominion of *Wales*. The Inhabitants of *Wales* may sell their Clothes freely. *Welsh* Clothes may be transported. To continue for seven Years.

## CAP. X.

An Act of Repeal of one Branch of the Statute made in the Session of Parliament holden by Prorogation at *Westminster* the twenty-second Day of *January* in the thirty-fourth Year of the Reign of King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of Wales.*

The Branch of the Statute of 34 & 35 H. 8. c. 26. that concerns the King's Power for altering the Laws of Wales, repealed.

'WHEREAS the Subjects of the Country and Dominion of *Wales* have been constantly Loyal and obedient, and have lived in all dutiful Subjection to the Crown of *England*: And whereas by an Act of Parliament made in the four and thirtieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of Wales*, amongst other Things, it is enacted and ordained in these Words:

The Loyalty and Obedience of the Welsh.

'II. *Item*, It is further enacted by the Authority aforesaid, That the King's most Royal Majesty shall and may at all Times hereafter from Time to Time change, add, alter, order, minish and reform all Manner of Things afore-rehearsed, as to his most excellent Wisdom and Discretion shall be thought convenient; (2) and also to make Laws and Ordinances for the Commonwealth, and good Quiet of his said Dominion of *Wales*, and his Subjects of the same, from Time to Time at his Majesty's Pleasure; any Thing contained in this Act, or in the said Act made for the Shire-Ground of *Wales*, or any other Act or Acts, Thing or Things, to the contrary thereof heretofore made in any wise notwithstanding: (3) And that all such Alterations of the Premisses or any Part thereof, and all such Laws and Ordinances to be hereafter made, devised and published by Authority of this Act, by the King's Majesty in Writing under his Highness Great Seal, shall be of as good Strength, Virtue and Effect, as if they had been had and made by Authority of Parliament:

By a Branch contained in the 34 & 35 H. 8. c. 26. the King had Power to alter the laws of Wales.

'III. And forasmuch as it is manifest by long Experience, That the Laws and Statutes already ordained for the said Country, are in Effect and for the most part agreeable to the Laws and Statutes of this his Highness Kingdom of *England*, and all and every of the same obeyed with great Alacrity: (2) And for that after so long a Quiet among them, any future Change or Innovation herein would be dangerous, and for the Abolition of Distinction and Difference between the Subjects of *England* and *Wales*, his most excellent Majesty, tendering the common and constant Good of the said Country and Dominion of *Wales*, and of their Posterity for ever hereafter, is graciously pleased, That it may be enacted by his Majesty with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled;'

A Repeal of that Branch of 34 and 35 H. 8. c. 26. sect. 119.

IV. And be it enacted by the Authority of the same, That the said recited Branch of the said Act of Parliament, and every Article, Word and Sentence in that Branch contained, be utterly repealed and made void and of none Effect, to all Intents, Constructions and Purposes, as if the said Branch had never been made nor contained in the said Act: (2) And that the King's Majesty, his Heirs or Successors, shall not by Virtue of the said Clause or Branch in the said Act, at any Time hereafter alter, change or reform any Laws, Usage or Custom, or make any new Laws for or concerning the said Dominion or Principality of *Wales*.

The Residue of that Statute confirmed. *Farther Provisions concerning Wales*, 10 Car. 2. c. 5.

V. Provided always, and be it enacted by the Authority aforesaid, That all and every Clause, Article and Thing contained in the aforesaid Act of Parliament, other than the aforesaid Branch before recited, shall stand, remain and be in as full Force and Effect, to all Intents, Constructions and Purposes, as if this present Act had never been had or made.

1 W. & M. St. 1. c. 27. 5 W. & M. c. 4. 7 & 8 W. 3. c. 38. 11 & 12 W. 3. c. 9. 8 Geo. 1. c. 25. 6 Geo. 2. c. 14. and 20 Geo. 2. c. 42. sect. 3.

## CAP. XI.

Fish.

A Judgment given in Chancery for the revoking and annulling of certain Letters Patents (granted to *Henry Heron* for the sole Privilege of salting, drying and packing of Fish within the Counties of *Devon* and *Cornwall*) confirmed. PR.

CAP.

## CAP. XII.

An Act to enlarge and make perpetual the Act made for Ease in Pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables and certain other his Majesty's Officers, for the lawful Execution of their Office, made in the seventh Year of his Majesty's most happy Reign.

'WHEREAS an Act, intituled, *An Act for Ease in Pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other his Majesty's Officers, for the lawful Execution of their Office, made in the seventh Year of his Majesty's most happy Reign of* England, was made to continue but for seven Years, and from thence to the End of the next Parliament after the said seven Years, which by Experience hath since been found to be a good and profitable Law:' The Statute of 7 Jac. 1. c. 5. enlarged and made perpetual. 4 Inst. 174. *Burn V.* 2. 93.

II. Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall from and after the End of this present Session of Parliament be perpetual and have Continuance for ever.

III. And be it further enacted by the Authority aforesaid, That all Churchwardens, and all Persons called Sworn-Men, executing of the Office of Churchwardens, and all Overseers of the Poor, and all others which in their Aid and Assistance, or by their Commandment, shall do any Thing touching or concerning his or their Office or Offices, shall hereafter be enabled to receive and have such Benefit and Help by Virtue of the said Act, to all Intents, Constructions and Purposes, as if they had been specially named therein. Churchwardens and Overseers of the Poor shall be comprehended within the Purview of 7 Jac. 1. c. 5.

'IV. And whereas notwithstanding the said Statute, the Plaintiff is at Liberty to lay his Action which 'he shall bring against any Justice of Peace, or other Officer, in any foreign County at his Choice, 'which hath proved very inconvenient unto sundry of the Officers and Persons aforesaid, that have 'been impleaded by some contentious and troublesome Persons in Countries far remote from their 'Places of Habitations:

V. Be it therefore further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, or Suit upon the Case, Trespass, Battery or false Imprisonment, shall be brought after the End of this present Session of Parliament, against any Justice of Peace, Mayor or Bailiff of City, or Town Corporate, Headborough, Portreve, Constable, Tithing-Man, Collector of Subsidy or Fifteens, Churchwardens, and Persons called Sworn-Men, executing the Office of Churchwarden or Overseer of the Poor, and their Deputies, or any of them, or any other which in their Aid and Assistance, or by their Commandment, shall do any Thing touching or concerning his or their Office or Offices, for or concerning any Matter, Cause or Thing, by them or any of them done by Virtue or Reason of their or any of their Office or Offices, that the said Action, Bill, Plaint or Suit shall be laid within the County where the Trespass or Fact shall be done and committed, and not elsewhere; (2) and that it shall be lawful to and for all and every Person and Persons aforesaid, to plead thereunto the general Issue, that he or they are not guilty, and to give such special Matter in Evidence to the Jury which shall try the same, as in or by the said former Act is limited or declared: (3) And that if upon the Trial of any such Action, Bill, Plaint or Suit, the Plaintiff or Plaintiffs therein shall not prove to the Jury which shall try the same, that the Trespass, Battery, Imprisonment, or other Fact or Cause of his, her, or their such Action, Bill, Plaint or Suit was or were had, made, committed or done, within the County wherein such Action, Bill, Plaint or Suit shall be laid; that then in every such Case, the Jury which shall try the same, shall find the Defendant and Defendants in every such Action, Bill, Plaint or Suit, not guilty, without having any Regard or Respect to any Evidence given by the Plaintiff or Plaintiffs therein, touching the Trespass, Battery, Imprisonment, or other Cause for which the same Action, Bill, Plaint or Suit, is or shall be brought: (4) And if the Verdict shall pass with the Defendant or Defendants in any such Action, Bill, Plaint or Suit, or the Plaintiff or Plaintiffs therein become nonsuit, or suffer any Discontinuance thereof, that in every such Case the Defendant or Defendants shall have such double Costs, and all other Advantages and Remedies, as in and by the said former Act is limited, directed or provided. An Action brought against an Officer shall be laid in the County where the Fact was committed. 1 Inst. 283. Vaughan 113, 115, 117. The Defendant shall have double Costs.

## CAP. XIII.

### An Act for the further Reformation of Jeofails.

'WHEREAS in the two and thirtieth Year of the Reign of King *Henry* the Eighth, of famous Memory, a good and profitable Law, intituled, *An Act concerning misspleading, Jeofails, and Attornies*, was made and enacted: (2) And likewise another good and profitable Law was made in the eighteenth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, intituled, *An Act for Reformation of Jeofails*; (3) by which Laws many Delays of Judgments were prevented, and yet notwithstanding many Things have and daily do fall out, not yet provided for, nor remedied by the Laws before-mentioned:' 14 *Ed.* 3 *St.* 1. c. 5. 9 *H.* 5. c. 4. This Act extended to Writs of Mandamus, &c. by 9 Annæ, c. 20. sect. 7. The Defects of the Statutes of 32 H. 8. c. 30. and 18 El. c. 14. Godb. 382. pl. 469. 437. pl. 502.

II. Be it therefore enacted by the Authority of this present Parliament, That if any Verdict of twelve Men or more shall hereafter be given for the Plaintiff or Demandant, or for the Defendant or Tenant, Bailiff in Assize, Vouchee, Pray in Aid, or Tenant by Receit, in any Action, Suit, Bill, Plaint or Demand in any Court of Record, the Judgment thereupon shall not be stayed or reversed by Reason of any Variance in Form only, between the Original Writ or Bill, and the Declaration, Plaint or Demand; (2) or

Divers Jeofails in Suits of Law prevented and reformed. 4 Ann. c. 16. Cro Car. 165, 189, 203, 278, 312, 480. Aleyn 64. *Nelſ. V.* 2. 943.

or for Lack of any Averment of any Life or Lives of any Perſon or Perſons, ſo as upon Examination the ſaid Perſon be proved to be in Life; (3) or by Reaſon that the *Venire facias*, *Habeas corpora* or *Diſtringas* is awarded to a wrong Officer, upon any inſufficient Suggeſtion; (4) or by Reaſon the *Viſne* is in ſome Part miſawarded or ſued out of more Places, or of fewer Places, than it ought to be, ſo as ſome one Place be right named; (5) or by Reaſon that any of the Jury which tried the ſaid Iſſue is miſnamed, either in the Surname or Addition, in any of the ſaid Writs, or in any Return upon any of the ſaid Writs, ſo as upon Examination it be proved to be the ſame Man that was meant to be returned; (6) or by Reaſon that there is no Return upon any of the ſaid Writs, ſo as a Pannel of the Names of Jurors be returned and annexed to the ſaid Writ; (7) or for that the Sheriff's Name or other Officer's Name having the Return thereof, is not ſet to the Return of any ſuch Writ, ſo as upon Examination it be proved that the ſaid Writ was returned by the Sheriff or Under-Sheriff, or any ſuch other Officer; (8) or by Reaſon that the Plaintiff in an *Ejectione firmæ*, or in any perſonal Action or Suit, (being an Infant under the Age of one and twenty Years) did appear by Attorney therein, and the Verdict paſs for him; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Certain Caſes excepted.

III. Provided always, and be it further enacted, That this Act, or any Thing therein contained, ſhall not extend to any Writ, Declaration or Suit of Appeal of Felony or Murther, (2) nor to any Indictment or Preſentment of Felony, Murther or Treaſon, nor to any Proceſs upon any of them, (3) nor to any Writ, Bill, Action or Information upon any popular or penal Statute; any Thing therein contained to the contrary notwithſtanding. 5 Geo. 1. c. 13.

*See* 16 & 17 *Car.* 2, *c.* 8.

## CAP. XIV.

### An Act to admit the Subject to plead the general Iſſue in Informations of Intruſions brought on the Behalf of the King's Majeſty, and retain his Poſſeſſion till Trial.

In Informations of Intruſion, the Subject is allowed to plead the General Iſſue, and to retain Poſſeſſion till Trial. 4 Inſt. 116. Dyer 238.

'WHERE the King out of his Prerogative Royal may enforce the Subject in Informations of Intruſion brought againſt him, to a ſpecial Pleading of his Title;' The King's moſt excellent Majeſty out of his gracious Diſpoſition towards his loving Subjects, and at their humble Suit being willing to remit a Part of his ancient and Regal Power, is well pleaſed that it be enacted; (2) And be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That whenſoever the King, his Heirs or Succeſſors, and ſuch from or under whom the King claimeth, and all others claiming under the ſame Title under which the King claimeth, hath been or ſhall be out of Poſſeſſion by the Space of twenty Years, or hath not or ſhall not have taken the Profits of any Lands, Tenements or Hereditaments, within the Space of twenty Years before any Information of Intruſion brought or to be brought, to recover the ſame; that in every ſuch Caſe the Defendant or Defendants may plead the General Iſſue, if he or they ſo think fit, and ſhall not be preſſed to plead ſpecially; (3) and that in ſuch Caſes the Defendant or Defendants ſhall retain the Poſſeſſion he or they had at the Time of ſuch Information exhibited, until the Title be tried, found or adjudged for the King.

II. And be it further enacted, That where an Information of Intruſion may fitly and aptly be brought on the King's Behalf, that no *Scire facias* ſhall be brought, whereunto the Subject ſhall be forced to a ſpecial Pleading, and be deprived of the Grace intended by this Act. 17 Ed. 2. Stat 1. c. 13.

## CAP. XV.

### An Act to enable Judges and Juſtices of the Peace to give Reſtitution of Poſſeſſion in certain Caſes.

4 Inſt. 176. Reſtitution of Poſſeſſion ſhall be given, to avoid Entries with Force, in Eſtates for Years, &c. Latch 183.

BE it enacted by the Authority of this preſent Parliament, That ſuch Judges, Juſtices or Juſtice of the Peace, as by Reaſon of any Act or Acts of Parliament now in Force are authorized and enabled upon Enquiry, to give Reſtitution of Poſſeſſion unto Tenants of any Eſtate of Freehold, of their Lands or Tenements which ſhall be entered upon with Force, or from them withholden by Force, ſhall by Reaſon of this preſent Act have the like and the ſame Authority and Ability from henceforth (upon Indictment of ſuch forcible Entries, or forcible Withholdings before them duly found) to give like Reſtitution of Poſſeſſion unto Tenants for Term of Years, Tenants by Copy of Court-Roll, Guardians by Knights-Service, Tenants by *Elegit*, Statute-Merchant and Staple, of Lands or Tenements by them ſo holden, which ſhall be entered upon by Force, or holden from them by Force. 5 R. 2. Stat. 1. c. 7. 15 R. 2. c. 2. 8 H. 6. c. 9. 31 El. c. 11.

## CAP. XVI.

### An Act for Limitation of Actions, and for avoiding of Suits in Law.

Writs of Formedon ſhall be ſued within twenty Years. March 129. Hetley 87, 141. 3 *Ed.* 1. *c.* 39. 32 *H.* 8. *c.* 2.

FOR quieting of Mens Eſtates, and avoiding of Suits, be it enacted by the King's moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That all Writs of *Formedon in Deſcender*, *Formedon in Remainder*, and *Formedon in Reverter*, at any Time hereafter to be ſued or brought, of or for any Manors, Lands, Tenements or Hereditaments, whereunto

any

any Person or Persons now hath or have any Title, or Cause to have or pursue any such Writ, shall be sued and taken within twenty Years next after the End of this present Session of Parliament: And after the said twenty Years expired, no such Person or Persons, or any of their Heirs, shall have or maintain any such Writ, of or for any of the said Manors, Lands, Tenements or Hereditaments; (2) and that all Writs of *Formedon in Descender*, *Formedon in Remainder*, and *Formedon in Reverter*, of any Manors, Lands, Tenements, or other Hereditaments whatsoever, at any Time hereafter to be sued or brought by Occasion or Means of any Title or Cause hereafter happening, shall be sued and taken within twenty Years next after the Title and Cause of Action first descended or fallen, and at no Time after the said twenty Years; (3) and that no Person or Persons that now hath any Right or Title of Entry into any Manors, Lands, Tenements or Hereditaments now held from him or them, shall thereinto enter, but within twenty Years next after the End of this present Session of Parliament, or within twenty Years next after any other Title of Entry accrued; (4) and that no Person or Persons shall at any Time hereafter make any Entry into any Lands, Tenements or Hereditaments, but within twenty Years next after his or their Right or Title which shall hereafter first descend or accrue to the same; and in Default thereof, such Persons so not entring, and their Heirs, shall be utterly excluded and disabled from such Entry after to be made; any former Law or Statute to the contrary notwithstanding.

2 Salk. 421, 422, 423.

*Bac. V.* 3 501. *Abr. Cas. Eq. V.* 1. 303, 306. *and V.* 2. 578.

Entry into Land, &c. shall be made within twenty Years.

2 *Vent.* 340.

For Entries to avoid a Fine, see 4 Anne, c. 16. Sect. 16.

II. Provided nevertheless, That if any Person or Persons, that is or shall be entitled to such Writ or Writs, or that hath or shall have such Right or Title of Entry, be or shall be at the Time of the said Right or Title first descended, accrued, come or fallen, within the Age of one and twenty Years, *Feme Covert*, *Non compos mentis*, imprisoned or beyond the Seas, that then such Person and Persons, and his and their Heir and Heirs, shall or may, notwithstanding the said twenty Years be expired, bring his Action, or make his Entry, as he might have done before this Act; (2) so as such Person and Persons, or his or their Heir and Heirs, shall within ten Years next after his and their full Age, Discoverture, coming of sound Mind, Enlargement out of Prison, or coming into this Realm, or Death, take Benefit of and sue forth the same, and at no Time after the said ten Years.

Infants, Femes Covert, &c. excepted.

III. And be it further enacted, That all Actions of Trespass *Quare clausum fregit*, all Actions of Trespass, Detinue, Action sur Trover, and Replevin for taking away of Goods and Cattle, all Actions of Account, and upon the Case, other than such Accounts as concern the Trade of Merchandize between Merchant and Merchant, their Factors or Servants, all Actions of Debt grounded upon any Lending or Contract without Specialty; all Actions of Debt for Arrearges of Rent, and all Actions of Assault, Menace, Battery, Wounding and Imprisonment, or any of them which shall be sued or brought at any Time after the End of this present Session of Parliament, shall be commenced and sued within the Time and Limitation hereafter expressed, and not after (that is to say) (2) the said Actions upon the Case (other than for Slander) and the said Actions for Account, and the said Actions for Trespass, Debt, Detinue and Replevin for Goods or Cattle, and the said Action of Trespass *Quare clausum fregit*, within three Years next after the End of this present Session of Parliament, or within six Years next after the Cause of such Actions or Suit, and not after; (3) and the said Actions of Trespass, of Assault, Battery, Wounding, Imprisonment or any of them, within one Year next after the End of this present Session of Parliament, or within four Years next after the Cause of such Actions or Suit, and not after; (4) and the said Actions upon the Case for Words, within one Year after the End of this present Session of Parliament, or within two Years next after the Words spoken, and not after.

The Limitation of certain Personal Actions.

March 155. Stile 109, 214, 231. Hutt. 100. Hetley 140. March 151. 1 Mod 269. 4 Mod. 105. Carthew 136. 1 Lutw. 260. 1 Saund. 37, 38. 1 Mod. 89, 245. 2 Mod. 212. 3 Mod. 311. 1 Shower 341. 2 Shower 126. 2 Salk. 421, 424. Cro. Car. 115, 141, 160, 245, 2 *Vent.* 193, 259. 295, 381, 405, 513, 333. 1 Vern. 456. 2 Vern. 694, 695. 2 Vent. 185. 3 Lev. 245, 283. 1 Salk. 28.

IV. And nevertheless be it enacted, That if in any the said Actions or Suits, Judgment be given for the Plaintiff, and the same be reversed by Error, or a Verdict pass for the Plaintiff, and upon Matter alledged in Arrest of Judgment, the Judgment be given against the Plaintiff, that he take nothing by his Plaint, Writ or Bill; or if any the said Actions shall be brought by Original, and the Defendant therein be outlawed, and shall after reverse the Outlawry; that in all such Cases the Party Plaintiff, his Heirs, Executors or Administrators, as the Case shall require, may commence a new Action or Suit from Time to Time, within a Year after such Judgment reversed, or such Judgment given against the Plaintiff, or Outlawry reversed and not after.

Their Limitation after Judgment or Outlawry reversed.

V. And be it further enacted, That in all Actions of Trespass *Quare clausum fregit*, hereafter to be brought, wherein the Defendant or Defendants shall disclaim in his or their Plea, to make any Title or Claim to the Land in which the Trespass is by the Declaration supposed to be done, and the Trespass be by Negligence or involuntary, the Defendant or Defendants shall be admitted to plead a Disclaimer, and that the trespass was by Negligence or involuntary, and a Tender or Offer of sufficient Amends for such Trespass before the Action brought, whereupon or upon some of them, the Plaintiff or Plaintiffs shall be enforced to join Issue; (2) and if the said Issue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall be nonsuited, the Plaintiff or Plaintiffs shall be clearly barred from the said Action or Actions, and all other Suit concerning the same.

After Judgment or Nonsuit in a Quare clausum fregit, the Plaintiff is barred to renew the Suit.

Hetley 165.

VI. And be it further enacted by the Authority aforesaid, That in all Actions upon the Case for slanderous Words, to be sued or prosecuted by any Person or Persons in any the Courts of Record at *Westminster*, or in any Courts whatsoever that hath Power to hold Plea of the same, after the End of this present Session of Parliament, if the Jury upon the Trial of the Issue in such Action, or the Jury that shall enquire of the Damages, do find or assess the Damages under forty Shillings, then the Plaintiff or Plaintiffs in such Action shall have and recover only so much Costs as the Damages so given or assessed amount unto, without any further Increase of the same; any Law, Statute, Custom or Usage to the contrary in any wise notwithstanding.

In Actions of Slander under 40 s. the Plaintiff shall recover no greater Costs than Damges.

Palmer 529. 1 Salk. 206. Cro. Car. 307. Lee 82. Latch 2, 58.

VII. Provided nevertheless, and be it further enacted, That if any Person or Persons that is or shall be entituled to any such Action of Trespass, Detinue, Action sur Trover, Replevin, Actions of Accounts,

Infants, Femes Covert, &c. excepted.

4 Ann. c. 16. sect. 17, 18.

1 Sid. 453. 2 Mod. 71. *Further Provisions relating hereto,* 10 *W.* 3. c. 14. *and* 4 *Ann.* c. 16.

Actions of Debts, Actions of Trespass for Assault, Menace, Battery, Wounding or Imprisonment, Actions upon the Case for Words, be or shall be at the Time of any such Cause of Action given or accrued, fallen or come, within the Age of twenty-one Years, *Feme Covert*, *Non compos mentis*, imprisoned or beyond the Seas; that then such Person or Persons shall be at Liberty to bring the same Actions, so as they take the same within such Times as are before limited, after their coming to or being of full Age, Discovert, of sane Memory, at Large, and returned from beyond the Seas, as other Persons having no such Impediment should have done. 20 H. 3. c. 8. 3 Ed. 1. c. 39. 32 H. 8. c. 2. 1 Ma. 1. Sess. 2. c. 5.

## CAP. XVII.

### An Act against Usury.

37 *H* 8. c 9. 13 *El.* c. 8. None shall take above the Rate of eight Pounds for the Loan of an hundred Pounds for a Year. 12 Ann. Stat. 2. c. 16. 1 *Haw. P. C.* c. 82.

'WHEREAS at this Time there is a very great Abatement in the Value of Land, and other the 'Merchandizes, Wares and Commodities of this Kingdom, both at Home, and also in foreign 'Parts whither they are transported; (2) and whereas divers Subjects of this Kingdom, as well the 'Gentry as Merchants, Farmers and Tradesmen, both for their urgent and necessary Occasions for 'the following their Trades, Maintenance of their Stocks and Employments, have borrowed, and do 'borrow divers Sums of Money, Wares, Merchandizes and other Commodities; (3) but by Reason 'of the said general Fall and Abatement of the Value of Land, and the Prices of the said Merchandize, 'Wares and Commodities, and Interest in Loan continuing at so high a Rate as ten Pounds in the hun-'dred Pounds for a Year, doth not only make Men unable to pay their Debts, and continue the 'Maintenance of Trade, but their Debts daily increasing, they are enforced to sell their Lands and 'Stocks at very low Rates, to forsake the Use of Merchandize and Trade, and to give over their 'Leases and Farms, and so become unprofitable Members of the Commonwealth, to the great Hurt 'and Hinderance of the same:

II. Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That no Person or Persons whatsoever, from and after the four and twentieth Day of *June*, which shall be in the Year of our Lord one thousand six hundred twenty and five, upon any Contract to be made after the said four and twentieth Day of *June*, shall take directly or indirectly, for Loan of any Monies, Wares, Merchandize or other Commodities whatsoever, above the Value of eight Pounds for the Forbearance of one hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Time; (2) and that all Bonds, Contracts and Assurances whatsoever made after the Time aforesaid, for Payment of any Principal or Money to be lent or covenanted to be performed, upon or for any Usury, whereupon or whereby there shall be reserved or taken above the Rate of eight Pounds in the hundred as aforesaid, shall be utterly void; (3) and that all and every Person and Persons whatsoever, which shall after the Time aforesaid, upon any Contract to be made after the said four and twentieth Day of *June*, which shall be in the Year of our Lord 1625. take, accept and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevisance, Shift or Interest of any Wares, Merchandize or other Thing or Things whatsoever, or by any deceitful Way or Means, or by any Covin, Engine or deceitful Conveyance, for the forbearing or giving Day of Payment for one whole Year, of and for their Money or other Thing, above the Sum of eight Pounds for the forbearing of one hundred Pounds for a Year, and so after that Rate for a lesser or greater Sum, or for a longer or shorter Time, shall forfeit and lose for every such Offence the treble Value of the Monies, Wares, Merchandizes and other Things so lent, bargained, sold, exchanged or shifted.

A Scrivener that takes above the Rate of 5*s.* for the forbearing of 100*l.* for a Year, or above 12*d.* for the renewing of a Bond, shall forfeit 20*l.* and Imprisonment for Half a Year.

III. And be it further enacted by the Authority aforesaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who shall after the said twenty-fourth Day of *June*, which shall be in the Year of our Lord 1625. take or receive, directly or indirectly, any Sum or Sums of Money, or other Reward or Thing for Brocage, soliciting, driving or procuring the Loan or forbearing of any Sum or Sums of Money, over or above the Rate or Value of five Shillings for the Loan or forbearing of one hundred Pounds for a Year, and so ratably, or above twelve Pence for making or renewing of the Bond or Bill for the Loan, or forbearing thereof, or for any Counter Bond or Bill concerning the same, shall forfeit for every such Offence twenty Pounds, and have Imprisonment for Half a Year; (2) the one Moiety of all which Forfeitures to be to the King our Sovereign Lord, his Heirs and Successors, and the other Moiety to him or them that will sue for the same in the same County where the several Offences are committed, and not elsewhere, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Wager of Law or Protection to be allowed.

The Continuance of this Act.

IV. This Act to continue for the Space of seven Years from the said four and twentieth Day of *June*, which shall be in the Year of our Lord 1625. and so to the End of the first Session of Parliament then next following.

The Practice of Usury disallowed.

V. Provided, That no Words in this Law contained shall be construed or expounded to allow the Practice of Usury in Point of Religion or Conscience. [Made perpetual by 3 Car. 1. c. 4. §. 5. 2 H. 3. c. 5. 3 H. 7. c. 6. 11 H. 7. c. 8. 37 H. 8. c. 9. 5 & 6 Ed. 6. c. 20. 13 El. c. 8.]

*Further Provisions relating hereto,* 12 *Car.* 2. *c.* 13. *and* 12 *Ann St.* 2. *c.* 16.

CAP.

## CAP. XVIII.

An Act for Continuance of a former Act made in the fourth Year of the King's Majesty's Reign of *England*, &c. intituled, *An Act for the true Making Woollen Clothes, and for some Additions and Alterations in and to the same.*

'WHEREAS in the fourth Year of the Reign of our Sovereign Lord the King's Majesty that now is, there was amongst other, an Act made and intituled, *An Act for the true Making of Woollen Clothes*, which in and by the said Act is to continue in Force and Effect but unto the End of the first Session of the then next Parliament: Forasmuch as the said Act is found by Experience to be very Necessary, Expedient and Beneficial for the Commonwealth, both in the providing for the several and respective Lengths, Breadths and Weight of the several Sorts of Woollen Clothes mentioned in the said Statute, as also in the Avoiding the Mixture of Flocks, Thrums, and other deceivable Things in the Making of Woollen Clothes, saving in those Points whereunto the Additions and Alterations in this present Act do extend:' (2) Be it therefore enacted by the Authority of this present Parliament, That the same Act above remembred, and all and every the Branches, Clauses and Provisions in the same contained, and which are not in this present Act altered, repealed, discontinued or enlarged, shall continue and be from henceforth in full Force and Effect, until the End of the first Session of the next Parliament.

The Statute of 4 Jac. 1. c. 2. continued, and in Part altered.

4 Ed. 4. c. 1.

II. And whereas in and by the aforesaid Act it was amongst other Things enacted and provided, 'That it should or might be lawful to and for any Person and Persons lawfully exercising the Trade or Art of a Clothier or Making of Clothes, to make Flocks, Thrums and Lambs Wool into Cloth of one only Kind or Making, which should contain in Length, being throughly wet, between twelve and thirteen such Yards and Inches as in the said Statute had been mentioned, and in Breadth one Yard at the least within the Lists, and being clean scowred, thicked, milled and fully dried, should weigh fifteen Pounds the Piece at the least;' (2) Be it enacted by the Authority of this present Parliament, That the said Clause or Provision for the Making of Flocks, Thrums and Lambs Wool into Cloth, shall be from henceforth discontinued, or repealed and void; (3) 'And further, whereas since the Making of the said Act, many ill-disposed Persons for their own private Gain and Lucre, and in Deceit of the Buyers of Cloth, and to the Discredit and Discrediting of good Cloth, have used to mix and put Flocks and Thrums, and also Noiles and Hairs, and other deceivable Things, into, within and upon the Broad Woollen Clothes mentioned in the said Act; which said Broad Woollen Clothes be of far greater Length, Breadth and Estimation, than be those Clothes whereinto the said Flocks, Thrums and Lambs Wool in and by the said Act have been permitted to be put into; and by the Means of mixing and putting in or upon such Broad Clothes, of the said Flocks, Noiles, Thrums, Hair and other deceivable Things, into and within or upon the said Broad Woollen Clothes, the said Broad Woollen Clothes be much abused and discredited, and the Buyers of such Broad Woollen Clothes cozened, deceived and abused:'

*Burn V.* 2. 583, &c.

The Clause of 4 Jac. 1. c. 2. concerning the making of Thrums, &c. into Cloth, repealed.

III. For Reformation of which foresaid Wrongs, Abuses and Misdemeanors, Be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth no Person or Persons shall mix or put any Flocks, Noiles, Thrums, Hair, or other deceivable Thing or Things, or any Yarn made of the said deceivable Thing or Things, into, within or upon any Broad Woollen Cloth or Clothes, upon Pain to forfeit only five Pounds and no more, for every such Broad Woollen Cloth, into, within or upon which any such Flocks, Noiles, Thrums, Hair, or any other deceivable Thing or Things shall be put into or used; the said Forfeiture to be to the Use of the Poor of the Parish where such deceivable Cloth shall be made:

He that puts Thrums, &c. into Cloth shall forfeit five Pounds.

IV. And for the better finding out of every such deceivable Thing and Things mixed or put into or upon, or to be mixed or put into or upon, any Broad Woollen Cloth or Clothes, contrary to the true Meaning of this Law; (2) Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any the Overseer or Overseers, Searcher or Searchers of Cloth, of or within the several Parish or Parishes, or Town or City where such deceivable Cloth or Clothes shall be made, or suspected to be made, from Time to Time to enter into any the House or Houses, Shops, Mill or Mills, Chambers or other Rooms of any Clothier, or Person or Persons suspected to have made any such deceivable Broad Woollen Cloth, to view, search and see all or any their Woollen Cloth or Clothes, and the Mixture of their Wools for Cloths to be made; (3) and also it shall be lawful for any two or more Justices of the Peace within the County, or within the City, Borough or Town Corporate, where such deceivable Cloth shall be made, or suspected to be made, upon Information or Complaint of any of the said Overseer or Overseers, Searcher or Searchers, or any other, of their Knowledge or Suspicion of any such Offence, to grant their Warrant to call before them any Person or Persons whatsoever that shall be thought in their Discretions fit to discover any such Offence, (4) and to examine upon Oath such Person or Persons for the Trial and better finding out of the Offence aforesaid; and if upon such Examinations it shall be found by Testimony of two Witnesses or more, or by the Confession of the Party or Parties offending, that any such Offence or Offences have been committed, as aforesaid, then the Party or Parties that shall so confess his or their said Offence or Offences, or who shall be found to have offended, shall remain convicted of such his or their Offence or Offences: (5) And that then it shall and may be lawful for the said two Justices to certify such Offence or Offences unto the Church-wardens and

Searchers of Cloth may enter into any Man's House to find deceivable Cloth.

Two or more Justices of Peace may grant their Warrant to bring before them any Person suspected for making deceivable Cloth.

Overseers (for the Time being) of the Poor of the Parish or Parishes where such deceivable Cloth or Clothes shall be made, under the Hands and Seals of the said Justices.

Upon Certificate of the Justices that the Party is convicted for making of deceivable Cloth, the Churchwardens, &c. shall levy the Forfeiture.

V. And be it further enacted by the Authority aforesaid, That immediately from and after such Certificate shall be delivered to any of the Church-wardens and Overseers of the Poor of any Parish or Parishes where such Offender or Offenders shall dwell, and Warrant by them made to the said Overseers and Church-wardens, for the levying of the said Forfeiture, it shall and may be lawful to and for the said Church-wardens and Overseers for the Time being, or any of them, or for the Successor or Successors of them the said Church-wardens and Overseers, to levy the Sum or Sums of Money which by the said Certificate and Warrant shall appear to be forfeited, by Way of Distress and Sale of the Offender's Goods, rendring to the Party so offending the Overplus which shall arise by the Sale of such Goods, more than the Forfeiture for such Offence or Offences shall amount unto: (2) And in Defect of such Distress, it shall be lawful to and for the said two Justices of Peace to commit the Party or Parties so certified to have offended to the Common Gaol, there to remain without Bail or Mainprize until Payment shall be made of the said Sum or Sums so forfeited, to the said Church-wardens and Overseers, or some or one of them, to the Uses aforesaid, who shall yearly be accountable for such Sum or Sums so received and levied, at such Times and in such Manner as the said Church-wardens and Overseers are to account for other Monies which they are to collect to the Use of the Poor, by Force of an Act of Parliament made in the three and fortieth Year of the Reign of the late Queen *Elizabeth*: (3) And that if any Action or Actions shall at any Time or Times hereafter happen to be brought or commenced against any Person or Persons, for taking of such Distress or Distresses, or for or about any Matter or Thing concerning the same; that then it shall and may be lawful to and for every such Person or Persons against whom such Action or Actions shall be brought or commenced, to plead the General Issue, and to give in Evidence, and to be allowed double Costs in every Respect and Degree, as in and by the Statute of the seventh Year of the King's Majesty's Reign of *England* that now is, intituled, 'An Act for Ease in pleading against troublesome and contentions Suits prosecuted against Justices of the 'Peace, Mayors, Constables, and certain others his Majesty's Officers, for the lawful Execution of their 'Office,' is already provided and enacted.

In Default of Distress, the Party offending shall be committed to the common Gaol.

43 Eliz. c. 2.

The Officer being sued shall be allowed to plead the General Issue, &c. and recover double Costs.

7 Jac. 1. c. 5.

'VI. And whereas divers Clothiers be and are of late Time much troubled and grieved by and with 'several Searchers, Aulnegers and Viewers of Clothes, who after that Clothes have been searched, 'viewed and sealed by the Searchers and Overseers of the several Parish and Parishes where such Cloth 'and Clothes have been made, and also by the King's Aulneger of Cloth, or by his Deputy, do nevertheless for their own Gain and Lucre review or search again the same Clothes, to the great Trou'ble, Disturbance and Hindrance of the said Clothiers, the Loss of their Market and Sale of their Cloth, 'although towards the End or Conclusion of the said Act of the fourth Year of the King's Majesty's 'Reign of *England* that now is, aforesaid, it is mentioned, that after such Cloth be once lawfully 'searched, and lawfully sealed, the same be not compelled to be further viewed, searched, measured or 'sealed:'

4 Jac. 1. c. 2.

VII. Be it therefore likewise enacted by the Authority aforesaid, That the said Overseers and Searchers authorized by the said last mentioned Statute, or by any former Act, to search, view and weigh any of the said Clothes for the Lengths, Breadth and Weight of the said Clothes, shall and may certify the same by their Seals affixed to such Clothes, and with the Word *Faulty* thereon stamped, (if there be Cause) and that none of the said Clothes being formerly searched, viewed, weighed and sealed by the said Overseers and Searchers of the Parish, Town or Place, where the said Cloths shall be made, shall afterwards be viewed, searched or weighed by any other Person or Persons, Officer or Officers whatsoever, contrary to the said Statute made in the said fourth Year of his Majesty's Reign; (2) upon Pain of Forfeiture of five Pounds to the Party grieved, who shall and may sue for and recover the same by Bill, Plaint or Information, at or in the General Quarter-Sessions of the Peace to be holden for the County, City or Town Corporate wherein such Offence shall be committed, wherein no Essoin, Protection, Privilege or Wager of Law shall be allowed.

The Searcher that searcheth, &c. Cloth already searched, &c. shall forfeit five Pounds.

4 Jac. 1. c. 2.

All Woollen Cloths shall be searched, &c. before they be sold.

VIII. Provided always, and be it further enacted by the Authority of this present Parliament, That all and all Manner Woollen Cloths, of what Nature, Kind or Name soever they be or shall be of, to be woven in any City or Town Corporate within the Realm of *England* or Dominion of *Wales*, from and after forty Days next after the End of this present Session of Parliament, shall be searched, tried and sealed, by the several and respective Overseers of Cloth, appointed or to be appointed of or for the Cities and Towns Corporate, or of or for some of the Places or Parishes in them, where the same Cloths shall be woven, before such Cloths shall be sold, or offered to be sold.

The Measure of Tenters for Cloths made in Yorkshire.

IX. And be it further enacted by the Authority of this present Parliament, That from and after forty Days next after the End of this present Session of Parliament, no Tenter or Tenters for Broad Cloths to be made within the County of *York*, to be sold, shall have or shall or may be allowed any further Chase or Liberty for or to the under Bar of such Tenter or Tenters, than only half a Quarter of a Yard at the most: (2) And that no Tenter or Tenters for Narrow Cloths to be made within the said County of *York*, to be sold, shall have or shall or may be allowed any further Chase or Liberty for or to the under Bar of such Tenter or Tenters, than only Half of a Half Quarter of a Yard at the most: (3) And that the Overseers and Searchers of Cloth, or any of them, appointed or to be appointed within the several and respective Parishes within the said County of *York*, shall, upon the Penalties of their Recognizances taken or to be taken by Virtue of the Statute made in the nine and thirtieth Year of the Reign of the late Queen *Elizabeth*, or of any other Statute, make due Search and View of the Tenters to be used in the aforesaid County of *York*, (4) And if they or any of them shall happen to find any Tenter or

Searchers shall make Search of Tenters in Yorkshire.

39 Eliz. c. 20.

Tenters

Tenters used contrary to the true Meaning of this Act, that then they shall forthwith deface, or cause to be defaced, such Tenter or Tenters.

X. And be it further enacted, That if any Person or Persons whose Tenter or Tenters hath been or shall be once defaced, shall eftsoons offend contrary to the true Meaning of this Act, that then such Person or Persons so offending shall for every his or their Offence contrary to the true Meaning of this Act, forfeit and lose the Sum of forty Shillings of good and lawful Money of *England*, to such Uses and Behoofs, and to be levied and recovered in such Manner and Form, and by such Means, to all Intents and Purposes, as before in and by this present Act it is limited, appointed and enacted, for the Sum or Forfeiture of five Pounds to the Use of the Poor, in this Act before-mentioned.

The Party offending the second Time for having a Tenter contrary to this Act, shall forfeit 40 s.

XI. And be it further enacted by the Authority of this present Parliament, That every Overseer of Cloth appointed by any former Law now in Force, to fix unto any kind of Cloths a Seal of Lead, shall from and after forty Days next after the End of this present Session of Parliament, upon the Penalty of their respective Recognizance taken or to be taken by Virtue of the said Statute made in the nine and thirtieth Year of the Reign of the said Queen *Elizabeth*, or of any other Statute, engrave or set, or cause to be engraved or set, in and upon every of their respective Seals of Lead, which they shall fix unto any Cloth by them respectively to be sealed, his or their Christian and Surname; and that no Cloth or Cloths to be sealed with any Seal of Lead which shall want such Engraving or Print, as aforesaid, shall be taken or allowed to be sufficiently sealed, within the Compass of any former Law or Statute: (2) And furthermore whereas of late Years divers subtil and naughty Means and Devices have been invented and practised for the pressing of Woollen Cloth of all Sorts, by heating of thick Boards or Planks, and laying the same under and above the Cloth in the Cold Press, and also by putting of thin or Ceiling-boards and Paste-boards, being made very hot, into the Cuttles or Plates of Cloths, and then presently putting the same into a Cold Press, and by divers other cunning Sleights and Inventions, by which deceitful Practices and Devices the Chapmen or Buyers of the Woollen Cloth of this Kingdom are deceived and greatly wronged, and the Woollen Cloth of this Kingdom it self is disgraced, and held and reputed very deceitful, to the great Prejudice and Scandal of the Cloth of this Kingdom:' (3) Be it further enacted by the Authority of this present Parliament, That all and every the Pressing of any Kind or Sort of Woollen Cloths by or with such subtil and deceitful Means as aforesaid, or by or with any other the like subtil or deceitful Means or Device, by or with any Heat of Fire, which shall be used or practised at any Time or Times after the End of this present Session of Parliament, shall be taken and shall be expounded and adjudged to be pressing with a Hot Press, and shall be punished and punishable with the like Forfeitures, and in like Sort, to all Intents and Purposes, as the pressing with the Hot Press is punishable by any former Law or Statute.

Every Overseer of Cloth shall set his Name upon the Seal of the Cloth. 39 Eliz. c. 20.

Pressing of Cloths between hot Planks shall be punished with like Forfeiture as pressing them with a hot Press.

XII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures for Want of Length, Breadth, and Weight of Cloth or Cloths limited by any former Act now in Force, or by this present Act, shall be distributed into three equal Parts, whereof one third Part shall be unto the said Overseers and Searchers finding and certifying the said Default of Length, Breadth and Weight, as aforesaid, to be recovered by them at or in the General Quarter-Sessions of the Peace to be holden for the County, City or Town Corporate, where the Offence therein shall happen to be done or committed, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection, Privilege or Wager of Law shall be allowed: (2) And the other Parts thereof shall be unto the Poor of the Parish where the said Cloth or Cloths shall be made, to be levied by Way of Distress, and Sale of the Offender's Goods in Default of sufficient Distress, rendring to the Party the Overplus, by the Church-wardens and Overseers of the Poor of every such Parish, from Time to Time respectively, (which said Church-wardens and Overseers are in such Manner to account for the same, as for any other Sums which are by them to be collected to the Use of the Poor, by Force of the said Statute made in the foresaid three and fortieth Year of the Reign of the said late Queen, are by them to be levied and accounted for;) the said former Act or any other Act to the contrary in any wise notwithstanding. (3) This Act to continue till the End of the first Session of the next Parliament. [3 Car. 1. c. 4. continued until the End of the first Session of the next Parliament, and by 16 Car. 1. c. 4. farther continued. 5 & 6 Ed. 6. c. 6. 4 & 5 P. & M. c. 5. 8 El. c. 12. 27 El. c. 17. 35 El. c. 7 & 9. 43 El. c. 10. 4 Jac. 1. c. 2. 13 & 14 Car. 2. c. 32.]

5 & 6 Ed. 6. c. 6. The Penalties for want of Length, &c. of Cloth shall be distributed into three Parts. 5 & 6 Ed. 6. c. 6. 4 & 5 Ph. & M. c. 5. 27 Eliz. c. 17. 35 Eliz. c. 7 & 9. 43 Eliz. c. 10. 4 Jac. 1. c. 2.

43 Eliz. c. 2. *Farther Provisions concerning Cloths* 12 *Car.* 2. c. 22. 22 & 23 *Car.* 2. c. 8. 11 & 12 *W.* 3 c. 20. 6 *Ann.* c. 8 & 9. 7 *Ann.* c. 13. 10 *Ann.* c. 16. 1 *Geo.* 1. c. 15 & 41. 11 *Geo.* 1. c. 24. 7 *Geo.* 2. c. 25. 11 *Geo.* 2. c. 28. and 14 *Geo.* 2. c. 35.

## CAP. XIX.

An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting corporal Punishment upon the Bankrupts in some special Cases.

'FOrasmuch as daily Experience sheweth, that the Number and Multitude of Bankrupts do increase more and more, and also the Frauds and Deceits invented and practised for the avoiding and deluding the Penalties of the good Laws in that Behalf already made, and the Remedy by them provided: (2) And for that divers Defects are daily found in the former Statutes made against Bankrupts, both in the Description of a Bankrupt, as also in the Power given to the Commissioners for the Discovery and distributing the Bankrupt's Estate, to the great Encouragement of evil-minded Persons, the Hindrance of Traffick and Commerce, the great Decay, Overthrow and Undoing of many Clothiers, by whom many Thousands of the natural-born Subjects of this Realm be from Time to Time in all Parts of this Kingdom set on work: All which do tend to the general Hurt of this Realm:' (3) For Remedy whereof, be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in

Laws made against Bankrupts shall be beneficially construed for the Creditors. 34 & 35 H. 8. c. 4. 13 Eliz. c. 7. 1 Jac. 1. c. 15. 5 Geo. 2. c. 30. 19 Geo. 2. c. 32. *Bac. Abr. V.* 1. 247. *Wood Pt.* 1. 96.

in this present Parliament assembled, and by the Authority of the same, That all and sigular the aforesaid Statutes and Laws heretofore made against Bankrupts, and for Relief of Creditors, shall be in all Things largely and beneficially construed and expounded for the Aid, Help and Relief of the Creditors of such Person or Persons as already be or hereafter shall become Bankrupt:

Who shall be deemed a Bankrupt. March 34. In Part repealed by 10 Annæ, c. 15. Sect. 1. *Cro. Car.* 149, 549, 568. 2 Show. 513.

II. And that all and every Person or Persons, using or that shall use the Trade of Merchandize, by Way of Bargaining, Exchange, Bartering, Chevisance or otherwise, in Gross or by Retail; (2) or seeking his or her Living by Buying and Selling; (3) or that shall use the Trade or Profession of a Scrivener, receiving other Mens Monies or Estates into his Trust or Custody; (4) who at any Time after the End of this present Session of Parliament, shall either by himself or others by his Procurement, obtain any Protection or Protections, other than such Person or Persons as shall be lawfully protected by the Privilege of Parliament; (5) or shall prefer or exhibit unto his Majesty, his Heirs or Successors, or unto any of the King's Courts, any Petition or Petitions, Bill or Bills against his or her Creditor or Creditors or any of them, thereby desiring or endeavouring to compel or enforce them or any of them to accept less than their just and principal Debts, or to procure Time or longer Days of Payment than was given at the Time of their original Contracts; (6) or being indebted to any Person or Persons in the Sum of one hundred Pounds or more, shall not pay or otherwise compound for the same within six Months next after the same shall grow due, and the Debtor be arrested for the same, (7) or within six Months after an original Writ sued out to recover the said Debt, and Notice thereof given unto him or left in Writing at his or their Dwelling-house or last Place of Abode; or being arrested for Debt, shall after his or her Arrest lie in Prison two Months or more, upon that or any other Arrest or Detention in Prison for Debt; (8) or being arrested for the Sum of one hundred Pounds or more of just Debt or Debts, shall at any Time after such Arrest escape out of Prison or procure his Enlargement by putting in common or hired Bail; (9) shall be accounted and adjudged a Bankrupt to all Intents and Purposes; (10) and in the said Cases of Arrests or lying in Prison for such Debt or Debts, or getting forth by common or hired Bail, from the Time of his or her said first Arrest.

Skin. 270. 1 Salk. 109. Mod. Cases in Law 49.

Commissions, Orders, &c. provided by 13 Eliz. c. 7. & 1 Jac. 1. c. 15. shall be pursued against him that is described to be a Bankrupt by this Act.

III. And be it further enacted by the Authority of this present Parliament, That the like Commissions, Orders, Benefits and Remedies which are and be provided and limited by the said former Acts of Parliament, made in the thirteenth Year of the late Queen *Elizabeth*, and in the first Year of the Reign of our Sovereign Lord the King's Majesty, against any Bankrupts in them or either of them described, or for or concerning his, her or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandize and Debts or any of them, shall and may be had, pursued, taken and expounded, against such Person and Persons as are herein and hereby declared, described or expressed to be Bankrupts, and against his, her and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandize and Debts, in such Manner and Form as the same ought and might have been, if the Persons herein declared, described or expressed to be Bankrupts, had been by the said Statutes or either of them described to be Bankrupts, to all Intents and Purposes whatsoever.

Orders, &c. provided by this Act shall be pursued against him that is described to be a Bankrupt by 13 Eliz. c. 7. & 1 Jac. 1. c. 15.

IV. And be it further enacted by the Authority aforesaid, That the same Orders, Benefits and Remedies, which are and be provided and limited by this present Act against any Bankrupts, in or by this Act declared, described or expressed to be Bankrupts, or for or concerning his, her or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts or any of them, or the Discovery of them or any of them, shall from henceforth be had, pursued, taken and expounded against such Person and Persons as are declared or expressed to be Bankrupts by the said former Acts of Parliament or either of them, and against his, her and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, in such Manner and Form as the same ought and might have been, if the Persons in the former Statutes or either of them described to be Bankrupts, had been mentioned and described to be Bankrupts in and by this present Act.

'V. And whereas by the former Laws, the Commissioners appointed have Power to examine the 'Bankrupt himself, and such Person or Persons as are suspected to have or detain any of the Estate, 'Goods or Chattels of the Bankrupts; but some Doubt hath been made, whether the Commissioners 'have Power to examine the Wives of the Bankrupts touching the same, by Reason whereof the Bank-'rupts Wives do daily conceal and convey away, and cause to be conveyed away, much Part of their 'Husbands Monies, Wares, Goods, Merchandize and other Estate, to Person or Persons unknown to 'any but such Wives, by Reason whereof much of the Bankrupt's Estate is concealed and detained from 'the Creditors:

The Bankrupt's Wife may be examined by the Commissioners.

VI. For clearing therefore the said Doubt, and Avoiding the Inconveniences aforesaid, Be it declared and enacted by the Authority aforesaid, That after such Time as any Person shall by the said Commissioners executing the said Commission, or the greater Part of them, be lawfully adjudged or declared to be a Bankrupt, the said Commissioners executing such Commission shall have Power and Authority to examine upon Oath the Wife and Wives of all and every such Bankrupt, for the finding out and Discovery of the Estate and Estates, Goods and Chattels of such Bankrupt or Bankrupts, concealed, kept or disposed of by such Wife or Wives, in their own Persons, or by their own Act or Means, or by any other Person or Persons; (2) and that she and they, the said Wife and Wives, shall incur such Danger and Penalty for not coming before the said Commissioners, or for refusing to be sworn and examined, or for not disclosing the Truth upon her or their Examination or Examinations, as in and by the said former Laws or either of them is already made and provided against any other Person or Persons in like Cases.

The Bankrupt that fraudulently concealeth his Goods,

VII. And be it further enacted by the Authority aforesaid, That if any Bankrupt shall upon his or her Examination or Examinations, to be taken before the said Commissioners executing the said Commis-

sion,

sion, be found fraudulenty or deceitfully to have conveyed away his or her Goods, Chattels, Lands, Tenements, Offices, Fees, Rents or Annuities, or other Estate or any Part thereof, to the Value of twenty Pounds or above, to the End and Purpose to hinder the Execution of this Statute or of any other the aforesaid Statutes, or thereby to defraud, delay or hinder his or her Creditors of the same, and shall not upon his or her Examination discover unto the said Commissioners, and (if it lie in his or her Power) deliver unto the said Commissioners all that Estate, Goods and Chattels so fraudulently and deceitfully conveyed away as aforesaid, or by him or her, his or her Means, kept and detained from the said Commissioners, or that cannot make it appear unto the said Commissioners, that he or she hath sustained some casual Loss, whereby he or she is disabled to pay what he or she then owed, shall or may be indicted for such Fraud or Abuse at the Assizes or General Sessions to be holden before the Judges of Assize, or Justices of the Peace of the County or Place where he or she shall become Bankrupt: (2) And if upon such Indictment or Indictments the Bankrupt be thereof convicted, he or she so convicted shall be set upon the Pillory in some publick Place for the Space of two Hours, and have one of his or her Ears nailed to the Pillory and cut off.

or rendreth not some just Reason why he became Bankrupt, shall be set upon the Pillory, and lose one of his Ears.

'VIII. And for that some Doubt is conceived, whether the Commissioners in Case of Resistance 'have Power by the former Laws to break open, or cause to be broken open, the House or Houses of 'such Bankrupts, which if they have not, the Remedies by the former Laws given will be to little Ef-'fect: (2) Be it therefore enacted, That in Execution of the said Commission, it shall be lawful to and for the said Commissioners or the greater Part of them, or any other Person or Persons, Officer or Officers, by them or the greater Part of them, to be deputed and appointed by their Warrant or Warrants under their Hands and Seals, to break open the House or Houses, Chambers, Shops, Warehouses, Doors, Trunks or Chests of the said Bankrupt, where the said Bankrupt or any of his or her Goods or Estate shall be or reputed to be, and to seize upon and order the Body, Goods, Chattels, Ready Money and other Estate of such Bankrupt, as by the said former Laws are limited and appointed, whether it be by Imprisonment of his or her Body or otherwise, as to the said Commissioners or the greater Part of them shall be thought meet.

The Commissioners may break open the Bankrupt's Doors, &c.

IX. And for the better Division and Distribution of the Lands, Tenements, Hereditaments, Goods, Chattels and other Estate of such Bankrupt to and amongst his or her Creditors; (2) Be it enacted, That the Commissioners, or the greatest Part of them, shall and may examine upon Oath or by any other Ways or Means as to them shall seem meet, any Person or Persons, for the finding out and Discovery of the Truth and Certainty of the several Debts due and owing to all such Creditor and Creditors as shall seek Relief by such Course of Commission to be sued forth as aforesaid: (3) And that all and every Creditor and Creditors having Security for his or their several Debts, by Judgment, Statute, Recognizance, Specialty with Penalty or without Penalty, or other Security, or having no Security, or having made Attachments in *London* or any other Place, by Virtue of any Custom there used, of the Goods and Chattels of any such Bankrupt, whereof there is no Execution or Extent served and executed upon any the Lands, Tenements, Hereditaments, Goods, Chattels and other Estate of such Bankrupts, before such Time as he or she shall or do become Bankrupt, shall not be relieved upon any such Judgment, Statute, Recognizance, Specialty, Attachments or other Security for any more than a ratable Part of their just and due Debts, with the other Creditors of the said Bankrupt, without Respect to any such Penalty or greater Sum contained in any such Judgment, Statute, Recognizance, Specialty with Penalty, Attachment or other Security.

The Bankrupt's Goods shall be ratably divided, notwithstanding any Judgment, Recognizance, &c.

X. And be it further enacted, That if it shall happen, any the Lands, Tenements, Goods, Chattels, Debts or other Estate of any Bankrupt, to be extended after such Time as he or she is become a Bankrupt, by any Person or Persons, under Colour or Pretence of his or their being an Accountant, or any Way indebted unto our Sovereign Lord the King's Majesty, his Heirs or Successors, that then it shall be lawful to and for the said Commissioners to examine upon Oath, whether the said Debt were due to such Debtor or Accountant, upon any Bargain or Contract originally made betwixt such Accountant and the said Bankrupt, the said Debtor or Accountant and his or their Servants: (2) And if such Bargain or Contract was originally made to and with any other Person or Persons than the said Debtor or Accountant, or for the Use and Trust of any other Person or Persons, then it shall and may be lawful to and for the said Commissioners or the greater Part of them, to order and dispose of all such Lands, Tenements, Hereditaments, Goods, Chattels and Debts, so extended as aforesaid, to and for the Use of the Creditors which shall seek Relief by the said Commission; (3) and that the Order and Disposition of the said Commissioners or the greater Part of them shall be good and available against the said Extent, and against all Persons claiming from, by or under the said Extent; (4) and that such Person and Persons to whom the said Lands, Tenements, Goods and Chattels so extended, shall be bargained, sold, granted or assigned by the Commissioners aforesaid or the greater Part of them, shall have good Remedy to have, demand and recover the same against such Person and Persons who shall detain the same: (5) 'And for 'that it often falls out, that many Persons before they become Bankrupts, do convey their Goods to other 'Men upon good Consideration, yet still do keep the same, and are reputed the Owners thereof, and 'dispose the same as their own:'

The Commissioners may proceed when the Bankrupt by Fraud makes himself Accountant to the King.

XI. Be it enacted, That if at any Time hereafter any Person or Persons shall become Bankrupt, and at such Time as they shall so become Bankrupt shall by the Consent and Permission of the true Owner and Proprietary have in their Possession, Order and Disposition, any Goods or Chattels, whereof they shall be reputed Owners, and take upon them the Sale, Alteration or Disposition as Owners, that in every such Case the said Commissioners or the greater Part of them shall have Power to sell and dispose the same, to and for the Benefit of the Creditors which shall seek Relief by the said Commission, as fully as any other Part of the Estate of the Bankrupt: (2) And for the better Payment of Debts and discouraging Men to become Bankrupts;

Goods in the Possession, &c. of the Bankrupt are liable to pay his Debts, notwithstanding any former Grant, &c.

A Grant of the intailed Lands of the Bankrupt shall be good.

XII. Be it further enacted, That the said Commissioners or the greater Number of them shall have Power by Virtue of this Act, by Deed indented and inrolled within six Months after the making thereof, in some of his Majesty's Courts of Record at *Westminster*, to grant, bargain, sell and convey any Manors, Lands, Tenements or Hereditaments, whereof any Bankrupt is or shall be in any ways seised of any Estate in Tail, in Possession, Reversion or Remainder, and whereof no Reversion or Remainder is or shall be in the King's Majesty, his Heirs and Successors, of the Gift or Provision of his Majesty, his Progenitors, his Heirs or Successors, to any Person or Persons, for the Relief and Benefit of the Creditors of all such Bankrupts; (2) and that all and every such Grants, Bargains, Sales and Conveyances, shall be good and available in the Law to such Person or Persons and their Heirs, against the said Bankrupts, and against all and every the Issues of the Body of such Bankrupts, and against all and every Person and Persons claiming any Estate, Right, Title or Interest, by, from, or under the said Bankrupts, after such Time as such Person shall become Bankrupt, and against all and every other Person and Persons whatsoever, whom the said Bankrupt by common Recovery, or other Ways or Means might cut off or debar from any Remainder, Reversion, Rent, Profit, Title or Possibility, into or out of any the said Manors, Lands, Tenements or Hereditaments.

Conditional Estates granted by the Bankrupt may be redeemed by the Commissioners.

XIII. And be it further enacted, That if any Person that now is or hereafter shall become a Bankrupt, have heretofore granted, conveyed or assured, or shall at any Time hereafter grant, convey or assure, any Lands, Tenements, Hereditaments, Goods, Chattels, or other Estate, unto any Person or Persons, upon Condition, or Power of Redemption at a Day to come, by Payment of Money or otherwise; That it shall and may be lawful to and for the said Commissioners or the greater Part of them, before the Time of the Performance of such Condition, to assign and appoint under their Hands and Seals such Person or Persons as they shall think fit, to make Tender or Payment of Money, or other Performance, according to the Nature of such Condition, as fully as the Bankrupt might have done: (2) and that the said Commissioners, or the greater Part of them, shall after such Tender, Payment or Performance, have Power to sell and dispose of such Lands, Tenements, Hereditaments, Goods and Chattels, and other Estates so granted, conveyed or assured upon Condition, to and for the Benefit of the Creditors, as fully as they may sell or dispose of any the Estate of the Bankrupt.

The Commission shall be sued forth within five Years.

XIV. Provided further, That no Purchaser for good and valuable Consideration shall be impeached by Virtue of this Act, or any other Act heretofore made against Bankrupts, unless the Commission to prove him or her a Bankrupt be sued forth against such Bankrupt within five Years after he or she shall become a Bankrupt.

Strangers shall take Advantage of this and all other Laws against Bankrupts.

XV. Provided further, and be it enacted by the Authority aforesaid, That this Act, and all other Acts of Parliament heretofore made against Bankrupts, shall extend to Strangers born, as well Aliens as Denizens, as effectually as to the Natural-born Subjects, both to make them subject to the Laws as Bankrupts, as also to make them capable of the Benefit or Contribution as Creditors by those Laws. 13 & 14 Car. 2. cap. 24.

*Further Provisions relating hereto,* 10 *Ann. c.* 15. 7 *Geo.* 1. *c.* 31. 5 *Geo.* 2. *c.* 30 *(which is continued by* 31 *Geo.* 2. *c.* 35 *to* 29 *Sept.* 1764*)* 19 *Geo.* 2. *c.* 32. *and* 24 *Geo.* 2. *c.* 57.

## CAP. XX.

### An Act to prevent and reform profane Swearing and Cursing.

None shall profanely swear or curse. 19 Geo. 2. c. 21.

'FOrasmuch as all profane Swearing and Cursing is forbidden by the Word of God;' Be it therefore enacted by the Authority of this present Parliament, That no Person or Persons shall from henceforth profanely Swear or Curse: (2) And that if any Person or Persons shall at any Time or Times hereafter offend herein, either in the hearing of any Justice of Peace of the County, or of any Mayor, Justice of Peace, Bailiff or Head Officer of any City or Town Corporate, where such Offence is or shall be committed, or shall thereof be convicted by the Oaths of two Witnesses, or by Confession of the Party, before any such Justice of Peace of the County, or Head Officer or Justice of the Peace in the City or Town Corporate where such Offence is or shall be committed, to which End every Justice of Peace and every such Head Officer shall have Power by this Act to minister the same Oath; That then every such Offender shall for every Time so offending forfeit and pay to the Use of the Poor of that Parish where the same Offence is or shall be committed, the Sum of twelve Pence: (3) And it shall also be lawful for the Constable, Churchwardens and Overseers of the Poor of that Parish, by Warrant from such Justice of the Peace or Head Officer, to levy the same Sum and Sums of Money by Distress and Sale of the Offender's Goods, rendring to the Party the Overplus: (4) And in Defect of such Distress, the Offender, if he or she be above the Age of twelve Years, shall by Warrant from such Justice of the Peace or Head Officer be set in the Stocks by three whole Hours; but if the Offender be under the Age of twelve Years, and shall not forthwith pay the said Sum of twelve Pence, then he or she, by Warrant of such Justice of Peace or Head Officer, shall be whipped by the Constable, or by the Parent or Master in his Presence.

He that profanely curseth or sweareth shall forfeit 12 d. to the Use of the Poor.

The Constable, &c. shall levy the said Forfeiture.

By 6 & 7 W. 3. c. 11. sect. 1. the second Offence forfeits double.

The Officer being sued shall plead the General Issue.

II. And be it further enacted, That if any such Offender shall commence any Suit in Law against any Officer or other for such Distraining, Sale of Goods, Whipping or setting in the Stocks, the Defendant or Defendants may plead the general Issue, and give the special Matter in Evidence to the Jury at the Trial; and if it be found against the Plaintiff, or that the Plaintiff be nonsuit, the Defendant or Defendants shall be allowed good Costs, to be taxed by the Court.

This Offence shall be prosecuted within twenty Days.

III. Provided nevertheless, That every Offence against this Law shall be complained of, and proved as aboresaid, within twenty Days after the Offence committed. (2) And it is also enacted, That this Act shall be read in every Parish Church by the Minister thereof, upon the Sunday after Evening Prayer, twice in the Year.

This Act shall be read in the Church twice every Year.

IV. Pro-

IV. Provided, That this Act shall continue until the End of the first Session of the next Parliament, and no longer. [3 Car. 1. c. 4. continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4.]

## CAP. XXI.

### An Act concerning Hostlers and Inn-holders

BE it enacted by the Authority of this present Parliament, That one Statute made in the seven and thirtieth Year of the Reign of the late King *Edward* the Third, made for the great Dearth that then was in many Places of the Realm, of Poultry, and concerning the Prices of Poultry: (2) And so much of one Statute made in the thirteenth Year of the Reign of King *Richard* the Second, as provideth, that no Hostler make Horse-bread in his Hostrey, nor without, and that the Assize thereof shall be kept, and that the Weight be reasonable after the Prices of the Corn in their Markets, and that the same Hostlers shall sell Hay and Oats, after a reasonable Price, so that they take but one Half-peny over the common Price in the Market: (3) And so much of one Statute made in the fourth Year of the Reign of the late King *Henry* the Fourth, as doth concern the putting in Execution of the Part of the Statute made in the thirteenth Year of the Reign of King *Richard* the Second, that is before specified: (4) And one Statute made in the two and thirtieth Year of the Reign of King *Henry* the Eighth intituled, *An Act concerning the Baking of Horse-bread:* (5) be from henceforth repealed, made void, and of none Effect.

Hostlers or Inn-holders shall make no Horse-bread. 37 Ed. 3. c. 3. 13 R. 2. Stat. 1. c. 8. 4 H. 4. c. 25. 32 H. 8. c. 41. The aforesaid Statutes repealed.

II. And be it further enacted, That no Hostler or Inn-holder shall at an Time after the End of this present Session of Parliament, make Horse-bread in his Hostrey, nor without, but Bakers shall make it, and the Assize shall be kept, and that the Weight be reasonable after the Price of the Corn and Grain in the Markets adjoining; (2) and the Hostlers or Inn-holders shall sell their Horse-bread, and their Hay, Oats, Beans, Peas, Provender, and also all Kind of Victual both for Man and Beast, for reasonable Gain, having Respect to the Prices for which they shall be sold in the Markets adjoining, without taking any Thing for Litter.

Hostlers, &c. shall make no Horse-bread. They shall sell Provender according to the Market.

III. Provided always, and be it enacted by the Authority aforesaid, That from henceforth it may and shall be lawful for every Hostler and Inn-keeper, dwelling in any Town or Village, being a Thoroughfare or a common Passage within this Realm, and being no City, Town Corporate or Market-Town, wherein any common Baker exercising the Occupation of Baking, and that hath been Apprentice at the said Occupation by the Space of seven Years, is dwelling, to make within his House Horse-bread sufficient, lawful and of due Assize, according as the Price of Grain and Corn now is and hereafter shall be from Time to Time; any Thing herein contained to the contrary notwithstanding.

They may make Horse-bread when no Baker dwells in the same Town.

IV. And be it further enacted by the Authority aforesaid, That if the Horse-bread which any of the said Hostlers or Inn-holders shall make, be not sufficient, lawful and of due Assize, according to the Price of Grain and Corn as is aforesaid; or that if any of them shall offend in any Thing contrary to this Act; then the Justices of Assize, Justices of *Oyer* and *Terminer*, Justices of the Peace in every Shire, Liberty or Franchise within this Realm, Sheriffs in their Turns, and Stewards in their Leets and Law-days, shall have full Power and Authority to enquire, hear and determine the said Defaults and Offences of the said Hostlers and Inn-holders, hereafter to be committed against the Form of this present Statute: (2) And the Hostler or Inn-holder for the first Offence shall be fined according to the Quantity of the Offence; and if being once convicted he shall again offend, for the second Offence he shall be imprisoned for the Space of one Month without Bail or Mainprize; and if he shall a third Time offend, being thereof convicted he shall stand upon the Pillory, without being redeemed for Money; and if he shall offend after the Judgment of the Pillory given, he shall be Fore-judged for keeping any Inn again.

If they make it not of due Assize they shall be punished by the Justices, &c.

## CAP. XXII.

### An Act for the Explanation of the Statutes made in the third, fourth and fifth Years of King *Edward* the Sixth, concerning the Traders of Butter and Cheese.

'WHEREAS in a Parliament holden at *Westminster* in the third and fourth Years of the Reign of the most excellent Prince of happy Memory, King *Edward* the Sixth, it was enacted, That no Person or Persons after the Feast of the Anunciation of our Lady then next coming, should buy to sell again any Butter or Cheese, unless he or they sold the same again by Retail in open Shop, Fair or Market, and not in Gross, upon Pain of Forfeiture of double the Value of the same Butter and Cheese so sold contrary to the Tenor of the said Act;

The Statutes of 3 & 4 Ed. 6. c. 21. and 5 & 6 Ed. 6. c. 14. explained.

'II. In and by which Act it is provided and enacted, That the said Word of Retail mentioned in the said Act shall be expounded, declared and taken only where a Wey of Cheese, or a Barrel of Butter, or a less Quantity, and not above, should be sold at one Time to any Person or Persons in open Shop, Fair or Market, and that to be done without Fraud or Covin:

'III. And whereas also by one other Act made in a Parliament holden at *Westminster* in the fifth Year of the Reign of the said late King it was enacted, (amongst other Things) That whatsoever Person or Person should ingross or get into his Hands any Butter or Cheese within the Realm of *England*, to the Intent to sell the same again, should be accepted, reputed and taken to be an unlawful Ingrosser, and should lose and forfeit the Value of the said Goods: (2) In which Act there is no Proviso for Retailers at all; by Occasion whereof, the Traders for Butter and Cheese for the City of *London* are continually vexed and molested by common Informers, sometimes upon the one Statute and sometimes upon the other, to their great Loss and Charge:

5 & 6 Ed. 6. c. 14.

'IV. Now for that by daily Experience it is found, that the Traders of Butter and Cheese for the City of *London*, which fetch and provide the said Butter and Cheese out of divers Counties, upon their

'great Travel, Charge and Adventure, for Provision of the said City, and of others thereunto resorting, 'and there sell the same in their Shops in open Market, not only for the general Use and Service of the 'said City, and the Countries adjoining, but also for any Occasion which may be offered for the better 'Expedition of his Majesty's Service; as also for victualling of Ships which daily are victualled from this 'Port of *London*, which possibly cannot be performed by the small Quantities aforesaid, and according to 'the said Statute:

'V. And whereas the common Informers finding that the Letter of the said Statute extendeth against 'such as do sell above the Quantity of a Wey of Cheese, or of a Barrel of Butter, at one Time, though 'it be in open Shop, Fair or Market, and that in the other Act no Proviso at all is made, as aforesaid, 'for Retailers, have of late Years much troubled the Traders of Butter and Cheese within the City of '*London*, with many Informations, as well upon the one Statute as the other, and have gotten several 'Sums of Money for Composition of them, albeit they then were and are Men that have been Appren-'tices, trained up in the said Trade, and have no other Living or Trade of Life, to their great Hin-'drance and Impoverishment.

The aforesaid Acts restrained as to London, Westminster or Southwark.

VI. For Remedy whereof, be it enacted by the Authority of this present Parliament, That the said Acts, or any of them, or any other Act, Statute, Law, Ordinance or other Provision whatsoever heretofore, for or concerning the Sale of Butter or Cheese in open Shop, Fair or Market, or the providing or buying of any Butter or Cheese, shall not in any wise extend to any Person or Persons, being Cheesemongers or Tallow-Chandlers, free of the said City, and having been brought up as Apprentices by the Space of seven Years, trading in Butter and Cheese, for such Butter and Cheese, and either of them, as he and they shall utter and sell within *London* and the Liberties thereof, or within the Borough of *Southwark*, or the City of *Westminster*, for the Victualling of any of the Shipping of his Majesty, his Heirs or Successors, or for the Ships of any other his Majesty's Subjects, or to such Butter or Cheese which he or they shall sell by any Quantities at one Time, and to one Person, not exceeding four Wey of Cheese, or four Barrels of Butter, without Fraud or Covin, so as he or they sell the same in open Shop, Fair or Market; any Thing in the said Acts and Statutes or any of them to the contrary notwithstanding.

The Justices of Peace may restrain the Traders in Butter and Cheese to buy those Commodities in the Country.

18 H. 6. c. 3. 2 & 3 Ph. & M. c. 5.

VII. Provided nevertheless, and be it enacted by the Authority aforesaid, That if the Justices of the Peace of any of the Counties of this Realm of *England* or the Dominion of *Wales*, at their Quarter-Sessions of any of the said Counties, shall declare and publish in open Sessions, that the Traders aforesaid in Butter and Cheese shall forbear to buy any Butter or Cheese for any Time within the said County or Counties or within any Parts or Places of the same; that then for and during the Time of such Restraint, the said Traders in Butter and Cheese that shall buy any such Butter or Cheese, and sell the same again by Retail, contrary to any the Acts aforesaid, shall not be freed of or from any the Penalties of the said Acts, but shall be subject to the same as if this Act had never been made. (2) This Act to continue unto the End of the first Session of the next Parliament. [3 Car. 1. c. 4. continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4. 13 & 14 Car. 2. c. 26.

## CAP. XXIII.

### An Act for avoiding of vexatious Delays caused by removing Actions and Suits out of inferior Courts.

Suits commenced in inferior Courts shall not be removed into superior Courts, unless, &c.

'WHEREAS there now are, and long Time have been, divers Courts of Record in divers Cities, 'Liberties, Towns Corporate and elsewhere, some of them being far remote from *Westminster*, 'others from the Court of Grand Sessions in *Wales*, which were principally ordained for the Ease and 'Quiet of such as should have Occasion to sue there for Debts, Duties and Wrongs, so that they might 'with small Expences receive Justice according to the Merits of their Causes in those inferior Courts, 'without being compelled to travel to *Westminster* or the Court of the Great Sessions in *Wales*: (2) But 'of late divers of his Majesty's loving Subjects, having for just and true Debts and other good and law-'ful Causes, commenced Suits in such inferior Courts, and prosecuted their Actions and Suits many 'Times ready for Trial, and the same Causes being for the most part but of small Value, have been 'removed into some of his Majesty's Courts at *Westminster* or the Court of the Great Sessions in *Wales*, 'and being remanded by *Procedendo* into the same inferior Courts where the Action or Suit was first 'commenced, the same have been again oftentimes removed into the same or other of his Majesty's 'Courts at *Westminster* or Court of the Great Sessions in *Wales*, to the intolerable Delay of Justice, and 'great Expences of Money, and Loss and Trouble, to those which justly and honestly by such Actions 'and Suits have sought only to recover or get Satisfaction for Debts, Duties or Wrongs owing, due or 'done unto them:

No Writ to remove a Suit commenced in an inferior Court shall be obeyed, unless it be delivered unto the Steward, &c. of the same Court before Issue or Demurrer joined.

II. For Remedy whereof, be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and by the Commons, in this present Parliament assembled, and by the Authority of the same, That no Writ or Writs of *Habeas Corpus*, *Certiorari*, or any other Writ or Writs, Process or Processes whatsoever, other than Writs of Error or Attaint, to be sued forth after the End of this present Session of Parliament, by any Person or Persons whatsoever, out of or from any of his Majesty's Courts at *Westminster* or the Court of the Great Sessions in *Wales*, or out of any other Court or Courts having or pretending to have Power to award such Writs or Processes, to stay or remove any Action, Bill, Plaint, Suit or Cause brought, commenced or depending, or hereafter to be brought, commenced, or depending, in any Court or Courts of Record within any City, Liberty, Town Corporate or elsewhere

where, which have or shall have Jurisdiction, Power or Authority to hold Plea in that Action, Bill, Plaint, Suit or Cause: The same Cause of Action, Bill, Plaint or Suit arising or growing within the said City, Liberty, Town Corporate or Jurisdiction, shall after the End of this present Session of Parliament be received or allowed by the Steward or Stewards, Judge or Judges, or Officer or Officers of the Court or Courts wherein or to whom any such Writ or Writs shall be directed and delivered; but that he and they shall and may proceed in the said Cause or Causes as though no such Writ or Writs were sued forth or delivered to him or them, except that the said Writ or Writs be delivered to the Steward or Stewards, Judge or Judges, Officer or Officers of the said Court, before Issue or Demurrer joined in the said Cause or Causes so depending or to be depending in any such Court of Record in any City, Liberty, Town Corporate or elsewhere, having Power to hold such Plea, so as the said Issue or Demurrer be not joined within six Weeks next after the Arrest or Appearance of the Defendant or Defendants to such Action or Suit commenced.

*See further concerning Certioraries, 13 & 14 Car 2. c. 6. sect. 16. 22 Car. 2. c. 12. sect. 4. 5 W. & M. c. 11. 8 & 9 W. 3. c. 30. and 13 Geo. 2. c. 18. 1 Salk. 148. Carthew 69. 3 Mod. 85.*

III. And be it further enacted by the Authority aforesaid, That if any such Action, Bill, Plaint, Suit or Cause, which is or shall hereafter be brought, commenced or depending in any such Court of Record in any City, Liberty, Town Corporate or elsewhere, shall after the End of this present Session of Parliament be removed or staid by any such Writ or Writs, Process or Processes to be sued forth or out of any of his Majesty's Courts at *Westminster* or the Court of the Great Sessions in *Wales* or any other Court as aforesaid, that if afterwards the same Action, Bill, Plaint, Suit or Cause shall be remanded or sent back again by any Writ or Writs of *Procedendo* or other Writ whatsoever; that then the said Action, Bill, Plaint, Suit or Cause, shall never afterwards be removed or staid before Judgment, by any Writ or Writs whatsoever to be sued forth or out of any of his Majesty's said Courts at *Westminster* or the said Court of Great Sessions in *Wales*, or any other Court as aforesaid; any Law, Statute, Custom, Usage or Restraint to the contrary thereof in any wise notwithstanding.

A Suit once remanded shall never afterwards be removed.

IV. And be it further enacted by the Authority aforesaid, That if in any Action, Bill, Plaint, Suit or Cause, not concerning Freehold or Inheritance, or Title of Land, Lease or Rent, which shall be brought, commenced or depending in any such Court of Record in any City, Liberty, Town Corporate or elsewhere, if it shall appear, or be laid in the Declaration, that the Debt, Damages or Things demanded, doth or shall not amount to or exceed the Sum of five Pounds; That then such Action, Bill, Plaint, Suit or Cause, shall not be stayed nor removed into any of his Majesty's Courts at *Westminster* or other Courts as aforesaid, by any Writ or Writs whatsoever, to be sued or prosecuted forth or out of his Majesty's said Courts at *Westminster* or other Courts as aforesaid, other than Writs of Error or Attaint; any Law, Statute, Usage, Custom or Restraint to the contrary in any wise notwithstanding.

A Suit, when the Thing in Demand exceeds not five Pounds, shall not be removed. Palmer 403. Enlarged by 12 Geo. 1. c. 29. sect. 3.

V. And be it further enacted by the Authority aforesaid, That if any Writ or Writs whatsoever, shall be after the End of this present Session of Parliament granted or sued forth or out of any of his Majesty's said Courts at *Westminster* or Court of the Great Sessions in *Wales* or other Court contrary to the Intent and Meaning of this present Act, that then it shall and may be lawful to and for the Judge or Judges, and Officer or Officers, to whom such Writ or Writs shall be directed or delivered, to disallow and refuse the same, and to proceed as if no such Writ or Writs had been granted or sued out or forth as aforesaid; any Law, Statute Usage, Custom or Restraint to the contrary in any wise notwithstanding.

VI. Provided always, That this Act shall extend only to such Courts of Record in Cities, Liberties, Towns Corporate and elsewhere, and for so long Time only, as there is or shall be an Utter Barrister of three Years standing at the Bar of one of the four Inns of Court, that is or shall be Steward, Under-Steward, or Deputy-Steward, Town-Clerk, or Judge, or Recorder of the same inferior Court, or that is or shall be from Time to Time Assistant to such Judge or Judges of such inferior Courts as shall not be Utter-Barristers of such standing as is aforesaid, and there present, in which such Actions, Bills, Plaints, Suits or Causes is or shall be brought, commenced or depending, and not of Counsel in any Action, Suit or Cause then depending in the same inferior Court; any Thing in this present Act, or any Law, or other Statue, Usage, Custom or Restraint to the contrary in any wise notwithstanding.

This Act shall only extend to Courts in Liberties, &c. and when the Steward is an Utter Barrister, &c. Cro. Car. 79.

VII. Provided that this Act, or any Thing therein contained, shall not extend to any Action, Bill, Plaint, Suit or Cause, wherein any such Foreign or other Plea shall be pleaded as could not be tried or determined within the Jurisdiction of such inferior Courts.

This Act shall not extend to any foreign Plea.

## CAP. XXIV.

### An Act for the Relief of Creditors against such Persons as die in Execution.

FOrasmuch as heretofore it hath been much doubted and questioned, if any Person being in Prison and charged in Execution by reason of any Judgment given against him, should afterwards happen to die in Execution, whether the Party at whose Suit or to whom such Person stood charged in Execution at the Time of his Death, be for ever after concluded and barred to have Execution of the Lands and Goods of such Person so dying:

The Lands of him that dies in Execution shall be chargeable with the Debts. *Vin. V.* 11. 37.

'II. And forasmuch as daily Experience doth manifest, that divers Persons of Sufficiency in Real and Personal Estate, minding to deceive others of their just Debts for which they stood charged in Execution, have obstinately and wilfully chosen rather to live and die in Prison than to make any Satisfaction according to their Abilities:' To prevent which Deceit, and for the Avoiding of such Doubts and Questions hereafter; (2) Be it declared, explained and enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled,

A new Execution may be awarded against the Lands of him that dies in Execution.

sembled, and by the Authority of the same, That from and after the End of this present Session of Parliament, the Party or Parties, at whose Suit or to whom any Person shall stand charged in Execution for any Debt or Damages recovered, his or their Executors or Administrators, may after the Death of the said Person so charged and dying in Execution, lawfully sue forth and have new Execution against the Lands and Tenements, Goods and Chattels or any of them, of the Person so deceased, in such Manner and Form to all Intents and Purposes, as he or they or any of them might have had by the Laws and Statutes of this Realm, if such Person so deceased had never been taken or charged in Execution.

This Act shall not extend to Lands sold bona fide.

III. Provided always, and be it declared and enacted, That this Act shall not extend to give Liberty to any Person or Persons, their Executors or Administrators, at whose Suit or Suits any such Party shall be in Execution, and die in Execution, to have or take any new Execution against any the Lands, Tenements or Hereditaments of such Party so dying in Execution, which shall at any Time after the said Judgment or Judgments be by him sold *bona fide*, for the Payment of any of his Creditors, and the Money which shall be paid for the Lands so sold, either paid or secured to be paid to any of his Creditors, with their Privity and Consent, in Discharge of his or their due Debts, or of some Part thereof; any Thing before in this Act to the contrary thereof in any wise notwithstanding.

## CAP. XXV.

### An Act for the Relief of Patentees, Tenants and Farmers of Crown-Lands and Duchy-Lands, or of Lands within the Survey of the Court of Wards and Liveries, in Cases of Forfeiture for not Payment of their Rents, or other Service or Duty.

'FOrasmuch as the King's Majesty, out of his gracious Disposition, is and ever hath been averse from taking any Advantage, howsoever lawful and just, against any of his Subjects, growing by any Forfeiture, Breach of Condition, or strict Interpretation of his Highness Grants or Letters Patents, or the Grants or Letters Patents of any of his Royal Predecessors, of any Manors, Lands, Tenements or Hereditaments; (2) and yet the Grantees or Patentees deriving their Estates by or from his Majesty or his Predecessors, have been too apt and ready to exact the Advantage of such Forfeiture, where his Majesty himself or his Predecessors have not required the same, which hath been ever held an unequal and extreme Course, and hath many Times been relieved by Suits in Courts of Equity, though with the great Charge and Trouble of the Parties endangered thereby:'

No Advantage shall be taken against the King's Patentees or Tenants for Non-payment of Rent, &c.

II. For Remedy whereof as well where the King as any of his Predecessors or Successors hath granted or shall grant the said Manors, Lands, Tenements or Hereditaments, or any Part thereof, or the Reversion or any Part thereof, to any other, as where the Reversion, Remainder or Estate thereof is or shall be in the King's Majesty, or his Successors, in the Right of the Crown of *England*, or Duchy of *Lancaster*, or otherwise, his Majesty of his abundant Grace towards his loving Subjects is graciously pleased that it be enacted; (2) and be it enacted by the King's most excellent Majesty, by and with the Assent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, Bodies Politick or Corporate, having, holding or possessing, or which hereafter shall have, hold or possess, any Manors, Lands Tenements or Hereditaments, by Virtue or Colour of any original Grant or Lease, or Assignment of the same, made by the King's Majesty, or any of his Predecessors, or to be made by any of his Successors, for any Number of Years, for Life or Lives, in Fee-tail or Fee-simple, or other Estate, whereupon any Rent, Service or other Duty hath been, is or shall be reserved or payable with or under any Condition or Limitation of Re-entry, Cesser, or to be void for Default of Payment of such Rent, or Performance of such Service or Duty, heretofore hath made, or any other by, from or under whom he claimeth, hath made, or any which hereafter shall have, hold or possess, shall make any Default therein, and yet after such Default made, such Rent, Service or other Duty hath been or shall be answered, paid or done unto his Majesty, or any of his Predecessors or Successors, into his or their Receipt of the Exchequer, or Duchy of *Lancaster*, or Court of Wards, or to any other having Authority to receive the same, as the Case shall require, before any Advantage of such Forfeiture or Cause of Forfeiture hath been or shall be taken, and before any Commission awarded to enquire, or other Process issued touching the said Forfeiture, or Non-payment of Rent, that in all such Cases no Advantage shall be taken by his Majesty, his Heirs or Successors, of, for or by Reason of any such Forfeiture or Cause of Forfeiture.

III. And be it further enacted, That no Person or Persons claiming, or which afterwards shall claim, by, from or under his Majesty, or any of his Predecessors or Successors, at any Time after such Cause or Title of Forfeiture given, shall in any wise have or take any Benefit or Advantage, by Reason, Means or Colour of such Default made or to be made; (2) but that every such Estate forfeited or forfeitable by Means or Occasion of such Default of Payment of Rent, or Performance of Service or other Duty, shall be adjudged to continue and have its Being, as if no such Default or Cause of Forfeiture had been had or made; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

CAP.

## CAP. XXVI.

An Act against such as shall levy any Fine, suffer any Recovery, knowledge any Statute, Recognizance, Bail or Judgment, in the Name of any other Person or Persons not being privy and consenting thereto.

'WHEREAS it is of late grown to be a great and general Grievance to his Majesty's Subjects 'within the Realm of *England*, and the Dominion of *Wales*, that many lewd Persons of base 'Condition, for very little Reward or Recompence, have of late Years used and still do use to levy Fines, 'and suffer Recoveries of Lands and other Hereditaments, to acknowledge Statutes, Recognizances, Bails 'and Judgments, in the Name or Names of any other Person or Persons not privy or consenting to the 'same, which hath and daily doth turn to the great Inquietation, Charge, Trouble and Undoing of 'many of the good Subjects of this Kingdom, and the rather, for that there is no Remedy in Law 'to reform these and the like Abuses:'

II. For Remedy whereof, be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons which at any Time after the End of this present Session of Parliament shall acknowledge, or procure to be acknowledged, any Fine or Fines, Recovery or Recoveries, Deed or Deeds inrolled, Statute or Statutes, Recognizance or Recognizances, Bail or Bails, Judgment or Judgments, in the Name or Names of any other Person or Persons not privy or consenting to the same, and being thereof lawfully convicted or attainted, shall be adjudged, esteemed and taken to be Felons; (2) and suffer the Pains of Death, and incur such Forfeitures and Penalties, as Felons in other Cases convicted or attainted do by the Laws of *England* lose and forfeit, without the Benefit or Privilege of Clergy to be allowed to any such Offender or Offenders. (3) Provided always, That such Attainder shall not be any Corruption of Blood, nor Loss of Dower to the Wife, but the next Heir shall have the Lands whereof such Persons attainted died seised, and such Wife her Dower, as if no such Attainder had been had.

It is Felony to levy a Fine, suffer a Recovery, &c. in another's Name not privy thereto. 1 Ventr. 301. Jones Sir T. 64. 3 *Keb.* 604.

This Felony shall not corrupt the Blood, nor take away Dower. *See* 4 *W. & M.* c. 4.

III. Provided always, and be it likewise enacted by the Authority aforesaid, That this Act shall not extend to any Judgment or Judgments acknowledged by any Attorney or Attornies of Record, for any Person or Persons against whom any such Judgment or Judgments shall be had or given.

An Attorney may do it, where Judgment is given.

## CAP. XXVII.

### An Act to prevent the Destroying and Murthering of Bastard Children.

'WHEREAS many lewd Women that have been delivered of Bastard Children, to avoid their 'Shame, and to escape Punishment, do secretly bury or conceal the Death of their Children, and 'after, if the Child be found dead, the said Women do alledge, that the said Child was born dead; 'whereas it falleth out sometimes (although hardly it is to be proved) that the said Child or Children 'were murthered by the said Women, their lewd Mothers, or by their Assent or Procurement:'

II. For the Preventing therefore of this great Mischief, be it enacted by the Authority of this present Parliament, That if any Woman after one Month next ensuing the End of this Session of Parliament be delivered of any Issue of her Body, Male or Female, which being born alive, should by the Laws of this Realm be a Bastard, and that she endeavour privately, either by drowning or secret burying thereof, or any other Way, either by herself or the procuring of others, so to conceal the Death thereof, as that it may not come to Light, whether it were born alive or not, but be concealed: In every such Case the said Mother so offending shall suffer Death as in Case of Murther, except such Mother can make Proof by one Witness at the least, that the Child (whose Death was by her so intended to be concealed) was born dead. (2) And this Act to continue until the End of the first Session of the next Parliament. [3 Car. c. 14. continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. cap. 4.]

It shall be Murther for a Mother to conceal the Death of her bastard Child. *Burn, V.* 1. 180.

## CAP. XXVIII.

### An Act for continuing and reviving of divers Statutes, and Repeal of divers others.

BE it enacted by the Authority of this present Parliament, That one Act made in the one and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, 'An Act for true making of 'Cables, Halsers and Ropes:' (2) And an Act made in the four and twentieth Year of the Reign of the said King *Henry* the Eighth, intituled, 'An Act against killing of young Beasts called Weanlings:' (3) And two Acts made in the Parliament holden at *Westminster* by Prorogation the fourth Day of *November*, and continued until the first Day of *February* next after, in the third and fourth Years of the Reign of the late King *Edward* the Sixth; the one intituled, 'An Act for the Bying and Selling of Rother-'Beasts and Cattle;' (4) the other intituled, 'An Act for the Buying and Selling of Butter and Cheese:' (5) And one Act made in the first Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for 'the Preservation of Spawn and Fry of Fish:' (6) And an Act made in the fifth Year of the Reign of the 1 Eliz. c. 17.

Ships. 21 H. 8. c. 12.

Cattle. 24 H. 8. c. 9.

3 & 4 Ed. 6. c. 19.

Victual. 3 & 4 Ed. 6. c. 21.

Fish.

Merchants. 5 Eliz. c. 7. Fish. 5 Eliz. c. 5.

the said late Queen *Elizabeth*, intituled, 'An Act for avoiding divers Foreign Wares made by Handi-'craftsmen beyond the Seas:' (7) And so much of one Act made in the said fifth Year of the Reign of the said late Queen *Elizabeth*, intituled, 'An Act touching certain politick Constitutions made for the 'Maintainance of the Navy,' as is not repealed by any later Statute, nor doth concern the Transportation of Herring or other Sea-fish, nor Freedom of Custom, Subsidy or Tonnage for the same, nor Transportation of Corn, nor the Prohibiting the Bringing into this Realm any Cod or Lings in Barrels, or other Casks; together with all and every other Additions, Explanations and Alterations made thereunto or thereof, or of any Part thereof, by any Statute or Statutes made sithence the making of the said last mentioned Act, and in force the last Day of the Session of Parliament that was in the seventh Year of his Majesty's Reign of *England:* (8) And an Act made in the eighth Year of the Reign of the said late Queen *Elizabeth*, intituled, 'An Act for Bowyers, and the Prices of Bows:' (9) And three Acts made in the thirteenth Year of her said Majesty's Reign, one intituled, 'An Act that Purveyors may take Corn and 'Victuals within five Miles of *Cambridge* and *Oxford* in certain Cases; (10) one other, 'An Act against 'Frauds defeating Remedies for Dilapidations of Ecclesiastical Livings, and for Leases to be granted by 'the Collegiate Churches;' (11) another intituled, An Act touching Leases of Benefices and other Ec-'clesiastical Livings with Cure;' (12) together with all and every Explanations, Additions and Alterations thereof, or of any of them, or to any of them, made by several Statutes of the fourteenth, eighteenth and three and fortieth Year of her said late Majesty's Reign: (13) And so much of an Act made in the fourteenth Year of the Reign of the said late Queen *Elizabeth*, intituled, 'An Act for the Punish-'ment of Vagabonds, and for the Relief of the Poor and Impotent' as concerneth the Taxing, Rating, Levying, Receiving and Imploying of Gaol-Money: (14) And so much of an Act made in the eighteenth Year of the Reign of the said late Queen *Elizabeth*, intituled, 'An Act for setting the Poor on Work, 'and avoiding Idleness,' as concerneth Bastards begotten out of lawful Matrimony: (15) And an Act made in the said eighteenth Year of the Reign of the said late Queen *Elizabeth*, intituled, 'An Act for 'the Repairing and Amending of the Bridges and Highways near unto the City of *Oxford:* (16) And two Acts made in the seven and twentieth Year of the Reign of the said late Queen *Elizabeth*, the one intituled, 'An Act for the Maintainance of the Pier and Cob of *Lyme-Regis* in the County of *Dorset:*' (17) And the other intituled, 'An Act for the good Government of the City or Borough of *Westminster*;' (18) And two other Acts made in the said seven and twentieth Year of the Reign of the said late Queen *Elizabeth*, the one intituled, 'An Act for the reviving of a former Statute for the true making of Malt;' (19) and the other intituled, 'An Act for the keeping the Sea-Banks and Sea-works in the County of *Norfolk:*' (20) And an Act made in the one and thirtieth Year of her said Majesty's Reign, intituled, 'An Act for the true Gauging of Vessels brought from beyond the Seas, converted by Brewers for the 'Utterance and Sale of Ale and Beer:' (21) And two Acts made in the five and thirtieth Year of her said late Majesty's Reign, the one intituled, 'An Act for the Reformation of sundry Abuses in Clothes 'called *Devonshire* Kersies or Dozens, according to a Proclamation of the four and thirtieth Year of her said Majesty's Reign;' (22) the other intituled, 'An Act for the bringing in of Clapboard from the Parts beyond the Seas, and the restraining of the Transporting of Wine Casks, for the sparing and preserving of Timber within the Realm:' (23) And so much of one Act made in the said five and thirtieth Year of the Reign of the said late Queen *Elizabeth*, intituled, 'An Act to retain the Queen's Majesty's Subjects in 'their due Obedience,' as hath not been sithence repealed by any other Statute: (24) And the several Acts hereafter mentioned, made in the thirty-ninth Year of the Reign of the said late Queen *Elizabeth*, that is to say, An Act intituled, 'An Act for the Punishment of Rogues, Vagabonds and Sturdy Beggars,' with the Provision annexed thereunto by one Act made in the first Year of the King's Majesty's Reign that now is, intituled, 'An Act for the continuing and reviving of divers Statutes, and for repealing of some 'others: (25) An Act intituled, 'An Act for the Increase of Mariners, and for Maintainance of Navi-'gation,' repealing a former Act made in the twenty-third Year of her said Majesty's Reign, bearing the same Title; (26) An Act intituled, 'An Act for the Explanation of the Statute made in the fifth Year of her said Majesty's Reign, concerning Labourers; (27) An Act intituled, 'An Act prohibiting 'the bringing into this Realm of foreign Cards for Wool:' (28) An Act intituled, 'An Act for excessive 'making of Malt:' (29) An Act intituled, 'An Act against lewd and wandring Persons, pretending to be 'Soldiers or Mariners:' (30) And the several Acts hereafter mentioned, made in the three and fortieth Year of the Reign of the said late Queen *Elizabeth*, that is to say, An Act intituled, 'An Act for the ne-'cessary Relief of Soldiers and Mariners, (31) An Act intituled, 'An Act to avoid trifling and frivolous 'Suits in Law in her Majesty's Courts at *Westminster*;' (32) An Act intituled, An Act for the Relief of the 'Poor,' with the Addition thereunto made by an Act made in the first Year of his Majesty's Reign of *England*, intituled, 'An Act for continuing of divers Statutes, and for Repeal of some others;' (33) and with this further Addition, And be it enacted, That all Persons to whom the Overseers of the Poor shall, according to the said Act, bind any Children Apprentices, may take and receive, and keep them as Apprentices; any former Statute to the contrary notwithstanding: (34) An Act intituled, 'An Act for the 'true making and working of Woollen Cloth; (35) An Act intituled, An Act to prevent Perjury and 'Subornation of Perjury, and unnecessary Expence in Suits of Law:' (36) And the several Acts made in the first Year of the Reign of our now Sovereign Lord the King, after mentioned; one intituled, 'An Act made for the Explanation of the Statute made in the fifth Year of the late Queen *Elizabeth*'s 'Reign concerning Labourers;' (37) another intituled, 'An Act for the Continuance and Explanation 'of the Statute made in the nine and thirtieth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for Punishment of Rogues, Vagabonds and Sturdy Beggars:' (38) Another intituled, 'An Act to take away the Benefit of Clergy, for some kind of Manslaughter:' (39) Another intituled, An Act to restrain the inordinate Haunting and Tipling in Inns, Alehouses and other Victualling-houses;

Games. 8 Eliz. c. 10.

Purveyors. 13 Eliz. c. 21. Ecclesiastical Persons. 13 Eliz. c. 10. Leases. 13 Eliz. c. 20. 14 Eliz. c. 11. 18 Eliz. c. 11. 43 Eliz. c. 9. Poor. 14 Eliz. c. 5. 18 Eliz. c. 3.

Ways. 18 Eliz. c. 20.

Sewers. 27 Eliz. not printed. Franchise. 27 Eliz. not printed. Corn. 27 Eliz. c. 14. Sewers. 27 Eliz. c. 24. Ale. 31 Eliz. c. 8. Drapery. 35 Eliz. c. 10. Merchants 35 Eliz. c. 11.

Pope. 35 Eliz. c. 1. Poor. 39 Eliz. c. 4. Continuance. 1 Jac. 1. c. 25. Fish. 39 Eliz. c. 10. Apprentice. 39 Eliz. c. 12. 5 Eliz. c. 4. Drapery. 39 Eliz. c. 14. Corn. 39 Eliz. c. 16. Poor. 39 Eliz. c. 17. 43 Eliz. c. 3. Suits. 43 Eliz. c. 6. Poor. 43 Eliz. c. 2. Continuance. 1 Jac. 1. c. 25. Poor. The Overseers of the Poor may put out Apprentices. Drapery. 43 Eliz. c. 10. Certiorari. 43 Eliz. c. 5. Apprentice. 1 Jac. 1. c. 6. Poor. 5 Eliz. c. 4. 1 Jac. 1. c. 7. 39 Eliz. c. 4. Corn. 1 Jac. 1. c. 8. Ale.

houſes: (40) Another intituled, 'An Act for avoiding Deceit in ſelling, buying or ſpending corrupt and unwholeſome Hops:' (41) Another Act intituled, 'An Act concerning Tanners, Curriers, Shoemakers and other Artificers occupying the Cutting of Leather,' ſaving for ſuch Part thereof as is repealed by one other Act made in the fourth Year of his Majeſty's Reign of *England*, in that Behalf: (42) Another intituled, 'An Act for the better Execution of the Intent and Meaning of former Statutes made againſt ſhooting in Guns, and for the Preſervation of Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow:' (43) And another intituled, 'An Act for the Charitable Relief, and ordering of Perſons infected with the Plague:' (44) And the ſeveral Acts made in the third Year of the Reign of our ſaid Sovereign Lord King *James* after mentioned, the one intituled, 'An Act for avoiding unneceſſary Delays of Execution: (45) Another intituled, 'An Act for the Relief of ſuch as lawfully uſe the Trade and Handicraft of Skinners:' (46) Another intituled, 'An Act for the Rating and Levying of the Charges for conveying Malefactors and Offenders to the Gaol:' (47) Another Act intituled, 'An Act for Tranſportation of Beer over the Seas: (48) And another intituled, 'An Act for repairing of the Highway from *Nonſuch* to *Talworth*, in the Pariſhes of *Ewell* and *Long-Ditton* in the County of *Surrey*, leading to *Kingſton* upon *Thames* in the County aforeſaid:' (49) And that the ſeveral Acts made in the fourth Year of the Reign of our now Sovereign Lord King *James* after mentioned, the one intituled, 'An Act for the true making of Woollen Clothes:' (50) Another intituled, 'An Act for the Repreſſing the odious and loathſome Sin of Drunkenneſs:' (51) And another intituled, 'An Act for the better Proviſion of Meadow and Paſture, for the neceſſary Maintenance of Huſbandry and Tillage in the Manors, Lordſhips and Pariſhes of *Marden* alias *Mawarden*, *Bodenham*, *Wellington*, *Sutton St. Michael*, *Sutton St. Nicholas*, *Murton upon Lugge* and the Pariſh of *Pipe* and every of them, in the County of *Hereford*:' (52) And the ſeveral Acts made in the ſeventh Year of the Reign of our ſaid Sovereign Lord King *James* after mentioned; the one intituled, 'An Act for the better Execution of Juſtice, and ſuppreſſing of criminal Offenders in the North Parts of the Kingdom of *England*:' (53) Another intituled, 'An Act for the due Execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and Sturdy Beggars, and other lewd and idle Perſons:' (54) Another intituled, 'An Act for Eaſe in Pleading, againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables and certain other his Majeſty's Officers, for the lawful Execution of their Office:' (55) Another, intituled, 'An Act to prevent the Spoil of Corn and Grain by untimely Hawking, and for the better Preſervation of Pheaſants and Partridges:' (56) Another intituled, 'An Act to avoid the double Payment of Debts:' (57) Another intituled, 'An Act for the Explanation of one Statute made in the third Year of the Reign of our now Sovereign Lord King *James*, intituled, 'An Act againſt unlawful Hunting and Stealing of Deer and Conies:' (58) Another intituled, 'An Act againſt Burning of Ling, Heath and other Moor-burning in the Counties of *York*, *Durham*, *Northumberland*, *Cumberland*, *Weſtmoreland*, *Lancaſter*, *Derby*, *Nottingham* and *Leiceſter*, at unſeaſonable Times in the Year:' (59) Another intituled, 'An Act for the Taking, Landing, and Carrying of Sea-Sand, for the bettering of Grounds, and for the Increaſe of Corn and Tillage within the Counties of *Devon* and *Cornwall*:' (60) And another intituled, 'An Act for the ſpeedy Recovery of many thouſand Acres of Marſh Ground within the Counties of *Norfolk* and *Suffolk*, lately ſurrounded by the Rage of the Sea, in divers Parts of the ſaid Counties, and for the Prevention of the Danger of the like ſurrounding hereafter;' (61) ſhall by Virtue of this Act be adjudged, ever ſince the Seſſion of Parliament in the ſeventh Year of his Majeſty's Reign of *England*, to have been of ſuch Force and Effect as the ſame were the laſt Day of that Seſſion, and from thenceforth until the End of the firſt Seſſion of the next Parliament.

1 Jac. 1. c. 9. Corn.
1 Jac. c. 18. Leather.
1 Jac. 1. c. 22.
4 Jac. 1. c. 6. Fowl.
1 Jac. 1. c. 27. Poor.
1 Jac. 1. c. 31. Error.
3 Jac. 1. c. 8. Leather.
3 Jac. 1. c. 9. Impriſonment.
3 Jac. 1. c. 10.
3 Jac. 1. c. 19. Ways.
3. Jac. 1. c. 11. Drapery.
4 Jac. 1. c. 2. Ale.
4 Jac. 1. c. 5. Huſbandry.
4 Jac. 1. c. 11. Scotland.
7 Jac. 1. c. 1. Poor.
7 Jac. 1. c. 4. Pleading.
7 Jac. 1. c. 5. Fowl.
7 Jac. 1. c. 11. Debt.
7 Jac. 1. c. 12.
7 Jac. 1. c. 13. Foreſt.
3 Jac. 1. c. 13. Huſbandry.
7 Jac. 1. c. 17.
7 Jac. 1. c. 18. Sewers.
7. Jac. 1. c. 20.

The 58 Statutes above-mentioned continued until the next Parliament.

II Provided nevertheleſs, that ſo much of every of the ſaid Acts, as by any new Act made in this Seſſion of Parliament, ſhall be explained, altered or repealed, ſhall for ſo much thereof from the End of this Seſſion of Parliament, ſtand and be in Force, as by thoſe other Acts ſhall be ordained.

III. Provided alſo, and be it further enacted by the Authority of this preſent Parliament, That when the Prices of Corn or Grain exceed not the Rates hereafter following, at the Times, Havens and Places, when and where the ſame Corn or Grain ſhall be bought, ſhipped or loaden, *viz.* The Quarter of Wheat at two and thirty Shillings, the Quarter of Rye at twenty Shillings, the Quarter of Peaſe and Beans at ſixteen Shillings, the Quarter of Barley or Malt at ſixteen Shillings, of current *Engliſh* Money; That then it ſhall and may be lawful for all and every Perſon and Perſons, being Subjects of the King's Majeſty, his Heirs or Succeſſors, to carry and tranſport of his own, (2) and to buy to ſell again in Markets and out of Markets, and to keep or ſell, or carry and tranſport any of the ſaid Corn and Grain, from the Places where they ſhall be of ſuch Prices, unto any Parts beyond the Seas in Amity with his Majeſty, as Merchandize in Ships, Crays, or other Veſſels, whereof any *Engliſh*-born Subject or Subjects then ſhall be the Owner or Owners, or the ſame to carry and ſell in other Places within this Realm or Dominions thereof; any Law, Uſage or Statute to the contrary hereof notwithſtanding: (3) And that the King's Majeſty, his Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of his Ports, for the Cuſtom or Poundage of every Quarter of Wheat, to be tranſported by Force of this Statute out of this Realm, two Shillings; of every Quarter of other Grain, ſixteen Pence: Which ſaid ſeveral Sums ſo to be had and taken as Cuſtom or Poundage, ſhall be in full Satisfaction of all Manner of Cuſtom or Poundage for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken, for tranſporting of any ſuch Manner of Corn or Grain.

Corn. When Corn may be tranſported. 3 Car. 1. c. 4.

The Cuſtom and Poundage of Corn.

IV. Provided always, and be it enacted by the Authority of this preſent Parliament, That the King's Majeſty, his Heirs and Succeſſors, may at all Times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of the Realm where any Port Towns are, Command, That no Perſon ſhall by Virtue of this Act tranſport or convey any Manner of Grain out of

The King by Proclamation may reſtrain Tranſportation of Corn.

his Highneſs Dominions generally, or out of any ſpecial Ports to be in the ſame Proclamation particularly named, for ſuch Time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any Perſon to carry out any ſuch Grain, contrary to the Tenor of the ſame Proclamation, upon ſuch Pains and Forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that Behalf; this Act or any Thing therein contained to the contrary notwithſtanding.

Drapery. Welſh Cottons. 5 & 6 Ed. 6. c. 6. ſect. 16. 4 & 5 Ph. & M. c. 5. ſect. 11.

V. Provided alſo, and be it enacted, That no Perſon or Perſons ſhall incur any Penalty for want of Length, Breadth or Weight of *Welſh* Cottons, under the Price of fifteen Pence the Yard or two Shillings the Goad, ſo as they be not mixt with Hair or other deceitful Stuff, nor for any others above that Price, except they be mixt as aforeſaid, or ſhall ſhrink above the Rate of half a Yard in twelve Yards of Length, or weigh leſs than fourteen Ounces the Yard, or hold not full three Quarters of a Yard broad.

Sanctuary. All Statutes that concern the taking away of Sanctuaries, revived. 1 Jac. 1. c. 25.

VI. And be it further enacted by the Authority aforeſaid, That all Statutes heretofore made, that take away Sanctuary for any Offence, ſhall for ſo much as concerneth the taking away of ſuch Sanctuary be revived, and ſhall be and ſtand in Force and Power; any Words of Repeal contained in the Statute made in the firſt Seſſion of Parliament held in the firſt Year of his Majeſty's Reign of *England*, intituled, *An Act for continuing and reviving divers Statutes, and for repealing of ſome others*, or in this preſent Act to the contrary notwithſtanding.

All Sanctuaries taken away. 3 Inſt. 115, 217.

VII. And be it alſo enacted by the Authority of this preſent Parliament, That no Sanctuary or Privilege of Sanctuary ſhall be hereafter admitted or allowed in any Caſe. 22 H. 8. cap. 14.

Oath. 5 Eliz. c. 9. 29 Eliz. c. 5. 1 Jac. 1. c. 25. 1 Jac. 1. c. 25. ſect. 29. 5 Eliz. c. 9. made perpetual.

'VIII. And whereas in a Seſſion of Parliament holden in the fifth Year of the Reign of the late Queen 'Elizabeth, one Act was made, intituled, *An Act for the Puniſhment of ſuch as ſhall procure or commit Perjury*: And by one other Act made in the Seſſion of Parliament begun in the eight and twentieth Year 'of the Reign of the ſaid late Queen *Elizabeth*, it was enacted, That the ſaid Act ſhould from thenceforth 'be, remain and continue in Force and Effect for ever: (2) And yet nevertheleſs in the Parliament holden 'in the firſt Year of his Majeſty's Reign of *England*, by one Act intituled, *An Act for continuing and re-'viving of divers Statutes*, and for repealing of ſome other, it was amongſt other Things enacted, That 'the ſaid Act made in the ſaid fifth Year of the ſaid late Queen *Elizabeth*, for Puniſhment of Perjury, 'ſhould be revived, and continued until the End of the firſt Seſſion of the next Parliament;' (3) It is now declared and enacted by Authority of this preſent Parliament, That the ſaid Act concerning Perjury made in the ſaid fifth Year, and every Clauſe, Branch, Article and Proviſion therein, doth now ſtand, and ſhall from henceforth be, remain and continue in Force and Effect for ever.

Fowl. 25 H. 8. c. 11. 3 & 4 Ed. 6. c. 7.

IX. And be it alſo enacted, That one Part of the Statute made in the five and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act for the Deſtruction of Wild Fowl*, which was repealed by a later Act made in the Parliament holden in the third and fourth Years of the Reign of the late King *Edward* the Sixth, ſhall be revived and ſtand in Force until the End of the firſt Seſſion of the next Parliament.

Ways. 1 M. Seſſ. 3. c. 5.

X. And be it alſo enacted, That one Act made in the firſt Year of the Reign of the late Queen *Mary*, for and concerning the Making, Repairing and Amendment of the common Highway and Cauſey in the Counties of *Dorſet* and *Somerſet*, between the Towns of *Shaftſbury* and *Sherborn* in the ſame County of *Dorſet*, be revived and ſtand in Force until the End of the firſt Seſſion of the next Parliament.

Ouſter le mere. 4 Ed. 3. c. 8. 13 R. 2. Stat. 1. c. 20. 4 Ed. 4. c. 10. 9 Ed. 3. c. 8. Fowl. 37 Ed. 3. c. 3. Meaſures. 34 Ed. 3. c. 6. Corn. 34 Ed. 3. c. 20. 17 R. 2. c. 7. 3 Ed. 4. c. 2. Apparel. 4 H. 7. c. 9. Metal. 14 R. 2. c. 7. 15 R. 2. c. 8. Wood. 4 H. 5. c. 3. Eccleſiaſtical Perſons. 36 Ed. 3. c. 8. 2 H. 5. Stat. 2. c. 2.

XI. And be it further enacted by Authority of this preſent Parliament, That one Statute made in the fourth Year of the Reign of the late King *Edward* the Third, reciting, That before that Time a Horſeman was wont to have his Paſſage over the Sea from the Port of *Dover* for two Shillings, and a Footman for ſix Pence, and ordering concerning Paſſage at *Dover* and other Places, as in the ſaid Statute is contained: (2) And one other Statute made in the thirteenth Year of the Reign of the late King *Richard* the Second, by which it is enacted, That all Pilgrims, and all other People, except certain Perſons in that Statute excepted, ſhall paſs at the Ports of *Dover* and *Plymouth*, and not elſewhere, without ſpecial Licence of the King himſelf: (3) And one Statute made in the fourth Year of the Reign of the late King *Edward* the Fourth, concerning Paſſage from *Dover*, and all other Statutes therein recited or mentioned: (4) And one other Statute made in the ſeven and thirtieth Year of the Reign of the late King *Edward* the Third, concerning the Prices of Poultry: (5) And one Statute made in the four and thirtieth Year of the Reign of the late King *Edward* the Third, concerning Weights and Meaſures, and beginning, where it is contained in the great Charter, that one Meaſure ſhall be uſed through the Realm, and by which is ordained, That certain Articles ſhall be holden and kept, upon the Pains contained in a Statute made in the eight and twentieth Year of the Reign of the late King *Edward* the Third: (6) And one other Statute made in the ſaid four and thirtieth Year of the Reign of the ſaid late King *Edward* the Third, by which it is ordained, That the Paſſage of Corn ſhall be defended in all the Ports of *England*, ſo that none have Licence or Warrant to paſs with ſuch Corn in any wiſe, unleſs it be to certain Places in the ſaid Act ſpecified: (7) And one Statute made in the ſeventeenth Year of the Reign of the late King *Richard* the Second, whereby Licence is granted to all the King's Liege People to ſhip and carry Corn out of the Realm: (8) And one Statute made in the third Year of the Reign of the late King *Edward* the Fourth, concerning Corn not to be brought into the Realm in certain Caſes: (9) And one Statute made in the fourth Year of the Reign of the late King *Henry* the Seventh, concerning the Prices of Hats and Caps: (10) And one other Statute made in the fourteenth Year of the Reign of the late King *Richard* the Second, ordering that the Paſſage of Tin out of the Realm ſhall be at the Port of *Dartmouth*, and no where elſe: (11) And one other Statute made in the fifteenth Year of the Reign of the late King *Richard* the Second, concerning Carriage of Tin to *Calice*: (12) And one Statute made in the fourth Year of the Reign of the late King *Henry* the Fifth, concerning making of Pattens of Aſp: (13) And one Statute made in the ſix and thirtieth Year of the Reign of the late King *Edward* the Third, concerning Stipend and Wages of Prieſts, and Prieſts paſſing from one Dioceſe to another: (14) And one other Statute made

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in the Second Year of the Reign of the late King *Henry* the Fifth, concerning Wages or Stipend of Chaplains and Priests: (15) And so much of one Act made in the fourth Year of the Reign of King *Henry* the Seventh, as appointed the Rates and Prices how Broad Cloths of the Colour of Scarlet, or other Colours, and other Cloths shall be sold: (16) And one Statute made in the eleventh Year of the Reign of the late King *Henry* the Seventh, concerning Vagabonds, unlawful Games and Alehouses, and every Part thereof, together with one Statute made in the Time of the late King *Richard* the Second therein mentioned: (17) And one Statute made in the nineteenth Year of the Reign of the late King *Henry* the Seventh, concerning Vagabonds, Beggars, unlawful Games and Alehouses, and every Part thereof: (18) And one Statute made in the three and twentieth Year of the Reign of the late King *Edward* the Third, concerning valiant Beggars: (19) And one other Statute made in the seventh Year of the Reign of the late King *Richard* the Second, concerning Roberts-men, Draw-latches, Vagabonds and Faitors: (20) And seven several Acts and Statutes made in the twelfth Year of the Reign of the late King *Richard* the Second, whereof the first concerneth Artificers, Labourers, Servants, Victuallers; (21) the second concerneth Wages of Servants; (22) the third concerneth labouring at Plough and Cart; (23) the fourth concerneth Servants bearing of Buckler, Swords and Daggers, and using unlawful Games; (24) the fifth concerning Persons that go a begging; (25) the sixth concerning those that feign themselves Men travelling out of the Realm, and there to be imprisoned; (26) and the seventh concerneth the Execution of the Ordinances aforesaid concerning Servants, Labourers, Beggars and Vagabonds: (27) And one Act or Statute made in the two and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act how aged, poor and impotent Persons, compelled to live by Alms, shall be ordered, and how Vagabonds and mighty strong Beggars shall be punished, and every Part thereof:* (28) And one Act or Statute made in the third Year of the Reign of the late King *Edward* the Sixth, intituled, *An Act touching the Punishment of Vagabonds, and other idle Persons:* (29) And one Statute made in the eleventh Year of the Reign of the late King *Henry* the Sixth, concerning Wax-Chandlers, the Price of Candles, and other Things wrought of Wax: (30) And that Part of one Statute, commonly called *Statutum de Pistoribus*, *c.* 5. 1 *Vol.* 186. which ordaineth, That the Assize of Wine shall be kept according to the Assize of our Sovereign Lord the King, that is to wit, a Sextern at Twelve-pence; and that if the Taverners exceed the same Assize, their Doors shall be shut up by the Mayors and Bailiffs, and shall not be suffered to sell Wine until they have obtained Licence of the King: (31) And one Statute made in the four and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act concerning the Sale of Wines:* (32) And that Part of one Statute made in the eight and twentieth Year of the Reign of the late King *Henry* the Eighth, by which it is ordained, That no Person or Persons shall sell any *Gascoigne*, *Guyen* or *French* Wines, above certain Prices in that Act mentioned, under the Pain in the said Act specified; and that no *Malmseys*, *Romneys*, *Sacks*, or other Sweet Wines, shall be sold by Retail above the Prices therein contained, under the Pains in that Act mentioned: (33) And also that Part of a Statute made in the five and twentieth Year of the Reign of the late King *Henry* the Eighth, by which it is enacted, That the Lords and Owners of the Meases, Tenements or Cottages in the City of *Worcester* and other Towns and Boroughs in the said Act mentioned, should at no Time after that admit, set or let any Mease, Tenement or Cottage sufficiently repaired within the said City, Borough or Towns in that Act limited, to any Person or Persons that after that should inhabit in the said City, Borough or Towns, and exercising the Mysteries or Craft in that Act mentioned, at any higher Rent, Imposition or Charge, than was given for the same at any Time within twenty Years next before the making of that Act: (34) And one Act made in the fourth Year of King *Henry* the Seventh, concerning Houses of Husbandry and Tillage: (35) And one Act made in the seventh Year of King *Henry* the Eighth, intituled, *An Act to avoid letting down of Towns:* (36) And one Act made in the seven and twentieth Year of King *Henry* the Eighth, intituled, *An Act concerning Decay of Houses and Inclosures:* (37) And one Act made in the fifth Year of the Reign of King *Edward* the Sixth, intituled, *An Act for the Maintenance of Tillage, and Increase of Corn:* (38) And one Act made in the fifth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for Maintenance and Increase of Tillage:* (39) And that Part of the Statute made in the seven and twentieth Year of the Reign of the late King *Henry* the Eighth, by which it was ordained, That all and singular Persons, Bodies Politick and Corporate, to whom the King's Majesty after that should give, grant, let, set or demise any Site or Precinct, with the Houses thereupon builded, together with the Demesnes of any Monastery, Priory or other Religious Houses, that should be dissolved or given to the King by that Act, shall be bound to keep House and Houshold, and occupy Demesnes in Plowing and Tilling of Husbandry, as in that Act is specified, under the Pains therein contained: (40) And one Statute made in the fourteenth Year of the Reign of the late King *Richard* the Second, against Buying of Wool of others than of the Owner of the Sheep and Tithe, and every Clause in the same Statute: (41) And that Part of one Statute made in the eighth Year of the Reign of the late King *Henry* the Sixth, by which it is enacted, That no Man buy Yarn of Wool, called Woollen Yarn, unless he will make Cloth thereof: (42) And one Statute made in the fifth and sixth Year of the Reign of the late King *Edward* the Sixth, intituled, *An Act limiting the Times of Buying and Selling of Wools:* (43) And one Statute made in the three and thirtieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act concerning Keeping of great Horses:* (44) And so much of the Statute made in the Reign of King *Edward* the First, commonly called the Statute of *Winchester*, as concerneth the Having, Keeping, and View of Harness and Arms; (45) And that Part of the Statute commonly called *Articuli super Chartas*, by which it is ordained, That none shall make Rings, Crosses or Locks: (46) And one Statute made in the seven and thirtieth Year of the Reign of the late King *Edward* the Third, by which it is ordained, That Makers of white Vessels shall not Gild: (47) And that Part of one Statute made in the second Year of the Reign of the late King *Henry* the Fifth, by which Goldsmiths are prohibited to take more than forty-six Shillings and Eight-pence for a Pound *Troy* of Silver gilt: (48) And

Drapery. 4 H. 7. c. 8.
Poor. 11 H. 7. c. 2.
7 R. 2. c. 5.
19 H. 7. c. 12.
23 Ed. 3. c. 7.
7 R. 2. c. 5.
Apprentice. 12 R. 2. c. 1. 12 R. 2. c. 4.
12 R. 2. c. 5.
12 R. 2. c. 6.
12 R. 2. c. 7.
12 R. 2. c. 8.
Poor. 12 R. 2. c. 9. 22 H. 8. c. 12.
3 & 4 Ed. 6. c. 16.
Wax. 11 H. 6. c. 12.
24 H. 8. c. 6.
28 H. 8. c. 14.
Drapery. 25 H. 8. c. 18.
Husbandry. 4 H. 7. c. 19. 7 H. 8. c. 11. 27 H. 8. c. 22.
5 & 6 Ed. 6. c. 5.
5 Eliz. c. 2.
Abbey. 27 H. 8. c. 28.
Wool. 14 R. 2. c. 4.
Weights. 8 H. 6. c. 5.
Wool. 5 & 6 Ed. 6. c. 7.
Cattle. 33 H. 8. c. 5.
War. 13 Ed. 1. Stat. 2. c. 6.
Metal. 28 Ed. 1. Stat. 3. c. 20. 37 Ed. 3. c. 7. 2 H. 5. Stat. 2. c. 4.

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2 H. 6. c. 13. Money. one Statute made in the second Year of the Reign of the late King *Henry* the Sixth, by which it is enacted, That no Silver be bought for more than thirty Shillings the Pound of *Troy*: (49) And one Statute made in the second Year of the Reign of the late King *Henry* the Fourth, against bringing in of Coin of *Flanders*, *Scotland*, and other foreign Coin: (50) And one Statute made in the second Year of the Reign of the late King *Henry* the Fourth, by which it is enacted, That no *Welshman* whole born in *Wales*, and having Father and Mother born in *Wales*, shall purchase Lands and Tenements within the Town of *Chester*, and other Places named in that Act, and that no *Welshman* shall be chosen a Citizen or Burgess in any City, Borough or Merchant Town; and that *Welshmen* be not put in certain Offices, nor bear Arms, and every Clause thereof: (51) And one other Statute made in the same Year concerning Arrests made by the Inhabitants of *Wales*, and driving of Distresses into *Wales*: (52) And one other Statute made in the same Year concerning *Welshmen* entring into the Counties adjoining, and in the same do kill, burn, ravish, and commit any other Felony or Trespass: (53) And one other Statute made in the same Year, by which it is enacted, That the Lords of the Marches of *Wales* shall ordain and set sufficient Stuffing and Ward in their Castles, and Seigniories of *Wales*: (54) And one other Statute made in the same Year, by which it is established, That no *Welshmen* be received to purchase Lands or Tenements within *England*, nor within the Boroughs or *English* Towns of *Wales*; nor that no *Welshman* should be accepted Burgess, nor to have any other Liberty within the Realm, nor within the Boroughs and Towns aforesaid, and every Clause in every the said Statutes made in the said second Year: (55) And one Statute made in the fourth Year of the Reign of the late King *Henry* the Fourth, whereby it is ordained, That no *Englishman*, Liege to the King, be convicted by any *Welshman*; nor that *English* Burgesses which have married *Welshwomen*, have Franchises with *English* Burgesses: (56) And one other Statute made in the same Year, by which it is ordained, That no Congregations be made or suffered to be made by the *Welshmen*, but as in the said Statute is appointed: (57) And one other Statute made in the same Year, concerning sending and bringing Merchandize and Armour into *Wales*: (58) And one other Statute made in the same Year, concerning *Welshmen* not having of Castle, Fortress or House of Defence to keep: (59) And one other Statute made in the same Year, That *Welshmen* shall not be made Justice, Chamberlain, nor have certain other Offices in the said Statute mentioned: (60) And one other Statute made in the same Year, concerning storing of the Castles and Towns in *Wales* with *English*: (61) And one other Statute made in the same Year, That *Englishmen* marrying *Welshwomen*, shall not be put in Offices; and every Clause of the said Statute made in the said fourth Year: (62) And one Statute made in the ninth Year of the Reign of the said late King *Henry* the Fourth, concerning Felonies and Robberies done within any Seigniory of *South-Wales*: (63) And so much of one Statute made in the twenty-fifth Year of the Reign of the late King *Henry* the Sixth, as concerneth the confirming of Statutes made before that Time against *Welshmen*, and making void Grants of Franchises made to *Welshmen*, and concerning Villains in *Wales*: (64) And that Part of one Statute made in the thirteenth Year of the Reign of King *Richard* the Second, by which it is ordained, That Hostlers shall sell Hay and Oats at a reasonable Price, so that they take not but one Half-peny over the common Price in the Market; (65) and that Part of one other Statute made in the fourth Year of the Reign of King *Henry* the Fourth, by which it is enacted, That Hostlers shall incur the Quadruple Value of that that he hath taken over one Half-peny of every Bushel of Oats above the common Price in the Market: (66) And one Part of the Statute made in the fourth and fifth Year of the Reign of the late King *Philip* and Queen *Mary* and other Statutes, by which it is enacted, That none shall put to Sale within the Realm of *England* any coloured Cloth of any other Colour or Colours, than are in these Acts mentioned: (67) And one other Part of the same Statute of *Philip* and *Mary*, by which it is ordained, That after the first Day of *May* then next coming, none shall use or exercise the Feat or Mystery of Making, Weaving or Rowing of Woollen Clothes long or short, or Kersies, pinned Whites or Plains Strayts, to the Intent to put the same to Sale, but only in a Market-Town where Cloth had used to be made by the Space of ten Years then last past, or in a City, Borough or Town Corporate, upon the Pains therein contained: (68) And one Statute made in the eighteenth Year of the Reign of the late Queen *Elizabeth*, for Toleration of certain Clothiers to dwell out of Towns Corporate: (69) shall be by Virtue of this Act repealed.

2 H. 4. c. 12.
2 H. 4. c. 16.
2 H. 4. c. 17.
2 H. 4. c. 18.
2 H. 4. c. 20.
4 H. 4. c. 26.
4 H. 4. c. 28.
4 H. 4. c. 30.
4 H. 4. c. 31.
4 H. 4. c. 32.
4 H. 4. c. 33.
4 H. 4. c. 34.
9 H. 4. c. 3.
25 H. 6. c. 1.
Hostler. 23 R. 2. Stat. 1. c. 8.
Hostler. 4 H. 4. c. 25.
Drapery. 4 & 5 Ph. & M. c. 5.
5 & 6 Ed. 6. c. 6.
18 Eliz. c. 16. The 71 aforesaid Statutes repealed, Cattle.

XII. And be it also enacted, That so much of the Statute made in the thirty-second Year of the Reign of the late King *Henry* the eighth intituled, *An Act concerning the Breed of Horses of higher Stature*, as concerneth or inhibiteth the putting of Horses into certain Grounds, unless they be of Statures in that Act mentioned, under the Pains therein contained, and that giveth Authority to kill Mares, Fillies, Foals or Geldings, in certain Cases in that Act mentioned, shall not extend to the County of *Cornwall* after the End of this Session of Parliament.

32 H. 8. c. 13. shall not extend to the County of Cornwall.

## CAP. XXIX.

EXP. An Act to enable the most excellent Prince *Charles* to make Leases of Lands, Parcel of his Highness Duchy of *Cornwall* or annexed to the same.

## CAP. XXX.

A Messuage called *York-House*, and divers other Messuages and Tenements, Part of the Possessions of the Archbishop of *York*, situate in the Parish of St. *Martin*'s in the Fields in the County of *Middlesex*, assured unto the King's most excellent Majesty, his Heirs, Successors and Assigns; and the Manors or Lordships of *Brighton*, *Santon Acombe*, alias *Acom*, with *Holgate*, and the Grange called *Beckbey* Grange in the County of *York*, or in the County of the City of *York*, Part of his Majesty's Possessions, assured to *Toby*, Lord Archbishop of *York* and his Successors. PR.

CAP.

## CAP. XXXI.

The Makers of Knives and other Cutlery Wares in *Hallamshire* in the County of *York*, made a Corporation: Divers Orders for the better Government of the same Corporation. PR.

## CAP. XXXII.

An Act for making the River of *Thames* navigable for Barges, Boats and Lighters, from the Village of *Bercot*, in the County of *Oxon*, unto the University and City of *Oxon*.

'WHEREAS the Clearing and Effecting of a Passage for Barges, Boats and Lighters, by the River of *Thames*, to the University and City of *Oxon*, will be very convenient for Conveyance of Free-Stone, commonly called *Oxford* Stone, or *Heddington* Stone, from *Bullington* Quarry, near the said City and River of *Thames*, by the said Passage, to the City of *London* and other Parts, and most profitable and necessary to and for the said University and City of *Oxon*, for Conveyance thereby of Coals, Fuel and other Necessaries, to the said University and City, whereof there is now very great Scarcity and Want, and far greater hereafter like to grow, if some Help therefore be not made and provided: (2) And also the said Passage will be very behoveful for preserving of the Highways leading to and from the said University and City, and other Parts thereabouts, which now by continual Carriages by Carts are so worn and broken, that in Winter Season they are for Travellers dangerous, and hardly to be amended and continued passable without exceeding Charge: (3) And whereas the said River of *Thames*, for many Miles beyond the said City of *Oxford*, Westward, is already navigable and passable for Boats of good Burthens and Contents, and likewise is already navigable for Barges from *London* to the Village of *Bercot* in the County of *Oxford*, being within six or seven Miles of the City of *Oxford*, whither and from whence, by the Carriage of Stone, Iron and other Provision, by Carts, the Highways are spoiled, as aforesaid: (4) And whereas the said River may easily be made passable and navigable for Barges, Boats or Lighters, between the aforesaid University and City of *Oxford* and the Village of *Bercot* aforesaid, by removing some Lets and Impediments, by which Means the said University and City of *Oxford* shall be greatly relieved and helped:' (5) Be it therefore ordained and enacted by the King's Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, at any Time after the End of this present Session of Parliament, shall and may, at the Request of the Chancellor of the said University, or his Vice-Chancellor, for the Time being, appoint and authorize by Commission under the Great Seal of *England* eight Commissioners, whereof four to be of or for the University aforesaid, to be chosen by the said Chancellor of the said University, or his Vice-Chancellor, for the Time being, and by them or either of them to be nominated and certified to the aforesaid Lord Chancellor or Lord Keeper of the Great Seal of *England*, and four to be of or for the City of *Oxon*, to be chosen and nominated by the Mayor, Bailiffs and Commonalty of the said City of *Oxford* for the Time being, and to be certified by them as aforesaid; (6) which said Commissioners or the more Part of them shall have full Power to cleanse, scowre, open and make navigable the said River of *Thames*, from the said City of *Oxon* to the Village of *Bercot* aforesaid, and for that Purpose to dig the Banks of the said River or other Ground, Ditch, Brook or Stream near thereunto adjoining, and to cut away all Trees and Roots of Trees that may be Hurtful or Hinderance to the said Passage, and to open, prepare or make all Wears and Locks or Turnpikes fit for the said Passage, and to remove any Thing that shall be any Impediment or Stop to the clearing and making of the said Passage; and likewise to cut, scowre or open any other Stream or Water-Course that shall be most convenient for making the said Passage or River navigable; and likewise to make and erect any Wharfs, Locks or Turnpikes, or Pens for Water, in or near the said River or Passage, that shall be fit or necessary for the same, and to bring, lay and work all Materials requisite for the Making, Erecting and Repairing of the said Locks or Turnpikes upon the Banks or Ground near the said River or Passage.

The Conveniencies of having the River of Thames navigable to the City of Oxford.

Eight Commissioners shall be appointed to make the River of Thames navigable from Oxford to Bercot.

'II. And for that the doing of the Things aforesaid may be prejudicial to the Inheritance and Profit of divers Persons, Bodies Politick or Corporate, that have Land adjoining to the said River or Passage,' (2) Be it further enacted by the Authority aforesaid, That the Commissioners aforesaid or the more Part of them, before they do meddle with the Lands, Inheritance or Possession of any Person or Persons, Bodies Politick or Corporate, shall first agree with such Persons, or Body Politick or Corporate, for the Loss and Damage that any of them shall any way receive by the Making of the said Passage or any Thing concerning the same; (3) and if the said Commissioners or the more Part of them, and the Party or Parties Owner of such Lands, Inheritance or Possessions, cannot agree touching the Value thereof, that then the three next Justices of Peace of the County where the Land doth lie, being no Parties, nor dwelling within the University or City of *Oxon*, nor interested in the Soil, dwelling nearest to the said Land or Inheritance, or in their Default the Justices of Assize of the said County of *Oxon*, shall determine, appoint and set down what and how much Satisfaction every such Person or Persons, Body Politick or Corporate, shall have for or in Respect of the said Losses so by him or them to be sustained; and the said Price or Value so set down by them shall bind all Parties: (4) Which Agreement or Order so made shall be set down in Writing under the Hands and Seals of the said Commissioners and Parties, upon the Agreement between them made, or of the said Justices of the Peace, or Justices of Assize of the said County, which shall set down the said Price for Satisfaction, within three months after the first Re-

The Commissioners shall agree with and satisfy all Parties that may be damnified by the Works.

sort unto them for that Cause, according to this Act, and the same to be kept among the Evidences of the said University, and to be registred in the Lieger-Book of the said University, and to be enrolled in the Court of the said City of *Oxford*; (5) And that then upon Payment of such Sum or Sums of Money so agreed upon or ordered as aforesaid, or Tender thereof made, with Purpose to pay the same, it shall then be lawful to and for the said Commissioners or the more Part of them, to dig and make or cause to be digged or made, the said Locks, Wharfs, Passage, or do any such other Act for which any such Agreement or Order shall be made as aforesaid.

The Commissioners may tax the University and City of Oxford at reasonable Sums for the effecting of the said Passage.

'III. And for that the said Passage cannot be effected and maintained without great Charge, and that the principal Benefit thereof will redound immediately to the University and City of *Oxford* aforesaid,' (2) Be it therefore further enacted by the Authority aforesaid, That the said Commissioners, or the more Part of them, by this present Act shall have full Power and Authority to Tax and Assess the Inhabitants within the said University and City of *Oxon*, or within either of them, and Suburbs thereof, and Bodies Politick and Corporate within the same, at such reasonable Sums and Payments for the Purposes foresaid, as they in their Discretions shall think meet; the said Sums and every of them to be disposed and imployed for and towards the bearing of the Charge of Making and Maintaining of the said Passage.

They may constitute Orders for the Usage of the said Passage.

'IV. And whereas the said University and City are the Procurers of the said Passage,' Be it further enacted by the Authority aforesaid, That the Commissioners aforesaid, or the more Part of them, by Virtue of this Act, shall have Power and Authority from Time to Time, with the Consent of the Vice-Chancellor of the said University, and Mayor of the City of *Oxford*, for the Time being, to ordain and make Orders and Constitutions for the good and orderly Usage of the said Passage, and for all Locks, Wears or Turnpikes thereof, to be made and maintained at the Charge of the University and City of *Oxon* aforesaid; and for all Boats, Boatmen, Passengers, Wharfs, Carriages and Rates for Carriages, by or through the said Passage, and all Things concerning the same; and to set, lay and execute such reasonable Pains and Punishments upon the Breakers thereof as they shall think fit: (2) Nevertheless, the Justices of Assize of the said County of *Oxford* for the Time being, upon Complaint made to them by any Person grieved with the said Taxations, Assessments, Charges, Orders, Constitutions, Pains and Punishments or any of them, shall and may abridge, moderate or reform the same, as they shall find just Cause.

When any of the Commissioners fail, the Lord Chancellor, &c. may appoint others.

V. And be it further enacted by the Authority aforesaid, That when any of the said Commissioners shall happen to die, or become unfit for the Service, that then and so often, it shall and may be lawful to and for the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, from Time to Time to supply, appoint and authorize one Commissioner or so many Commissioners to be nominated, chosen and certified as aforesaid, out of and for the said University or City respectively, as shall make and fill up the full Number of eight Commissioners: (2) And that the Commissioners aforesaid or the more Part of them, by the Authority of this Act, shall have full Power to choose, nominate and appoint one or more such Person or Persons as they shall think fit, to collect, gather and lay out the said several Sums; and the Person and Persons so appointed shall gather and take up the said Sums assessed, by Distress and Sale of the Goods of every Person refusing to pay the Tax or Assessment imposed upon him, restoring to the Person whose Goods shall be so distrained, the Overplus (if any be) of the Price thereof, being sold. (3) And for that the said Passage from *Bercot* aforesaid to the said City of *Oxford*, is against the Stream, the Barges, Boats, Lighters or other Vessels, must of Necessity in some Places and at some Times be haled up by the Strength of Men, Horses, Winches, Engines or other Means in that Behalf convenient; Be it therefore enacted by the Authority of this present Act, That it shall and may be lawful to and for Watermen, Boatmen, Bargemen and other Helpers of them, in convenient Places, to have and use Winches, Ropes and other Engines, and with the same by Strength of Men and Horses or either of them, going up the Land or Banks near the said River or Passage, through the said Passage, without the Hinderance, Trouble or Impeachment of any Person or Persons, to draw or hale up the Barges, Boats, Lighters or other Vessels, doing none other Harm than only by going or treading upon the said Land or Banks near adjoining as aforesaid.

The Commissioners may appoint Collectors of the Tax.

The Boatmen, &c. may go on Land to hale their Boats, &c.

A Proviso for the Tax of the University and City.

VI. Provided always, That no privileged Person of the University of *Oxford* shall be taxed as aforesaid, without the Consent of two or more of the Commissioners of or for the said University, nor any Freemen inhabiting of or in the said City, or the Suburbs or Liberties thereof, shall be taxed as aforesaid, without the Consent of two or more of the Commissioners of or for the said City.

The Course and Chanel of Thames shall not be diverted.

VII. Provided also, That this Act, nor any Thing therein contained, shall give Power and Authority to the said Commissioners or enable them to do any Act or Thing, whereby the said River of *Thames* shall be diverted or turned out of his ancient Course or Chanel wherein the same now runneth, or to draw more Water thence than shall conveniently serve for the said Passage.

3 Jac. 1. c. 20. repealed.

VIII. And be it further enacted by the Authority of this present Parliament, That one Act of Parliament made in the third Year of the King's Majesty's Reign, the twentieth Chapter, (intituled, 'An Act for clearing the Passage by Water from *London* to and beyond the City of *Oxon*)' shall be from henceforth utterly repealed and of none Effect. [6 & 7 W. 3. c. 16. This to be deemed a publick Act. 3 Geo. 2. c. 11. Sect. 26.]

## CAP. XXXIII.

Four entire Subsidies granted by the Spiritualty. EXP.

## CAP. XXXIV.

The Temporality considering that the King might be engaged in a present War by breaking of the two Treaties with *Spain*, *viz.* The one of the Marriage, and the other of the Restitution of the *Palatine*, freely grants unto his Majesty three entire Subsidies, and three Fifteens and Tenths, whereof 18000 Pounds should be imployed towards the Repair of certain decayed Cities and Towns, and the Residue was to be expended in the Managing of the expected War: Now for the better Imployment of those Monies, eight Citizens of *London* are appointed to be Treasurers, and ten other selected Persons to be of his Majesty's Council for the War; all which shall make Oath, *viz.* The Treasurers, that none of those Monies should issue out of their Hands without Warrant from the said Council of War: and the other, that they should make no Warrants for the Payment of any of those Monies, but only for the End above mentioned; and further, should all be accountable for their Doings and Proceedings in that Behalf, to the Commons in Parliament, when they or any of them should be thereunto required. EXP.

## CAP. XXXV.

A Confirmation of the King's General and Free Pardon, except, *&c.* EXP. Cro. Car. 449.

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# Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, primo.

At the Parliament begun at *Westminster* the eighteenth Day of *June Anno Dom.* one thousand six hundred twenty-five in the First Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And there continued until the eleventh Day of *July* following; and then adjourned until the First Day of *August* following, unto *Oxford*; To the high Pleasure of Almighty God, and to the Wealpublick of this Realm, were enacted as followeth.

## CAP. I.

An Act for punishing divers Abuses committed on the Lord's Day, called *Sunday*.

FOrasmuch as there is nothing more acceptable to God than the true and sincere Service and Worship of him according to his Holy Will, and that the holy keeping of the Lord's Day is a principal Part of the true Service of God, which in very many Places of this Realm hath been and now is profaned and neglected by a disorderly Sort of People, in exercising and frequenting Bear-baiting, Bull-baiting, Interludes, Common Plays and other unlawful Exercises and Pastimes upon the Lord's Day; and for that many Quarrels, Bloodsheds and other great Inconveniences have grown by the Resort and Concourse of People going out of their own Parishes to such disordered and unlawful Exercises and Pastimes, neglecting Divine Service both in their own Parishes and elsewhere;' (2) Be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after forty Days next after the End of this Session of Parliament, there shall be no Meetings, Assemblies or Concourse of People out of their own Parishes on the Lord's Day, within this Realm of *England* or any the Dominions thereof, for any Sports and Pastimes whatsoever; (3) nor any Bear-baiting, Bull-baiting, Interludes, Common Plays or other unlawful Exercises and Pastimes, used by any Person or Persons within their own Parishes; (4) and that every Person or Persons offending in any the Premisses, shall forfeit for every Offence three Shillings four-pence, the same to be employed and converted to the Use of the Poor of the Parish where such Offence shall be committed; (5) and that any one Justice of the Peace of the County or the Chief Officer or Officers of any City, Borough or Town Corporate, where such Offence shall be committed, upon his or their View or Confession of the Party, or Proof of any one or more Witness by Oath, which the said Justice or Chief Officer or Officers shall by Virtue of this Act have Authority to minister, shall find any Person offending in the Premisses, the said Justice or Chief Officer or Officers shall give Warrant under his or their Hand and Seal, to the Constables and Church-wardens of the Parish or Parishes where such Offence shall be committed, to levy the said Penalty so to be assessed, by way of Distress and Sale of the Goods of every such Offender, rendring to the said Offenders the Overplus of the Money raised of the said Goods so to be sold; and in Default of such Distress, that the Party offending be set publickly in the Stocks by the Space of three Hours; (6) and that if any Man be sued or impeached for Execution of this Law, he shall and may plead the General Issue and give the said Matter of Justification in Evidence: (7) Provided, That no man be impeached by this Act except he be called in Question within one Month next after the said Offence committed: (8) Provided also, That the Ecclesiastical Jurisdiction within this Realm or any the Dominions thereof, by Virtue of this Act or any Thing therein contained, shall

There shall be no Assemblies for unlawful Pastimes upon the Lord's Day, 1 *Haw. P. C. ch. 6.*

Unlawful Meetings and Pastimes on the Lord's Day forbidden.

Every Person using any unlawful Pastimes on the Lord's Day, shall forfeit 3s. 4d. to the Poor of the Parish.

After Conviction by Warrant from a Justice, &c. the Constables &c. may levy the Penalty, &c.

General Issue.

Limitation of the Action.

The Ecclesiastical Jurisdiction not abridged.

*Farther Provisions relating hereto,* 3 *Car.* 1. *c.* 2. 29 *Car.* 2. *c.* 7. 10 & 11 *W.* 3. *c.* 24. *sect.* 14.

shall not be abridged, but that the Ecclesiastical Court may punish the said Offences as if this Act had not been made. (9) This Act to continue until the End of the first Session of the next Parliament and no longer. [3 Car. 1. c. 4. continued until the End of the first Session of the next Parliament, and farther continued by 16 Car. 1. c. 4. and enforced by 29 Car. 2. c. 7.]

## CAP. II.

21 Jac. 1. c. 29. An Act to enable the King's Majesty to make Leases of Lands, Parcel of his Highness Duchy of *Cornwall* or annexed to the same. All Leases to be made within three Years by the King's Majesty, of the Duchy Lands of *Cornwall*, shall be good. Except they be made for above thirty one Years or three Lives, &c. The ancient Rent to be reserved, and if none anciently, a reasonable Rent. Covenants, &c. contained in such Leases shall be good. The Right of others saved.

## CAP. III.

OBS. An Act for the Ease in obtaining of Licences of Alienation, and in the Pleading of Alienations with Licence, or of Pardons of Alienations without Licence, in the Court of Exchequer, or elsewhere. 12 Car. 2. c. 24. All Fines, Seizures and Pardons for Alienations, and all Incidents thereunto, are taken away and discharged.

## CAP. IV.

### An Act for the further Restraint of Tippling in Inns, Alehouses, and other Victualling-houses.

5 & 6 *Ed.* 6. *c.* 25. Foreigners, as well as Inhabitants, shall not be permitted to tipple in Inns, Alehouses, &c. 1 Jac. 1. c. 9. 4 Jac. 1. c. 5.

'WHEREAS in the last Parliament it was enacted, That if any Person or Persons, whersoever his or their Habitation or Abiding be, should after be found upon View, or his own Confession, or Proof of one Witness, to be Tippling in an Inn, Alehouse or Victualling-house; such Person or Persons should be thenceforth adjudged and construed to be within the Statutes of the first and fourth Years of the late King's Majesty's Reign, King *James* of famous Memory; the one intituled, "An Act to restrain the inordinate haunting of Tippling in Inns, Alehouses, and other Victualling-houses;" and the other intituled, "An Act to repress the odious and loathsome Sin of Drunkenness;" as if he or they had inhabited and dwelled in the City, Town Corporate, Market-Town, Village or Hamlet where the Inn, Alehouse or Victualling-house was or should be, where he or they should be so found Tippling, should incur the like Penalty, and the same to be in such Sort levied and disposed, as in the said Act is expressed, concerning such as there inhabit; (2) but no Punishment by any or either of the said Acts, or by any other Statute, is inflicted upon the Inn-keeper, Alehouse-keeper or Victualler, that permits or suffers such Person or Persons not there inhabiting, to tipple in his Inn, Alehouse or Victualling-house:' (3) For Remedy whereof, Be it enacted, That every Inn-keeper, Alehouse-keeper and other Victualler, that at any Time after the End of this Session of Parliament shall permit and suffer any Person or Persons not inhabiting in the City, Town Corporate, Market-Town, Village or Hamlet, where such Inn, Alehouse, or Victualling-house is or shall be to tipple in the said Inn, Alehouse or Victualling-house, contrary to the true Intent of any or either of the said former Statutes, the said Inn-keeper, Alehouse-keeper and Victualler so offending shall incur the same Penalty, and in such Manner to be proved, levied and disposed, as in the former Statute of the first Year of his said late Majesty's Reign is appointed for permitting such to tipple as dwell in the same City, Town Corporate, Market-Town, Village or Hamlet.

1 *Haw P. C. c.* 78. *Burn, V.* 1. 29.

1 Jac. 1. c. 9.

Vintners and Victuallers to be within this and the other Statutes.

II. And be it further enacted, That the Keepers of Taverns, and such as do sell Wine in their Houses, and do also keep Inns or Victualling in their Houses, shall be taken to be within the said two former Statutes, and also within this Statute. *Farther Provisions relating hereto,* 26 *Geo.* 2. *c.* 31. *and* 29 *Geo.* 2. *c.* 12.

## CAP. V.

Three intire Subsidies granted by the Spiritualty. EXP.

## CAP. VI.

Two intire Subsidies granted by the Temporalty. EXP.

## CAP. VII.

This Session of Parliament (by Reason of the Increase of the Sickness and other Inconveniencies of the Season, requiring a speedy Adjournment, nevertheless) shall not determine by his Majesty's Royal Assent to this and some other Acts. EXP.

Acts that are to have Continuance shall remain in Force.

III. AND all Statutes and Acts of Parliament which are to have Continuance unto the End of this present Session, shall be of full Force after the said Adjournment, until this present Session be fully ended and determined: (3) And if this Session shall determine by Dissolution of this present Parliament, then all the Acts aforesaid shall be continued until the End of the first Session of the next Parliament: (4) And all Statutes and Acts of Parliament which before the said Adjournment shall pass by his Majesty's Royal Assent, shall be put in Execution immediately after forty Days after the said Adjournment, notwithstanding that by the Words or Letters of the said Acts or any of them, they be limited to take Effect, or be put in Execution, from or at any Time after the End of this present Session.

When the Acts which are now to pass shall take Effect.

Anno

# Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tertio.

'AT the Parliament begun at *Weſtminſter* the ſeventeenth Day of *March*, *Anno Dom.* one thouſand ſix hundred twenty-ſeven, in the third Year of the Reign of our moſt gracious Sovereign Lord *Charles* by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. And there continued until the twenty-ſixth Day of *June* following, and then prorogued unto the twentieth Day of *October* next enſuing: To the high Pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

The Petition exhibited to his Majeſty by the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, concerning divers Rights and Liberties of the Subjects, with the King's Majeſty's Royal Anſwer thereunto in full Parliament.

To the King's moſt excellent Majeſty.

'HUmbly ſhew unto our Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, That whereas it is declared and enacted by a Statute made in the Time of the Reign of King *Edward* the Firſt commonly called *Statutum de Tallagio non concedendo*, That no Tallage or Aid ſhall be laid or levied by the King or his Heirs in this Realm, without the good Will and Aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other the Freemen of the Commonalty of this Realm; (2) and by Authority of Parliament holden in the five and twentieth Year of the Reign of King *Edward* the Third, it is declared and enacted, That from thenceforth no Perſon ſhould be compelled to make any Loans to the King againſt his Will, becauſe ſuch Loans were againſt Reaſon and the Franchiſe of the Land; (3) and by other Laws of this Realm it is provided, That none ſhould be charged by any Charge or Impoſition called a Benevolence, nor by ſuch like Charge: (4) by which the Statutes before mentioned, and other the good Laws and Statutes of this Realm, your Subjects have inherited this Freedom, That they ſhould not be compelled to contribute to any Tax, Tallage, Aid or other like Charge not ſet by common Conſent in Parliament. The Petition of Right. 34 Ed. 1. Stat. 4. c. 1. 25 Ed. 1. Stat. 1. c. 6. 1 Ed. 3. Stat. 2. c. 6. 11 R. 2. c. 9. 1 R. 3. c. 2.

'II. Yet nevertheleſs, of late divers Commiſſions directed to ſundry Commiſſioners in ſeveral Counties, with Inſtructions, have iſſued; by Means whereof your People have been in divers Places aſſembled, and required to lend certain Sums of Money unto your Majeſty, and many of them, upon their Refuſal ſo to do, have had an Oath adminiſtred unto them not warrantable by the Laws or Statutes of this Realm, and have been conſtrained to become bound to make Appearance and give Attendance before your Privy Council and in other Places, and others of them have been therefore impriſoned, confined, and ſundry other Ways moleſted and diſquieted; (2) and divers other Charges have been laid and levied upon your People in ſeveral Counties by Lord Lieutenants, Deputy Lieutenants, Commiſſioners for Muſters, Juſtices of Peace and others, by Command or Direction from your Majeſty, or your Privy Council, againſt the Laws and Free Cuſtoms of the Realm.

'III. And where alſo by the Statute called *The Great Charter of the Liberties of England*, it is declared and enacted, That no Freeman may be taken or impriſoned, or be diſſeiſed of his Freehold or Liberties, or his Free Cuſtoms, or be outlawed or exiled, or in any Manner deſtroyed, but by the lawful Judgment of his Peers, or by the Law of the Land. 9 H. 3. Stat. 1. c. 29.

'IV. And in the eight and twentieth Year of the Reign of King *Edward* the Third, it was declared and enacted by Authority of Parliament, That no Man of what Eſtate or Condition that he be, ſhould be put out of his Land or Tenements, nor taken, nor impriſoned, nor diſherited, nor put to Death, without being brought to anſwer by due Proceſs of Law: 28 Ed. 3. c. 3.

'V. Nevertheleſs againſt the Tenor of the ſaid Statutes, and other the good Laws and Statutes of your Realm to that End provided, divers of your Subjects have of late been impriſoned without any Cauſe ſhewed; (5) and when for their Deliverance they were brought before your Juſtices by your Majeſty's Writs of *Habeas Corpus*, there to undergo and receive as the Court ſhould order, and their Keepers commanded to certify the Cauſes of their Detainer, no Cauſe was certified, but that they were detained by your Majeſty's ſpecial Command, ſignified by the Lords of your Privy Council, and yet were returned back to ſeveral Priſons, without being charged with any Thing to which they might make Anſwer according to the Law. 37 Ed. 3. c. 18. 38 Ed. 3. Stat. 2. c. 9. 42 Ed. 3. c. 3. 17 R. 2. c. 6. 2 Inſt. 187.

'VI. And whereas of late great Companies of Soldiers and Mariners have been diſperſed into divers Counties of the Realm, and the Inhabitants againſt their Wills have been compelled to receive them into their Houſes, and there to ſuffer them to ſojourn, againſt the Laws and Cuſtoms of this Realm, and to the great Grievance and Vexation of the People:

'VII. And whereas alſo by Authority of Parliament, in the five and twentieth Year of the Reign of King *Edward* the Third, it is declared and enacted, That no Man ſhould be forejudged of Life or Limb againſt the Form of the *Great Charter* and the Law of the Land; (2) and by the ſaid *Great* 25 Ed. 3. Stat. 5. c. 4.

9 H. 3. Stat. 1. c. 29. 25 Ed. 3. Stat. 5. c. 4. 28 Ed. 3. c. 3.

'*Charter* and other the Laws and Statutes of this your Realm, no Man ought to be adjudged to Death 'but by the Laws eſtabliſhed in this your Realm, either by the Cuſtoms of the ſame Realm, or by Acts of 'Parliament; (3) And whereas no Offender of what Kind ſoever is exempted from the Proceedings to be 'uſed, and Puniſhments to be inflicted by the Laws and Statutes of this your Realm: Nevertheleſs of 'late Time divers Commiſſions under your Majeſty's Great Seal have iſſued forth, by which certain 'Perſons have been aſſigned and appointed Commiſſioners, with Power and Authority to proceed within 'the Land, according to the Juſtice of Martial Law, againſt ſuch Soldiers or Mariners, or other diſ'ſolute Perſons joining with them, as ſhould commit any Murther, Robbery, Felony, Mutiny or other 'Outrage or Miſdemeanor whatſoever, and by ſuch ſummary Courſe and Order as is agreeable to Mar'tial Law, and as is uſed in Armies in Time of War, to proceed to the Trial and Condemnation of ſuch 'Offenders, and them to cauſe to be executed and put to Death according to the Law Martial:

'VIII. By Pretext whereof ſome of your Majeſty's Subjects have been by ſome of the ſaid Com'miſſioners put to Death, when and where, if by the Laws and Statutes of the Land they had deſerved 'Death, by the ſame Laws and Statutes alſo they might, and by no other ought to have been judged 'and executed:

'IX. And alſo ſundry grievous Offenders, by Colour thereof claiming an Exemption, have eſcaped 'the Puniſhments due to them by the Laws and Statutes of this your Realm, by Reaſon that divers of 'your Officers and Miniſters of Juſtice have unjuſtly refuſed or forborn to proceed againſt ſuch Of'fenders according to the ſame Laws and Statutes, upon Pretence that the ſaid Offenders were puniſh'able only by Martial Law, and by Authority of ſuch Commiſſions as aforeſaid: (2) Which Commiſ'ſions, and all other of like Nature, are wholly and directly contrary to the ſaid Laws and Statutes 'of this your Realm:'

The Petition. 25 Ed. 1. Stat. 1. c. 6.

X. They do therefore humbly pray your Moſt Excellent Majeſty, That no Man hereafter be compelled to make or yield any Gift, Loan, Benevolence, Tax, or ſuch-like Charge, without common Conſent by Act of Parliament; (2) And that none be called to make Anſwer, or take ſuch Oath, or to give Attendance, or be confined, or otherwiſe moleſted or diſquieted concerning the ſame, or for Refuſal thereof; (3) And that no Freeman, in any ſuch Manner as is before-mentioned, be impriſoned or detained; (4) And that your Majeſty would be pleaſed to remove the ſaid Soldiers and Mariners, and

3 Inſt. 52.

that your People may not be ſo burthened in Time to come; (5) And that the aforeſaid Commiſſions, for proceeding by Martial Law, may be revoked and annulled; and that hereafter no Commiſſions of like Nature may iſſue forth to any Perſon or Perſons whatſoever to be executed as aforeſaid, leſt by Colour of them any of your Majeſty's Subjects be deſtroyed, or put to death contrary to the Laws and Franchiſe of the Land.

XI. All which they moſt humbly pray of your Moſt Excellent Majeſty as their Rights and Liberties, according to the Laws and Statutes of this Realm; and that your Majeſty would alſo vouchſafe to declare, That the Awards, Doings and Proceedings, to the Prejudice of your People in any of the Premiſſes ſhall not be drawn hereafter into Conſequence or Example; (2) And that your Majeſty would be alſo graciouſly pleaſed, for the further Comfort and Safety of your People, to declare your Royal Will and Pleaſure, That in the Things aforeſaid all your Officers and Miniſters ſhall ſerve you according to the Laws and Statutes of this Realm, as they tender the honour of your Majeſty, and the Proſperity of this Kingdom. *Qua quidem Petitione lecta & plenius intellecta per dictum Dominum Regem taliter eſt reſponſum in pleno Parliamento*, viz. Soit droit fait come eſt Deſire.

*With what Difficulty this Anſwer was obtained, See Ruſhworth's Collections, Vol. 1. which gives an Account of the whole Proceſs of this Petition and Anſwer, well worthy of peruſal.*

## CAP. I. (II.)

### An Act for the further Reformation of ſundry Abuſes committed on the Lord's Day, commonly called *Sunday*.

A Carrier, &c. that travels on the Lord's Day ſhall forfeit 20 s. 1 Car. 1. c. 1.

'FOraſmuch as the Lord's Day commonly called *Sunday*, is much broken and profaned by Carriers, 'Waggoners, Carters, Wain-men, Butchers, and Drovers of Cattle, to the great Diſhonour of 'God, and Reproach of Religion:' (2) Be it therefore enacted by the King's moſt excellent Majeſty, and Lords Spiritual and Temporal, and by the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Carrier with any Horſe or Horſes, nor Waggon-men with any Waggon or Waggons, nor Carmen with any Cart or Carts, nor Wainman with any Wain or Wains, nor Drovers with any Cattle, ſhall after forty Days next after the End of this preſent Seſſion of Parliament, by themſelves, or any other, travel upon the ſaid Day, upon Pain that every Perſon and Perſons ſo offending ſhall loſe and forfeit twenty Shillings for every ſuch Offence: (3) Or if any Butcher, by himſelf or any other for him by his Privity or Conſent, ſhall after the End of the ſaid forty Days kill or ſell any Victual upon the ſaid Day, that then every ſuch Butcher ſhall forfeit and loſe for every ſuch Offence the Sum of ſix Shillings and eight-pence; (4) the ſaid Offences and every of them being done in View of any Juſtice of Peace, Mayor or other Head Officer, of any City or Town Corporate within their Limits reſpectively, or being proved upon Oath by two or more Witneſſes, or by the Confeſſion of the Party offending, before any ſuch Juſtice, Mayor or Head Officer, within their ſeveral Limits reſpectively, wherein ſuch Offence ſhall be committed: To which End every ſuch Juſtice, Mayor or Head Officer, ſhall have Power by this Act to miniſter an Oath to ſuch Witneſs or Witneſſes: (5) All which Sums or Penalties ſhall or may be levied by any Conſtable or Church-warden, by Warrant from any ſuch Juſtice or Juſtices of the Peace, Mayor or other Head Officer, as aforeſaid, within their ſeveral Limits where

Butchers that ſell or kill Victual upon that Day ſhall forfeit 6 s. 8 d.

After Conviction, and by Warrant from a Juſtice, &c. the

ſuch

ſuch Offence ſhall be committed or done, by Diſtreſs and Sale of the Offender's Goods, rendring to the Party the Overplus, or ſhall be recovered by any Perſon or Perſons that will ſue for the ſame, by Bill, Plaint or Information, in any of his Majeſty's Courts of Record, in any City or Town Corporate, before his Majeſty's Juſtices of the Peace in their General Seſſions of the Peace: (6) All which Forfeitures ſhall be imployed to and for the Uſe of the Poor of the Pariſhes where the ſaid Offences ſhall be committed or done, ſaving only that it ſhall be lawful to and for any ſuch Juſtice, Mayor or Head Officer, out of the ſaid Forfeitures, to reward any ſuch Perſon or Perſons that ſhall inform or otherwiſe proſecute any Perſon or Perſons offending againſt this preſent Act, according to their Diſcretions, ſo that ſuch Reward exceed not the third Part of the Forfeiture: (7) Provided that ſuch Bill, Plaint or Information, ſhall be commenced, ſued and proſecuted in the County, City or Town Corporate, where ſuch Offence ſhall be committed and done, and not elſewhere; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed to the Defendant: (8) Provided always, That it ſhall be lawful for any Conſtable or Churchwarden, that ſhall have any Suit or Action brought againſt them for any Diſtreſs by them or any of them to be taken by Force of this preſent Act, to plead the General Iſſue, and to give the ſpecial Matter in Evidence: (9) Provided likewiſe, That no Perſon or Perſons whatſoever ſhall be impeached by this Act, unleſs he be thereof queſtioned within ſix Months after the Offence committed: (10) Provided further, That this Act ſhall not in any Sort abridge or take away the Authority of the Courts Eccleſiaſtical. (11) This Act to continue to the End of the firſt Seſſion of the next Parliament. [Enforced by 29 Car. 2. c. 7. *and ſee farther* 10 & 11 *W.* 3. *c.* 24. *ſect.* 14.]

Conſtables, &c. may levy the ſaid Forfeitures to the Uſe of the Poor; or they may be recovered by Suit.

## CAP. II. (III.)

### An Act to reſtrain the Paſſing or Sending of any to be Popiſhly-bred beyond the Seas.

A Reſtraint of Paſſage or ſending any Perſon beyond the Seas to be popiſhly bred. 1 Jac. 1. c. 4. He that goeth himſelf, or ſends any other beyond the Seas to be trained up in Popery, &c. ſhall be diſabled to ſue, &c. and ſhall loſe all his Goods, and ſhall forfeit all his Lands, &c. for Life. 27 Eliz. c. 2. 3 Jac. 1. c. 5. *Bac. V.* 3. 788.

'FOraſmuch as divers ill-affected Perſons to the true Religion eſtabliſhed within this Realm, have ſent their Children into Foreign Parts to be bred up in Popery, notwithſtanding the Reſtraint thereof by the Statute made in the firſt Year of the Reign of our late Sovereign Lord King *James* of famous Memory;' Be it enacted, That the ſaid Statute ſhall be put in due Execution: (2) And be it further enacted by the King's moſt excellent Majeſty, and the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in caſe any Perſon or Perſons under the Obedience of the King, his Heirs and Succeſſors, at any Time after the End of this Seſſion of Parliament, ſhall paſs or go, or ſhall convey or ſend, or cauſe to be ſent or conveyed, any Child or other Perſon, out of any of the King's Dominions, unto any the Parts beyond the Seas, out of the King's Obedience, to the Intent and Purpoſe to enter into, or be reſident or trained up in, any Priory, Abbey, Nunnery, Popiſh Univerſity, College or School, or Houſe of Jeſuits, Prieſts, or in any private Popiſh Family, and ſhall be there by any Jeſuits, Seminary Prieſts, Frier, Monk, or other Popiſh Perſon, inſtructed, perſwaded or ſtrengthened in the Popiſh Religion, in any Sort to profeſs the ſame, or ſhall convey or ſend, or cauſe to be conveyed or ſent, by the Hands or Means of any Perſon whatſoever, any Sum or Sums of Money, or other Thing, for or towards the Maintenance of any Child or other Perſon already gone or ſent, or to go or to be ſent, and trained and inſtructed as is aforeſaid, or under the Name or Colour of any Charity, Benevolence or Alms, towards the Relief of any Priory, Abbey, Nunnery, College, School, or any Religious Houſe whatſoever: Every Perſon ſo ſending, conveying, or cauſing to be ſent and conveyed, as well any ſuch Child or other Perſon, as any Sum or Sums of Money, or other Thing, and every Perſon paſſing or being ſent beyond the Seas, being thereof lawfully convicted, in or upon any Information, Preſentment or Indictment, as is aforeſaid, ſhall be diſabled from thenceforth to ſue or uſe any Action, Bill, Plaint or Information, in Courſe of Law, or to proſecute any Suit in any Court of Equity, or to be Committee of any Ward, or Executor or Adminiſtrator to any Perſon, or capable of any Legacy or Deed of Gift, or to bear any Office within the Realm; (3) and ſhall loſe and forfeit all his Goods and Chattels, and ſhall forfeit all his Lands, Tenements and Hereditaments, Rents, Annuities, Offices and Eſtates of Freehold, for and during his natural Life.

II. Provided always, That no Perſon ſent or conveyed as aforeſaid, that ſhall within ſix Months after his Return into this Realm conform himſelf unto the preſent Religion eſtabliſhed in this Church of *England*, and receive the Sacrament of the Lord's Supper, according to the Statutes made concerning Conformity in other Caſes required from Popiſh Recuſants, ſhall incur any the Penalties aforeſaid.

A Convert ſhall not incur the Penalties aforeſaid. 27 Eliz. c. 2.

III. And it is enacted, That all and every the Offences againſt this Statute may be enquired, heard and determined before the Juſtices of the King's Bench, or Juſtices of Aſſize or Gaol-delivery, or of *Oyer* and *Terminer*, of ſuch Counties where the Offenders did laſt dwell or abide, or whence they departed out of this Kingdom, or where they were taken.

IV. Provided alſo, That if any Perſon or Child, ſo paſſing or ſent, or now being beyond the Sea, ſhall after his Return into this Realm conform himſelf to this Religion eſtabliſhed in the Church of *England*, and receive the Sacrament of the Lord his Supper, according to the Statutes made for or concerning Conformity in other Caſes required from Popiſh Recuſants, for and during ſuch Time as he or ſhe ſhall ſo continue in ſuch Conformity and Obedience, according to the true Intent and Meaning of the ſaid Laws and Statutes, ſhall have his or her Lands reſtored to them again.

CAP.

## CAP. III. (IV.)

### An Act for the better Suppreſſing of Unlicenced Alehouſe-keepers.

The Forfeiture and Puniſhment of him that keeps an Alehouſe without Licence. 5 & 6 Ed. 6. c. 25.

WHEREAS by an Act made in the fifth Year of the Reign of King *Edward* the Sixth, of famous Memory, intituled, *An Act for Keepers of Alehouſes to be bound by Recognizance*, amongſt other Things it is enacted, That if any Perſon or Perſons, other than ſuch as ſhould be from thenceforth admitted and allowed by the Juſtices mentioned in the ſaid Act, ſhould after the Day in the ſaid Act limited, obſtinately and upon his own Authority, take upon him or them to keep a common Alehouſe or Tippling-houſe, or ſhould contrary to the Commandment of the ſaid Juſtices, or two of them, uſe commonly ſelling of Ale or Beer, that then ſaid Juſtices of Peace, or two of them (whereof one to be of the *Quorum*) ſhould for every ſuch Offence commit every ſuch Perſon or Perſons ſo offending to the Common Gaol within the ſame Shire, City, Borough, Town Corporate, Franchiſe or Liberty, there to remain without Bail or Mainpriſe by the Space of three Days: (2) And before his or their Deliverance, the ſaid Juſtices ſhould take Recognizance of him or them ſo committed, with two Sureties, that he or they ſhould not keep any common Alehouſe, Tipling-houſe, or uſe commonly ſelling of Ale or Beer, as by the Diſcretion of the ſaid Juſtices ſhould ſeem convenient: (3) And the ſaid Juſtices ſhould make Certificate of every ſuch Recognizance and Offence at the next Quarter-Seſſions that ſhould be holden within the ſame Shire, City, Borough, Town Corporate, Franchiſe or Liberty where the ſame ſhould be committed or done; (4) which Certificate ſhould be a ſufficient Conviction in Law of the ſame Offence: (5) And the ſaid Juſtices of Peace, upon the ſaid Certificate made, ſhould in open Seſſions aſſeſs the Fine for every ſuch Offence, at twenty Shillings, as by the ſaid Act may appear: (6) Which Law hath not wrought ſuch Reformation as was intended, for that the ſaid Fine of twenty Shillings is ſeldom levied, and for that many of the ſaid Offenders, by Reaſon of their Poverty, are neither able to pay the ſaid Fine of twenty Shillings, nor yet to bear their own Charges of Conveying them to the Gaol; and moreover do leave a great Charge of Wife and Children upon the Pariſhes wherein they live: In Regard whereof, the Conſtables and other Officers are much diſcouraged in Preſenting them, and the Offenders become obſtinate and incorrigible;'

He that keeps an Alehouſe, &c. without Licence ſhall forfeit 20 s. *Burn, V.* 1. 29. 1 *Haw. P. C. c.* 78.

II. For Remedy whereof, be it enacted by the Authority of this preſent Parliament, That if any Perſon or Perſons, after forty Days next enſuing the End of this preſent Seſſion of Parliament, ſhall upon his own Authority, not being thereunto lawfully licenced, take upon him, her or them, to keep a common Alehouſe or Tippling-houſe, or uſe commonly ſelling of Ale, Beer, Cyder or Perry, that then every ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and loſe the Sum of twenty Shillings of current Money of *England*, to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, the ſame Offence being viewed and ſeen by any Mayor, Bailiff or Juſtice of Peace, or other Head Officer, within their ſeveral Limits, or confeſſed by the Party ſo offending, or proved by the Oath of two Witneſſes, to be taken before any Mayor, Bailiff or other Head Officer, or any one or more Juſtice or Juſtices of the Peace, who by Virtue of this Act ſhall be authorized to miniſter the ſaid Oath to any Perſon or Perſons that can or will juſtify the ſame, being within the Limits of their ſaid Commiſſion: (2) The ſaid Penalty to be levied by the Conſtables or Churchwardens of the Pariſh or Pariſhes where the ſaid Offence ſhall be committed, who ſhall be accountable therefore to the Uſe of the Poor of the ſaid Pariſh, by Way of Diſtreſs to be taken and detained by Warrant or Precept from the ſaid Mayor, Bailiff, Juſtice or Juſtices or other Head-Officer by whom the ſaid Offence ſhall be viewed, or before whom the ſame ſhall be confeſſed or proved as aforeſaid: (3) And for Default of Satisfaction within three Days next enſuing, the ſaid Diſtreſs to be by the ſaid Conſtables or Churchwardens appraiſed and ſold, and the Overplus to be delivered to the Party or Parties offending, and this to be only for the firſt Offence: (4) And if ſuch Offender or Offenders ſhall not have ſufficient Goods and Chattels, whereby the ſaid twenty Shillings may be levied by Way of Diſtreſs as aforeſaid, or ſhall not pay the ſaid Sum of twenty Shillings within ſix Days after ſuch Conviction as aforeſaid; That then the ſaid Mayor, Bailiff, Juſtice or Juſtices, or other Head Officer before whom the ſaid Offender ſhall be convicted as aforeſaid, ſhall commit all and every the ſaid Offender or Offenders to ſome Conſtable or Conſtables, or other inferior Officer or Officers of the City, Borough, Town, Pariſh or Hamlet, where the Offence ſhall be committed, or the Party apprehended, to be openly whipped for the ſaid Offence, as the ſaid Juſtice or Juſtices ſhall limit or appoint.

The Conſtables or Churchwardens ſhall levy the ſaid Forfeiture to the Uſe of the Poor.

The Party that is not able to pay the Forfeiture ſhall be whipped.

III. And be it enacted by the Authority aforeſaid, That if any Conſtable or inferior Officer ſhall neglect to execute the ſaid Precept or Warrant, or do refuſe, or do not execute, by himſelf or ſome other to be by him appointed, upon the Offender, the Puniſhment limited by this Statute, that in that Caſe it ſhall and may be lawful for the ſaid Mayor, Bailiff, Juſtice and Juſtices of Peace or other Head Officer, to commit the Conſtable or other inferior Officer ſo refuſing, or not executing the ſaid Puniſhment by himſelf or ſome other, to the common Gaol of the ſaid County, City or Town Corporate, there to remain without Bail or Mainprize, until the ſaid Offender or Offenders ſhall be by the ſaid Conſtable or Conſtables, or other inferior Officer ſo refuſing, or not executing the ſaid Puniſhment, or ſome by his or their Procurement, puniſhed or whipped as is above limited and declared, or until he or they ſo neglecting or refuſing ſhall have paid the Sum of forty Shillings of lawful Money of *England*, unto the Uſe of the Poor of the Pariſh, for their ſaid Contempt.

The Officer neglecting to puniſh the Offender ſhall be impriſoned, or pay 40 s.

IV. And be it further enacted, That if the ſaid Offender or Offenders, being an unlicenced Alehouſe-keeper, ſhall offend in any of the Premiſſes the ſecond Time, and be thereof lawfully convicted in Manner

For the ſecond and third Offence the

Manner and Form aforesaid, That then the said Mayor, Bailiff, Justice or Justices of Peace or other Head Officer, shall commit him, her or them unto the House of Correction, there to remain for the Space of one Month, and be dealt withal as idle, lewd and disorderly Persons: (2) And if such Person or Persons shall again offend, and shall be thereof convicted as aforesaid, That then the said Offender or Offenders for every such Offence shall be committed unto the said House of Correction as aforesaid, there to remain until by Order of the Justices in their General Sessions for the County, City, Borough or Franchise, he, she or they shall be delivered from thence. Offender shall be committed to the House of Correction.

V. Provided always, That such Offender or Offenders as shall be punished by Virtue of this Act, shall not be punished again for the same Offence by the former Act made in the fifth Year of King *Edward* the Sixth afore mentioned; (2) and that such Offender or Offenders as shall be punished by Virtue of the before mentioned Act made in the fifth Year of King *Edward* the Sixth, shall not be punished again for the same Offence by Virtue of this present Act, nor any Thing therein contained. The Offender punished by this Act shall not be again punished by 5 & 6 Ed. 6. c. 25. & contra.

VI. Provided always, That in such Towns and Places where any Fair or Fairs shall be kept, that for the Time only of the same Fair or Fairs it shall be lawful for every Person or Persons to use common Selling of Ale or Beer in Booths or other Places there, for the Relief of the King's Subjects that shall repair unto the same, in such like Manner and Sort as hath been used and done in Times past; this Act, or any Thing therein contained, to the contrary notwithstanding. 1 Jac. 1. c. 9. 4 Jac. 1. c. 4. 21 Jac. 1. c. 7. 1 Car. 1. c. 4. Alehouses kept in the Time of Fairs excepted. *Farther Provisions relating hereto,* 26 *Geo.* 2. *c.* 31. *and* 29 *Geo.* 2. *c.* 12.

## CAP. IV. (V.)

### An Act for Continuance and Repeal of divers Statutes.

BE it enacted by the Authority of this present Parliament, That one Act made in the first Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for the Preservation of Spawn and Fry 'of Fish' except the Proviso in the said Act mentioned, That the same Act shall not extend to the Rivers of *Tweed*, nor Waters or Rivers whereof the Queen was answered of any yearly Rent or Profit, nor to Farmers, Owners or Occupiers of the Rivers of *Wye*, *Uske*, and other Rivers in the said Proviso mentioned or contained: Fish. Divers Statutes made perpetual, others continued, and some others repealed. 1 Eliz. c. 17.

II. One Act made in the thirteenth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act touching Leases of Benefices, and other Ecclesiastical Livings with Cure;' together with all and every Explanations, Additions and Alterations thereof or of any of them, or to any of them, made by several Statutes in the fourteenth, eighteenth and three and fortieth Years of her said late Majesty's Reign: Leases. 13 Eliz. c. 20. 14 Eliz. c. 11. 18 Eliz. c. 11. 43 Eliz. c. 9.

III. And one Act made in the seven and twentieth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for the Maintenance of the Pier and Cob of *Lyme-Regis* in the County of *Dorset*:' Pier of Lyme-Regis. 27 Eliz. not printed.

IV. And one Act made in the third Year of the Reign of the late King *James*, intituled, 'An Act for 'the Avoiding of unnecessary Delays of Executions;' be by Authority of this Parliament made perpetual, and shall from henceforth stand in full Force and Effect, and be put in due Execution for ever hereafter. 3 Jac. 1. c. 8. The four Acts above-mentioned made perpetual. Execution.

V. And be it also enacted by the same Authority, That one Statute made in the one and twentieth Year of the Reign of the late King *James*, intituled, 'An Act against Usury,' which Act was to continue for the Space of seven Years from the four and twentieth Day of *June*, which then should be in the Year of our Lord God one thousand six hundred twenty and five, and so to the End of the first Session of Parliament then next following, be also by Authority of this Parliament made perpetual. Usury. 21 Jac. 1. c. 17. made perpetual.

VI. And it is further enacted by the Authority aforesaid, That one Act made in the one and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, 'An Act for the true Making of 'Cables, Halsers and Ropes:' Cables, &c. 21 H. 8. c. 12.

VII. And that Part of one Act made in the Parliament holden at *Westminster* by Prorogation the fourth Day of *November*, and continued until the first Day of *February* next after, in the third and fourth Years of the Reign of the late King *Edward* the Sixth, by which it is ordained and enacted, That no Person or Persons after the Time in the said Act mentioned shall sell again live Cattle in the said Act mentioned, at or in the Market or Fair wherein he bought the same, during the Time of the same Fair or Market, under the Pains therein contained: Cattle. 3 & 4 Ed. 6. c. 19.

VIII. And that no Person being a Butcher, and using the Craft or Mystery of Butchery, shall at any Time after the said Feast buy any fat Oxen, Steers, Runts, Kine, Heifers, Calves or Sheep, and sell or cause to be sold the same again alive, upon Pain of Forfeiture of every such Ox, Steer, Runt, Cow, Heifer, Calves or Sheep, bargained or sold contrary to the Form of that Act: Cattle.

IX. One other Act made in the same Parliament, intituled, 'An Act for the Buying and Selling of 'Butter and Cheese;' together with one Statute made in the Parliament holden in the one and twentieth Year of the Reign of the late King *James*, intituled, 'An Act for the Explanation of the Statutes made 'in the third, fourth and fifth Years of the Reign of the said late King *Edward* the Sixth, concerning 'the Traders of Butter and Cheese: Butter and Cheese. 3 & 4 Ed. 6. c. 21. 21 Jac. 1. c. 22.

X. And so much of an Act made in the fifth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act touching certain politick Constitutions made for the Maintenance of the Navy,' as is not repealed by any later Statute, nor doth concern the Eating of Flesh, or using of Fish upon the *Wednesday*, nor the Transportation of Herring or other Sea-fish, nor Freedom of Subsidy, Custom or Tonnage for the same, nor Transportation of Corn, nor the prohibiting the Bringing into this Realm any Cod or Ling in Barrels or other Casks; together with all and every other Additions, Explanations and Alterations made thereunto or thereof, or of any Part thereof, by any Statute or Statutes made sithence the Fish. 5 Eliz. c. 5.

21 Jac. 1. c. 28. Making of the ſaid laſt mentioned Act, and in Force the laſt Day of the Seſſion of Parliament that was in the one and twentieth Year of the Reign of the late King *James*:

Merchants. 5 Eliz. c. 7. XI. And one other Act made in the ſaid fifth Year, intituled, 'An Act for Avoiding divers foreign 'Wares made by Handicraftſmen beyond the Seas:'

Games. 8 Eliz. c. 10. XII. And an Act made in the eighth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for Bowyers and the Prices of Bows:

Purveyors. 13 Eliz. c. 21. XIII. And one Act made in the thirteenth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act that Purveyors may take Corn and Victuals within five Miles of *Cambridge* and *Oxford*, in 'Certain Caſes:'

Poor. 14 Eliz. c. 5. XIV. And ſo much of an Act made in the fourteenth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for the Puniſhment of Vagabonds, and the Relief of the Poor and Im-'potent,' as concerneth the Taxing, Rating, Levying and Imploying of Gaol-money:

18 Eliz. c. 3. XV. And ſo much of an Act made in the eighteenth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for the ſetting the Poor on work and avoiding Idleneſs,' as concerneth Baſtards begotten out of lawful Matrimony: (2) With this, That all Juſtices of the Peace within their ſeveral Limits and Precincts, and in their ſeveral Seſſions, may do and execute all Things concerning that Part of the ſaid Statute, that by Juſtices of the Peace in the ſeveral Counties are by the ſaid Statute limited to be done:

Highways. 18 Eliz. c. 20. XVI. And an Act made in the ſaid eighteenth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for Repairing and Amending of the Bridges and Highways near unto the City of '*Oxford*:'

Weſtminſter. 27 Eliz. not printed. XVII. And one Act made the ſeven and twentieth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act for the good Government of the City or Borough of *Weſtminſter*:'

Malt. 27 Eliz. c. 14. 2 & 3 Ed. 6. c. 10. Sea-Banks. 27 Eliz. c. 24. XVIII. And two other Acts made in the ſaid ſeven and twentieth Year of the Reign of the ſaid late Queen *Elizabeth*, the one intituled, 'An Act for reviving of a former Statute for the true Making of Malt,' together with the Statute by the ſaid Act revived; (2) and the other intituled, 'An Act for the 'Keeping of the Sea-Banks and Sea-works in the County of *Norfolk*:

Ale. 31 Eliz. c. 8. XIX. And one Act made in the one and thirtieth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for the true Gauging of Veſſels brought from beyond the Seas, converted by Brewers 'for the Utterance and Sale of Ale and Beer:'

Kerſies. 35 Eliz. c. 10. Timber. 35 Eliz. c. 11. XX. And two Acts made in the five and thirtieth Year of her ſaid late Majeſty's Reign, the one intituled, 'An Act for the Reformation of ſundry Abuſes in Cloths called *Devonſhire* Kerſies or Dozens, 'according to a Proclamation of the four and thirtieth Year of her ſaid Majeſty's Reign;' (2) the other, intituled, 'An Act for the bringing in of Clapboard from the Parts beyond the Seas, and the 'Reſtraining of the Tranſporting of Wine Caſks, for the ſparing and preſerving of Timber within the 'Realm:'

Pope. 35 Eliz. c. 1. XXI. And ſo much of one Act made in the five and thirtieth Year of the Reign of the ſaid late Queen *Elizabeth*, intituled, 'An Act to retain the Queen's Majeſty's Subjects in their due Obedience,' as hath not been ſince repealed by any other Statute:

Poor. 39 Eliz. c. 4. XXII. And the ſeveral Acts hereafter mentioned, made in the thirty ninth Year of the Reign of the late Queen *Elizabeth*, that is to ſay an Act intituled, 'An Act for the Puniſhment of Rogues, Vagabonds and 'Sturdy Beggars,' with the Proviſion annexed thereunto by one Act made in the firſt Year of the Reign of the late King *James*, intituled, 'An Act for the continuing and reviving of divers Statutes, and for Repeal-'ing of ſome others;' (2) An Act intituled, 'An Act for the Increaſe of Mariners, and for Main-'tenance of Navigation,' repealing a former Act made in the three and twentieth Year of her ſaid Majeſty's Reign, bearing the ſame Title; (3) An Act intituled, 'An Act prohibiting the bringing into this 'Realm of Foreign Cards for Wool;' (4) An Act intituled, 'An Act for reſtraining the exceſſive Making 'of Malt;' (5) 'An Act againſt lewd and wandring Perſons, pretending to be Soldiers or Mariners:' (6) And the ſeveral Acts hereafter-mentioned, made in the three and fortieth Year of the Reign of the ſaid late Queen *Elizabeth*, that is to ſay, An Act intituled, 'An Act for the neceſſary Relief of Soldiers 'or Mariners; (7) An Act intituled, 'An Act to avoid trifling and frivolous Suits in Law in her Ma-'jeſty's Courts at *Weſtminſter*; (8) An Act intituled, 'An Act for Relief of the Poor,' with the Addition thereunto made by an Act made in the firſt Year of the Reign of the late King *James*, intituled, 'An Act for continuing of divers Statutes, and for Repeal of ſome others,' and with this further Addition (9) and be it enacted, That all Perſons to whom the Overſeers of the Poor ſhall, according to the ſaid Act, bind any Children Apprentices, may take and receive, and keep them as Apprentices; and alſo that the Churchwardens and Overſeers of the Poor mentioned in the ſaid Act made in the ſaid three and fortieth Year, may, by and with the Conſent of two or more Juſtices of the Peace, whereof one to be of the *Quorum*, within their reſpective limits, wherein ſhall be more Juſtices than one, and where no more ſhall be than one with the Aſſent of that one Juſtice of the Peace, ſet up, uſe and occupy any Trade, Myſtery or Occupation, only for the ſetting on Work and better Relief of the Poor of the Pariſh, Town or Place, of or within which they ſhall be Churchwardens or Overſeers of the Poor; any former Statute to the contrary notwithſtanding: (10) An Act intituled, 'An Act for the true Making and 'Working of Woolen Cloth:' (11) An Act intituled, 'An Act to prevent Perjury and Subornation of 'Perjury, and unneceſſary Expence in Suits of Law:' (12) And the ſeveral Acts made in the firſt Year of the Reign of the late King *James* after-mentioned; one Act intituled, 'An Act for Continuance and 'Explanation of the Statute made in the nine and thirtieth Year of the Reign of the late Queen *Elizabeth*, intituled, 'An Act for Puniſhment of Rogues, Vagabonds and Sturdy Beggars:' (13) Another intituled, 'An Act to take away the Benefit of Clergy for ſome Kind of Manſlaughter:' (14) Another intituled,

1 Jac. 1. c. 25. ſect. 20. Mariners. 39 Eliz. c. 10. 23 Eliz. c. 7. Wool Cards. 39 Eliz. c. 14. Malt. 39 Eliz. c. 16. Poor. 43 Eliz. c. 3. Frivolous Suits. 43 Eliz. c. 6. Poor. 43 Eliz. c. 2. 1 Jac. 1. c. 25. Apprentice. The Overſeers of the Poor may put out Apprentices. The Churchwardens, &c. may ſet up any Trade to find the Poor Work.

Woollen Cloth. 43 Eliz. c. 10. Perjury. 43 Eliz. c. 5. Poor. 1 Jac. 1. c. 7. 39 Eliz. c. 4. 1 Jac. 1. c. 8.

tituled, *An Act concerning Tanners, Curriers, Shoemakers and other Artificers occupying the Cutting of Leather*, saving for such Part thereof as is repealed by one other Act made in the fourth Year of his said late Majesty's Reign of *England*, in that Behalf: (15) Another intituled, *An Act for the better Execution of the Intent and Meaning of former Statutes made against Shooting in Guns, and for the Preservation of the Game of Pheasants and Partridges, and against the destroying of Hares with Hare-pipes, and tracing of Hares in the Snow:* (16) An Act, intituled, *An Act for Avoiding of Deceit in Selling, Buying or Spending corrupt and unwholsome Hops:* (17) An Act, intituled, *An Act for Explanation of the Statute made in the fifth Year of the late Queen* Elizabeth's *Reign, concerning Labourers:* (18) *An Act for the charitable Relief and ordering of Persons infected with the Plague:* (19) And the several Acts made in the third Year of the Reign of the late King *James*, after-mentioned, that is to say, one intituled, *An Act for Relief of such as lawfully Use the Trade and Handicraft of Skinners*; (20) Another Act, intituled, *An Act for Rating and Levying of the Charges for Conveying of Malefactors and Offenders to the Gaol*; (21) Another Act, *For Transportation of Beer over the Seas:* (22) One other, intituled, *An Act against unlawful Hunting and Stealing of Deer and Conies*; (23) And one Act made in the fourth Year of the Reign of the said late King *James*, intituled, *An Act for the better Provision of Meadow and Pasture for the necessary Maintenance of Husbandry and Tillage, in the Manors, Lordships and Parishes of* Marden, *alias* Mawarden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton *upon* Lugge, *and the Parish of* Pipe, *and every of them, in the County of* Hereford: (24) And the several Acts made in the seventh Year of the Reign of the said late King *James* after-mentioned; the one, intituled, *An Act for the better Execution of Justice, and suppressing of criminal Offenders in the North Parts of the Kingdom of* England; (25) Another, intituled, *An Act for the due Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds and Sturdy Beggars, and other lewd and idle Persons*; (26) Another, intituled, *An Act to prevent the Spoil of Corn and Grain by untimely Hawking, and for the better Preservation of Pheasants and Partridges*; (27) One other, intituled, *An Act to avoid the double Payment of Debts*; (28) One other, intituled, *An Act for the Explanation of one Statute made in the second Session of that present Parliament*, intituled, *An Act against unlawful Hunting of Deer and Conies*; (29) And one other Act, intituled, *An Act for the taking, landing and carrying of Sea-Sand for the bettering of Grounds, and for the Increase of Corn and Tillage, within the Counties of* Devon *and* Cornwall: (30) And that one Part of the Statute made in the five and twentieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act for the Destruction of Wild Fowl*, which was repealed by a later Act in the Parliament holden in the third and fourth Years of the Reign of the late King *Edward* the Sixth, and revived in the Parliament holden in the one and twentieth Year of the Reign of the late King *James*: (31) And one Act made in the first Year of the Reign of the late Queen *Mary*, for and concerning the Making, Repairing and Amendment of the Common Highway and Cawsey in the Counties of *Dorset* and *Somerset*, between the Towns of *Shaftsbury* and *Sherborn* in the said County of *Dorset*, and revived in the said one and twentieth Year: (32) And also the several Acts hereafter-mentioned, made in the said one and twentieth Year of the Reign of the late King *James*; That is to say, An Act intituled, *An Act concerning Women convicted of small Felonies*; (33) And one Act, intituled, *An Act for the Continuance of a former Statute made in the fourth Year of the Reign of the said late King* James, intituled, *An Act for the true Making of Woollen Clothes, and for some Additions and Alterations in and to the same*; together with so much of one Act made in the said fourth Year, as was in Force the last Day of the Session of Parliament holden in the said one and twentieth Year: (34) And one other Act, intituled, *An Act to prevent and reform prophane Swearing and Cursing*; (35) And one Act, intituled, *An Act to prevent the Destroying and Murdering of Bastard Children*; (36) by Virtue of this Act, shall be and continue until the End of the first Session of the next Parliament, in Force and Effect as the same were the first Day of the Session of Parliament holden in the first Year of the Reign of our Sovereign Lord the King that now is: (37) And be it also enacted, That one Statute made in the said first Year of his Majesty's Reign that now is, intituled, *An Act for punishing of divers Abuses committed on the Lord's Day*, shall continue in Force until the End of the first Session of the next Parliament.

Leather. 1 Jac. 1. c. 22. 4 Jac. 1. c. 6. Game. 1 Jac. 1. c. 27. Hops. 1 Jac. 1. c. 18. Labourers. 5 Eliz. c. 4. Plague. 1 Jac. 1. c. 6. 1 Jac. 1. c. 31. Skinners. 3 Jac. 1. c. 9. Imprisonment. 3 Jac. 1. c. 10. Ale. 3 Jac. 1. c. 11. Deer. 3 Jac. 1. c. 13. Husbandry. 4 Jac. 1. c. 11. Offenders in the North. 7 Jac. 1. c. 1. Poor. 7 Jac. 1. c. 4. Hawking. 7 Jac. 1. c. 11. Debt. 7 Jac. 1. c. 12. Deer. 7 Jac. 1. c. 13. Husbandry. 7 Jac. 1. c. 18. Wild Fowl. 25 H. 8. c. 11. 3 & 4 Ed. 6. c. 7. Ways. 1 M. Sess. 3. c. 5. 21 Jac. 1. c. 18. Women. 21 Jac. 1. c. 6. Woollen Cloth. 21 Jac. 1. c. 18. 4 Jac. 1. c. 2. 21 Jac. 1. c. 28. Cursing and Swearing 21 Jac. 1. c. 20. Bastardy. 21 Jac. 1. c. 27. The 56 Statutes above-mentioned continued until the End of Lord's Day.

the first Session of the next Parliament. 1 Car 1. c. 1.

XXIII. Provided nevertheless, That so much of every of the said Acts, as by any new Act made in this Session of Parliament are or shall be explained, altered or repealed, shall for so much thereof, from the End of this Session of Parliament, stand and be in Force as by those other Acts shall be ordained. Continued till some other Act be made for Continuance or Discontinuance of the said Act.

XXIV. Provided also, and be it further enacted by the Authority of this present Parliament, That when the Prices of Corn or Grain, at the Times, Havens and Places, when and where the said Corn or Grain shall be bought, shipped or loaden, exceed not the Rates hereafter following, *viz.* The Quarter of Wheat at thirty and two Shillings the Quarter; the Quarter of Rye at twenty Shillings; the Quarter of Pease and Beans at sixteen Shillings; the Quarter of Barley or Malt at sixteen Shillings of current *English* Money; That then it shall be lawful for all and every Person and Persons, being Subjects of the King's Majesty, his Heirs and Successors, and born within this Realm, to carry and transport of his own, and to buy to sell again in Markets and out of Markets, and to keep or sell, or carry and transport, any of the said Corns and Grains from the Places where they shall be of such Prices, unto any Parts beyond the Seas in Amity with his Majesty, as Merchandize, in Ships, Crayers or other Vessels, whereof any English-born Subject or Subjects then shall be the Owner or Owners, or the same to carry and sell in other Places within this Realm or Dominions thereof; any Law, Statute or Usage to the contrary hereof notwithstanding: And that the King's Majesty, his Heirs and Successors, shall have and receive by the Customers and Officers of his Ports, for the Custom or Poundage of every Quarter of Wheat, to be transported by Force of this Statute, out of this Realm, two Shillings; of every Quarter of other Grain, sixteen-pence: Which said several Sums so to be had and taken as Custom or Poundage, shall be in full Satisfaction of all manner of Custom or Poundage for the said Corn or Grain, by

Corn. When Corn may be transported. 21 Jac. 1. c. 28. The Custom and Poundage of Corn.

any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken for tranſporting any ſuch manner of Corn or Grain, or made in this preſent Seſſion of Parliament or hereafter to be made.

The King's Proclamation may reſtrain Tranſportation of Corn.

XXV. Provided always, and be it enacted by the Authority of this preſent Parliament, That the King's Majeſty, his Heirs and Succeſſors, may at all Times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of this Realm, where any Ports are, command, That no Perſon ſhall by Virtue of this Act tranſport or convey any manner of Grain out of his Highneſs Dominions generally, or out of any ſpecial Ports, to be in the ſaid Proclamation particularly named, for ſuch Time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any Perſon to carry out any ſuch Grain contrary to the Tenor of the ſaid Proclamation, upon ſuch Pains and Forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that Behalf; this Act or any Thing therein contained to the contrary notwithſtanding.

Welſh Cottons.

XXVI. Provided alſo, and be it enacted, That no Perſon or Perſons ſhall incur any Penalty for Want of Length, Breadth or Weight of Welſh Cottons, under the Price of fifteen Pence the Yard, or two Shillings the Goad, ſo as they be not mixt with Hair or other deceitful Stuff, nor for any others above that Price, except they ſhall be mixt as aforeſaid, or ſhall ſhrink above the Rate of Half a Yard in twelve Yards of Length, or weigh leſs than fourteen Ounces the Yard, or hold not full three Quarters of a Yard broad.

Spicery. 16 R. 2. c. 1.

XXVII. And be it alſo enacted by the Authority aforeſaid, That that Part of one Statute made in the ſixteenth Year of the Reign of the late King *Richard* the Second, by which it is ordained, That no manner of Spicery, after that it be brought into the Realm, ſhall be carried out of the ſame Realm by Aliens nor by Denizens, upon Pain of Forfeiture thereof: (2) And one Statute made in the ſixteenth Year of the Reign of the late King *Richard* the Second, concerning Liveries: (3) And one other Statute made in the twentieth Year of the Reign of the late King *Richard* the Second, by which it is ordained, That no Vadelets called Yeomen, nor other of leſſer Eſtate than an Eſquire, ſhall uſe or bear any Sign of Livery, called Livery of Company, of any Lord within the Realm: (4) And one Statute made in the firſt Year of the Reign of the late King *Henry* the Fourth, concerning giving of Liveries: (5) And one Statute made in the ſeventh Year of the Reign of the late King *Henry* the Fourth, concerning giving of Liveries: (6) And one other Statute made in the thirteenth Year of the Reign of the late King *Henry* the Fourth, concerning giving of Liveries: (7) And one Statute made in the eighth Year of the Reign of the late King *Henry* the Sixth, concerning Liveries: (8) And one Statute made in the eighth Year of the Reign of the late King *Edward* the Fourth, concerning Liveries: (9) And ſo much of one Statute made in the third Year of the Reign of the late King *Henry* the Seventh, concerning the Star-Chamber, as toucheth or concerneth the Puniſhment of thoſe that ſhall give or take Liveries: (10) And one other Statute made in the ſaid third Year, concerning taking of Liveries by the King's Officers and Farmors; (11) be from henceforth repealed.

Liveries. 16 R. 2. c. 4. 21 R. 2. c. 2. ‡ 1 H. 4. c. 7. 7 H. 4. c. 14. 13 H. 4. c. 3. 3 H. 6. c. 4. 8 Ed. 4. c. 2. 3 H. 7. c. 1. 3 H. 7. c. 12.

A Repeal of the nine Statutes laſt-mentioned.

Lands preſerved from the Sea. 7 Jac. 1. c. 20. Continued until the next Parliament.

XXVIII. And be it alſo enacted by Authority of this Parliament, That one Act of Parliament made in the ſeventh Year of the Reign of the late King *James*, intituled, 'An Act for the ſpeedy Recovery 'of many thouſand Acres of Marſh Grounds, and other Grounds within the Counties of *Norfolk* and '*Suffolk*, lately ſurrounded by the Rage of the Sea, in divers Parts of the ſaid Counties, and for the 'Prevention of the Danger of the like Surrounding hereafter,' be continued, and ſhall ſtand in Force until the End of the next Seſſion of Parliament. [By 16 Car. 1. c. 4. All Acts hereby continued are further continued.]

‡ *Read* 10 R. 2. c. 2.

## CAP. V. (VI.)

The Eſtates of the Tenants of *Bromfield* and *Yale* in the County of *Denbigh*, and of the Tenures, Rents and Services thereupon reſerved (according to the late Compoſition made for the ſame with the King's moſt excellent Majeſty, then Prince of *Wales*) ratified and confirmed. P.R.

## CAP. VI. (VII.)

Five Subſidies granted by the Spiritualty. EXP.

## CAP. VII. (VIII.)

Five Subſidies granted by the Temporalty *Anno quarto Caroli Regis.* EXP.

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# Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, decimo ſexto.

'AT the Parliament begun at *Weſtminſter* the third Day of *November*, *Anno Dom.* one thouſand 'ſix hundred and forty, in the ſixteenth Year of the Reign of *Charles* the Firſt, by the Grace of 'God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* To the 'high Pleaſure of Almighty God, and the Weal publick of this Realm, were enacted as followeth.'

## CAP. I.

Parliament.

An Act for the preventing of Inconveniences happening by the long Intermiſſion of Parliament. Repealed and altered, 16 Car. 2. c. 1.

CAP.

## CAP. II.

An Act for the Relief of his Majeſty's Army, and the Northern Parts of the Kingdom. EXP.

## CAP. III.

An Act for the reforming of ſome Things miſtaken in the late Act made this preſent Parliament for the granting of four Subſidies, intituled, *An Act for the Relief of his Majeſty's Army, and the Northern Parts of this Kingdom*, and to make good the Acts of the Commiſſioners and other Officers by them authorized or appointed, and to be authorized or appointed. EXP. Taxes.

## CAP. IV.

An Act for the further Relief of his Majeſty's Army, and the Northern Parts of the Kingdom. EXP.

(II.) AND be it enacted by the Authority aforeſaid, That the Paſſing of this preſent Act or of any other Act or Acts, or his Majeſty's Royal Aſſent to them or any of them in this preſent Seſſion of Parliament, ſhall not be any Determination of the ſaid Seſſion; and that all Statutes and Acts of Parliament which have their Continuance, or were by an Act of Parliament made in the third Year of the Reign of his Majeſty that now is, intituled, *An Act for the Continuance and Repeal of divers Statutes*, continued until the End of the firſt Seſſion of the then next Parliament, ſhall by Virtue of this Act be adjudged ever ſince the Seſſion of Parliament in the ſaid third Year, to have been of ſuch Force and Effect as the ſame were the laſt Day of that Seſſion, and from thenceforth until ſome other Act of Parliament be made touching the Continuance or Diſcontinuance of the ſaid Statutes and Acts in the ſaid Act of the third Year of his Majeſty's Reign continued as aforeſaid. Divers Statutes continued. 3 Car. 1. c. 4. continued further.

## CAP. V.

An Act for the better Raiſing and Levying of Mariners, Sailors and others, for the preſent guarding of the Seas, and neceſſary Defence of the Realm. EXP.

## CAP. VI.

An Act concerning the Limitation and Abbreviation of *Michaelmas* Term.

'WHEREAS the Term of St. *Michael*, commonly called *Michaelmas* Term, doth begin ſo ſoon after the Feaſt of St. *Michael*, that it is generally found to be very inconvenient to his Majeſty's Subjects, both Nobles and others, as well for the keeping of the Quarter-Seſſions next after the Feaſt of St. *Michael* the Archangel, and the keeping of their Leets, Law-Days and Court-Barons, which they can by no Means attend in regard of the Neceſſity of their coming to the ſaid Term ſo ſpeedily after the Feaſt of St. *Michael* the Archangel, to appear upon Juries, and to follow their Cauſes and Suits in the Law; the ſame Time being the chief Time of all the Year for the Sowing of Land with Winter Corn, and for the diſpoſing and ſetting in Order of all their Winter Huſbandry and Buſineſs, and for the receiving and paying of Rents; and in many Parts of this Kingdom Harveſt is ſeldom or never inned till three Weeks after the ſaid Feaſt:' Inconvenience of Michaelmas Term being ſo ſoon after the Feaſt of St. Michael. 2 Roll 443.

II. Therefore the King's moſt excellent Majeſty, out of the Princely Care that he hath of all his loving Subjects, having a ſpecial Care to the Increaſe and Continuance of their Wealth and good Eſtates, by the Aſſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, ordaineth, enacted and eſtabliſheth, That in the ſaid *Michaelmas* Term there ſhall be ſix common Days of Return only, and not above; that is to ſay, (2) the firſt Day of the Return thereof ſhall be and be called *A die Sancti Michaelis in tres Septimanas*; (3) the ſecond Day of Return of the ſame Term ſhall be and be called *A die Sancti Machaelis in unum menſem*; (4) the third Day of Return of the ſame Term ſhall be and be called *In Craſtino Animarum*; (5) the fourth Day of Return of the ſame Term ſhall be and be called *In Craſtino Sancti Martini*; (6) the fifth Day of Return of the ſame Term ſhall be and be called *In Octabis Sancti Martini*; (7) and the ſixth Day of Return of the ſaid Term ſhall be and be called *A die Sancti Martini in quindecim dies:* *Spel. Rem.* 71. In Michaelmas Term ſhall be ſix common Days of Return only.

III. And that the ſame Days of Return ſhall be obſerved in all the High Courts of Record of our Sovereign Lord the King, his Heirs and Succeſſors, hereafter to be holden at *Weſtminſter*, or other Place or Places at the Aſſignment or Appointment of our Sovereign Lord the King, his Heirs and Succeſſors: (2) And that from and after the Feaſt of St. *Michael* the Archangel next coming there ſhall not be nor be called any Days of Return in 'Octabis Sancti Michaelis,' nor 'A die Sancti Michaelis in quindecim dies,' nor either of them: (3) And that the ſaid Term of St. *Michael* yearly for ever, from and after the ſaid Feaſt of St. *Michael* the Archangel next coming, begin in and upon the ſaid 'Tres ſeptimanas Sancti Michaelis,' whenſoever it ſhall happen to fall (except it be on the Lord's Day commonly called *Sunday*, and then on the Morrow next after) for the keeping of the Eſſoins, Profers, Returns and other Ceremonies heretofore uſed and kept, in like Manner and Form as hath been uſed to be done in the Day of the Return, commonly called 'Octabis Sancti Michaelis: (4) And that the full Term of St. *Michael* ſhall yearly The Return-Days to be obſerved. Two Return-Days taken away.

yearly for ever, from and after the ſaid Feaſt of St. *Michael* next coming, in all the aforeſaid Courts of Record begin and take his Commencement upon the 'Quarto die' of the ſaid 'tres ſeptimanas Sancti Michaelis,' and not before, as formerly it hath been uſed upon the 'Quarto die' of 'Octabis Sancti Michaelis' except it be on the Lord's Day commonly called *Sunday*, and then on the Morrow next after.

When the Term ſhall begin.

How Days ſhall be given on Writs in real Actions, other than Writs of Entry, Right of Advowſon, or Dower.

IV. And be it further enacted by the Authority aforeſaid, That if after the Feaſt of St. *Michael* the Archangel next coming, any Writ in any real Action, other than Writs of Entry for common Recoveries, and Writs of Right of Advowſon, and Writs of Dower 'Unde nihil habet,' hereafter mentioned, come in and be returnable in his Majeſty's Court of Common Pleas, in the Day of Return of 'Tres ſeptimanas Sancti Michaelis,' then Day ſhall be given 'in Craſtino Purificationis beatæ Mariæ:' (2) And if 'A die Sancti Michaelis in unum menſem,' then in 'Octabis Purificationis beatæ Mariæ;' (3) if 'in Craſtino Animarum,' then 'in Quindena Paſchæ;' (4) if 'in Craſtino Sancti Martini,' then 'A die Paſchæ in tres ſeptimanas;' (5) if 'in Octabis Sancti Martini,' then 'A die Paſchæ in unum menſem;' (6) if 'in Quindena Sancti Martini,' then 'in Quinq; ſeptimanas Paſchæ;' (7) if 'in Octabis Sancti Hillarii,' then 'in Craſtino Aſcenſionis Domini;' (8) if 'in Quindena Sancti Hillarii,' then 'in Craſtino Sanctæ Trinitatis;' (9) if 'in Craſtino Purificationis beatæ Mariæ,' then 'in Octabis Sanctæ Trinitatis;' (10) if 'in Octabis Purificationis beatæ Mariæ,' then 'in Quindena Sanctæ Trinitatis;' (11) if 'in Quindena Paſchæ,' then 'A die Sanctæ Trinitatis in tres ſeptimanas;' (12) if 'A die Paſchæ in tres ſeptimanas,' then 'A die Sancti Michaelis in tres ſeptimanas;' (13) If 'A die Paſchæ in unum menſem,' then 'A die Sancti Michaelis in unum menſem;' (14) If 'A die Paſchæ in quinq; ſeptimanas,' then 'in Craſtino Animarum;' (15) if 'in Craſtino Aſcenſionis Domini,' then 'in Craſtino Sancti Martini;' (16) if 'in Craſtino Sanctæ Trinitatis,' then 'in Octabis Sancti Martini;' (17) if 'in Octabis Sanctæ Trinitatis,' then 'in Quindena Sancti Martini;' (18) if 'in Quindena Sanctæ Trinitatis,' then 'in Octabis Sancti Hillarii;' (19) if 'A die Sanctæ Trinitatis in tres ſeptimanas,' then 'in Quindena Sancti Hillarii.'

How Days ſhall be given in theſe Writs.

V. And for the more ſpeedy Proceeding in Writs of Dower, and Writs of Entry for common Recoveries, to be ſued and proſecuted by Writs of Entry, or Writs of Right of Advowſon, (2) be it further enacted by the Authority aforeſaid, That if after the ſaid Feaſt of St. *Michael* the Archangel next coming, any Writ of Dower 'Unde nihil habet,' or any Writ of Entry whereupon a common Recovery is to be ſued, or Writs of Right of Advowſon, be returnable, 'A die Sancti Michaelis in tres ſeptimanas,' then a Day ſhall be given 'in Octabis Sancti Martini;' (3) if 'A die Sancti Michaelis in unum menſem,' then 'in Quindena Sancti Martini;' (4) if 'in Craſtino Animarum,' then 'in Octabis Sancti Hillarii;' (5) if 'in Craſtino Sancti Martini,' then 'in Quindena Sancti Hillarii;' (6) if 'in Octabis Sancti Martini,' then 'in Craſtino Purificationis beatæ Mariæ;' (7) if 'in Quindena Sancti Martini,' then 'in Octabis Purificationis beatæ Mariæ;' (8) if 'in Octabis Sancti Hillarii,' then 'in Quindena Paſchæ; (9) if 'in Quindena Sancti Hillarii,' then 'A die Paſchæ in tres ſeptimanas;' (10) if 'in Craſtino Purificationis beatæ Mariæ,' then 'A die Paſchæ in unum menſem;' (11) if 'in Octabis Purificationis beatæ Mariæ,' then 'A die Paſchæ in quinque ſeptimanas;' (12) if 'in Quindena Paſchæ,' then 'in Craſtino Aſcenſionis Domini;' (13) if 'A die Paſchæ in tres ſeptimanas,' then 'in Craſtino Sanctæ Trinitatis;' (14) if 'in Menſe Paſchæ,' then 'in Octabis Sanctæ Trinitatis;' (15) if 'in Quinque ſentimanas Paſchæ,' then 'in Quindena Sanctæ Trinitatis;' (16) if 'in Craſtino Aſcenſionis Domini,' then 'A die Sanctæ Trinitatis in tres ſeptimanas;' (17) if 'in Craſtino Sanctæ Trinitatis,' then 'A die Sancti Michaelis in tres ſeptimanas;' (18) if 'in Octabis Sanctæ Trinitatis,' then 'A die Sancti Michaelis in unum menſem;' (19) if 'in Quindena Sanctæ Trinitatis,' then 'in Craſtino Animarum;' (20) if 'A die Sanctæ Trinitatis in tres ſeptimanas,' then 'in Craſtino Sancti Martini.'

In Writs of Dower, after Iſſue joined, fifteen Days between the Teſte and Return ſufficient.

VI. Provided neverthelefs, and be it likewiſe enacted by the Authority aforeſaid, That in all Writs of Dower 'Unde nihil habet,' after Iſſue joined, it ſhall not be needful or requiſite to have above fifteen Days betwixt the *Teſte* and Return of the *Venire facias*, or any other Proceſs to be ſued out for the Trial of the ſaid Iſſue; but that the Writ of *Venire facias*, and other Proceſs after Iſſue joined, until Judgment be given, having only fifteen Days between the *Teſte* and Return thereof, ſhall be good and effectual in Law, as is uſed in perſonal Actions; any Law, Statute or Uſage to the contrary heretofore notwithſtanding.

Craſtino Aſcenſionis a perfect Return. The Eſſoin-Days.

VII. And be it further enacted by the Authority aforeſaid, That from and after the Feaſt of St. *Michael* the Archangel now next coming, the ſaid Day of Return, called *Craſtino Aſcenſionis Domini*, ſhall be a good and perfect Return to all Intents and Purpoſes, as any other of the ſaid Days of Return before-mentioned is or hath been uſed, notwithſtanding there be not fifteen Days between the *Quarto die* of the ſaid Return of *Craſtino Aſcenſionis Domini* and the Eſſoin Day of the Return of *Craſtino Sanctæ Trinitatis*.

Writs in perſonal Actions, having Day from tres Michaelis till Craſtino Animarum, good. Lutw. 26.

VIII. And be it further enacted, That all Writs and Proceſs in perſonal Actions hereafter to be made out of any of his Majeſty's ſaid Courts at *Weſtminſter*, and having Day from *Tres Michaelis* until *Craſtino Animarum*, ſhall be good and effectual in Law, notwithſtanding there be not fifteen Days betwixt the *Quarto die* of the ſaid *Tres ſeptimanas Sancti Michaelis* and the Days of Eſſoin of *Craſtino Animarum*; any Law, Statute or Uſage to the contrary heretofore notwithſtanding.

Proviſo for Writs returnable 1641. Exp.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That all Writs and Proceſs to be made from and after the Feaſt of *Eaſter* in the Year of our Lord God one thouſand ſix hundred forty-one, returnable in *Octabis* or *Quindena Sancti Michaelis* now next enſuing, or having Days betwixt any of the ſaid Returns, ſhall by Force of this Act have Day unto *Tres ſeptimanas Sancti Michaelis* next, and the Parties to the ſaid Writs and Proceſs ſhall then appear and plead, and proceed thereupon, to all Intents and Purpoſes, as if the ſaid Writs and Proceſs had been made returnable *A die Sancti Michaelis in tres ſeptimanas*.

Writs of Summons ad Warrantizand. upon Common Reco-

'X. And whereas before the making of this Act, all Writs of Summons *ad Warrantizand.* againſt the 'Vouchees, upon Common Recoveries had in Writs of Entry, and Writs of Right of Advowſon, were 'made

'made for nine Returns inclusive;' (2) Now for the more ſpeedy perfecting of ſuch Recoveries, Be it enacted by the Authority aforeſaid, That from and after the ſaid Feaſt of St. *Michael* the Archangel next, all and every ſuch Writs of Summons *ad Warrantizand.* upon the Appearance of the Tenant to every ſuch Writs of Entry, and Writ of Right of Advowſon, ſhall and may be made and abridged to five Returns, as Writs of Summons *ad Warrantizand.* in Writs of Dower *Unde nihil habet*, heretofore have been uſed and accuſtomed. veries, and Writs of Right of Advowſon, abridged to five Returns.

XI. And it is further enacted by the Authority aforeſaid, That all Common Writs and Proceſs, as well Perſonal as Mixt, which ſhall fortune to be returnable in the ſaid *Michaelmas* Term, ſhall have and keep the ſaid Returns of 'A die Sancti Michaelis in tres ſeptimanas, A die Sancti Michaelis in unum menſem, In Craſtino Animarum, In Craſtino Sancti Martini, In Octabis Sancti Martini,' and 'A die Sancti Martini in quindecim dies,' or any of them. Common Writs and Proceſs to keep the aforeſaid Returns.

XII. Provided always, and it is further enacted by the Authority aforeſaid, That in ſuch and like Caſes and Proceſs, as ſpecial Days have been uſed to be appointed and aſſigned and given, for the returning of Writs and Proceſs, it ſhall be lawful to the Juſtices of every of the King's ſaid Courts of Record for the Time being, in all the Proceſs by them awarded, to aſſign and appoint ſpecial Days of Returns, as by their Diſcretions ſhall be thought convenient. Special Days may be appointed as have been uſed.

XIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That the Days in Aſſize of *Darrein Preſentment*, and in Plea of *Quare Impedit*, limited and appointed by the Statute of *Marlebridge*, and alſo the Days to be given in Attaint, limited in the Statute made in the fifth Year of the Reign of the Noble King *Edward* the Third, and alſo in the Statute made in the three and twentieth Year of the Reign of the late King *Henry* the Eighth, of worthy Memory, being not contrary to the Tenors of this Act, ſhall be holden firm and ſtable, and ſhall ſtand in their full Force and Effect. 52 H. 3. c. 12. 5 Ed. 3. c. 6. 23 H. 8. c. 3. 32 H. 8. c. 2. Days in Aſſize of Darrein Preſentment, and in Plea of Quare Impedit, and in Attaint, not contrary hereto, ſhall be in Force. *This Term is farther abbreviated by 24 Geo. 2. c. 48.*

## CAP. VII.

An Act to prevent Inconveniencies by the untimely Adjournment of Parliaments. EXP. 12 Car. 2. c. 1.

## CAP. VIII.

A Subſidy granted to the King of Tonnage, Poundage, and other Sums of Money payable upon Merchandize Exported and Imported. EXP. Tonnage and Poundage.

## CAP. IX.

An Act for the ſpeedy Proviſion of Money for Diſbanding the Armies, and ſettling the Peace of the two Kingdoms of *England* and *Scotland*. EXP.

## CAP. X.

An Act for the Regulating of the Privy Council, and for taking away the Court commonly called the Star-Chamber.

'WHEREAS by the Great Charter many Times confirmed in Parliament, it is enacted, That no Freeman ſhall be taken or impriſoned, or diſſeiſed of his Freehold or Liberties, or Free Cuſtoms, or be outlawed or exiled or otherwiſe deſtroyed, and that the King will not paſs upon him, or condemn him; but by lawful Judgment of his Peers, or by the Law of the Land: (2) And by another Statute made in the fifth Year of the Reign of King *Edward* the Third, it is enacted, That no Man ſhall be attached by any Accuſation, nor forejudged of Life or Limb, nor his Lands, Tenements, Goods nor Chattels ſeized into the King's Hands, againſt the Form of the Great Charter, and the Law of the Land: (3) And by another Statute made in the five and twentieth Year of the Reign of the ſame King *Edward* the Third, It is accorded, aſſented and eſtabliſhed, That none ſhall be taken by Petition or Suggeſtion made to the King, or to his Council, unleſs it be by Indictment or Preſentment of good and lawful People of the ſame Neighbourhood where ſuch Deeds be done, in due Manner, or by Proceſs made by Writ Original at the Common Law, and that none be put out of his Franchiſe or Freehold, unleſs he be duly brought in to anſwer, and forejudged of the ſame by the Courſe of the Law, and if any Thing be done againſt the ſame, it ſhall be redreſſed and holden for none: (4) And by another Statute made in the eight and twentieth Year of the Reign of the ſame King *Edward* the Third, it is amongſt other Things enacted, That no Man of what Eſtate or Condition ſoever he be, ſhall be put out of his Lands or Tenements, nor taken, nor impriſoned, nor diſinherited, without being brought in to anſwer by due Proceſs of Law: (5) And by another Statute made in the two and fortieth Year of the Reign of the ſaid King *Edward* the Third, It is enacted, That no Man be put to anſwer, without Preſentment before Juſtices, or Matter of Record, or by due Proceſs and Writ Original, according to the old Law of the Land, and if any Thing be done to the contrary, it ſhall be void in Law, and holden for Error: (6) And by another Statute made in the ſix and thirtieth Year of the ſame King *Edward* the Third, It is amongſt other Things enacted, That all Pleas which ſhall be pleaded in any Courts before any the King's Juſtices, or in his other Places, or before any of his other Miniſters, or in the Courts and Places of any other Lords within the Realm, ſhall be entred and enrolled in *Latin*: (7) And whereas by the Statute made in the third Year of King *Henry* the Seventh Power is given to the Chancellor, the Lord Treaſurer of *England* for the Time being, and the Keeper of the King's Privy Seal, or Recital of Magna Charta, and ſeveral Statutes. 9 H. 3. Stat. 1. c. 29. 5 Ed. 3. c. 9. 3 H. 7. c. 1. 25 Ed. 3. Stat. 5. c. 4. 28 Ed. 3. c. 3. 42 Ed. 3. c. 3. 36 Ed. 3. c. 15. 3 H. 7. c. 1.

'two of them, calling unto them a Biſhop and a Temporal Lord of the King's moſt Honourable Coun-
'cil, and the two Chief Juſtices of the King's Bench and Common Pleas for the Time being, or other
'two Juſtices in their Abſence, to proceed as in that Act is expreſſed, for the Puniſhment of ſome particu-
21 H. 8. c. 20. 'lar Offences therein mentioned: (8) And by the Statute made in the one and twentieth Year of King
'*Henry* the Eighth, the Preſident of the Council is aſſociated to join with the Lord Chancellor and other
'Judges in the ſaid Statute of the Third of *Henry* the Seventh mentioned; (9) but the ſaid Judges have
'not kept themſelves to the Points limited by the ſaid Statute, but have undertaken to puniſh where no
'Law doth warrant, and to make Decrees for Things having no ſuch Authority, and to inflict heavier
'Puniſhments than by any Law is warranted.

All Matters examinable in the Star-Chamber, may be examinable and redreſſed by the Common Law.

'II. And foraſmuch as all Matters examinable or determinable before the ſaid Judges, or in the Court
'commonly called the Star-Chamber, may have their proper Remedy and Redreſs, and their due Puniſh-
'ment and Correction, by the Common Law of the Land, and in the ordinary Courſe of Juſtice elſe-
'where; (2) and foraſmuch as the Reaſons and Motives inducing the Erection and Continuance of that
'Court do now ceaſe: (3) and the Proceedings, Cenſures and Decrees of that Court, have by Expe-
'rience been found to be an intolerable Burthen to the Subjects, and the Means to introduce an arbitrary
'Power and Government; (4) and foraſmuch as the Council-Table hath of late Times aſſumed unto it
'ſelf a Power to intermeddle in Civil Cauſes and Matters only of private Intereſt between Party and Party,
'and have adventured to determine of the Eſtates and Liberties of the Subject, contrary to the Law of
'the Land and the Rights and Privileges of the Subject, by which great and manifold Miſchiefs and In-
'conveniences have ariſen and happened, and much Incertainty by Means of ſuch Proceedings hath been
'conceived concerning Mens Rights and Eſtates;' for ſettling whereof, and preventing the like in Time to come,

Court of Star-Chamber, and all its powers diſſolved.

III. Be it ordained and enacted by the Authority of this preſent Parliament, That the ſaid Court commonly called the Star-Chamber, and all Juriſdiction, Power and Authority belonging unto, or exerciſed in the ſame Court, or by any the Judges, Officers or Miniſters thereof, be from the firſt Day of *Auguſt* in the Year of our Lord God one thouſand ſix hundred forty and one, clearly and abſolutely diſſolved, taken away and determined; (2) and that from the ſaid firſt Day of *Auguſt* neither the Lord Chancellor, or Keeper of the Great Seal of *England* the Lord Treaſurer of *England*, the Keeper of the King's Privy Seal, or Preſident of the Council, nor any Biſhop, Temporal Lord, Privy Counſellor or Judge, or Juſtice whatſoever, ſhall have any Power or Authority to hear, examine or determine any Matter or Thing whatſoever, in the ſaid Court commonly called the Star-Chamber, or to make, pronounce or deliver any Judgment, Sentence, Order or Decree, or to do any Judicial or Miniſterial Act in the ſaid Court: (3) And that all and every Act and Acts of Parliament, and all and every Article, Clauſe and Sentence in them, and every of them, by which any Juriſdiction, Power or Authority is given, limited or appointed unto the ſaid Court commonly called the Star-Chamber, or unto all or any the Judges, Officers or Miniſters thereof, or for any Proceedings to be had or made in the ſaid Court, or for any Matter or Thing to be drawn into Queſtion, examined or determined there, ſhall for ſo much as concerneth the ſaid Court of Star-Chamber, and the Power and Authority thereby given unto it, be from the ſaid firſt Day of *Auguſt* repealed, and abſolutely revoked and made void.

Like Juriſdiction in ſeveral other Courts repealed and taken away.

IV. And be it likewiſe enacted, That the like Juriſdiction now uſed and exerciſed in the Court before the Preſident and Council in the Marches of *Wales*; (2) and alſo in the Court before the Preſident and Council eſtabliſhed in the Northern Parts; (3) and alſo in the Court commonly called the Court of the Duchy of *Lancaſter*, held before the Chancellor and Council of that Court; (4) and alſo in the Court of Exchequer of the County Palatine of *Cheſter* held before the Chamberlain and Council of that Court; (5) the like Juriſdiction being exerciſed there, ſhall from the ſaid firſt Day of *Auguſt* one thouſand ſix hundred forty and one, be alſo repealed and abſolutely revoked and made void; any Law, Preſcription,
3 H. 7. c. 1. Cuſtom or Uſage, or the ſaid Statute made in the third Year of King *Henry* the Seventh, or the Statute
21 H. 8. c. 20. made in the one and twentieth of *Henry* the Eighth, or any Act or Acts of Parliament heretofore had
No Court or Council to have the like Juriſdiction. or made, to the contrary thereof in any wiſe notwithſtanding: (6) And that from henceforth no Court, Council or Place of Judicature, ſhall be erected, ordained, conſtituted or appointed within this Realm of *England*, or Dominion of *Wales*, which ſhall have, uſe or exerciſe the ſame or the like Juriſdiction as is or hath been uſed, practiſed or exerciſed in the ſaid Court of Star-Chamber.

The King or his Privy Council ſhall not have Juriſdiction over any Man's Eſtate.

V. Be it likewiſe declared and enacted by Authority of this preſent Parliament, That neither his Majeſty, nor his Privy Council, have or ought to have any Juriſdiction, Power or Authority, by *Engliſh* Bill, Petition, Articles, Libel, or any other arbitrary Way whatſoever, to examine or draw into Queſtion, determine or diſpoſe of the Lands, Tenements, Hereditaments, Goods or Chattels of any the Subjects of this Kingdom; but that the ſame ought to be tried and determined in the ordinary Courts of Juſtice, and by the ordinary Courſe of the Law.

Penalties upon great Officers and others for the firſt Offence.

VI. And be it further provided and enacted, That if any Lord Chancellor, or Keeper of the Great Seal of *England*, Lord Treaſurer, Keeper of the King's Privy Seal, Preſident of the Council, Biſhop, Temporal Lord, Privy Counſellor, Judge or Juſtice whatſoever, ſhall offend, or do any Thing contrary to the Purport, true Intent and Meaning of this Law, then he or they ſhall for ſuch Offence forfeit the Sum of five hundred Pounds of lawful Money of *England* unto any Party grieved, his Executors or Adminiſtrators, who ſhall really proſecute for the ſame, and firſt obtain Judgment thereupon, to be recorded in any Court of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Wager of Law, Aid Prayer, Privilege, Injunction or Order of Reſtraint, ſhall be in
Second Offence. any wiſe prayed, granted or allowed, nor any more than one Imparlance: (2) And if any Perſon againſt whom any ſuch Judgment or Recovery ſhall be had as aforeſaid, ſhall after ſuch Judgment or Recovery offend again in the ſame, then he or they for ſuch Offence ſhall forfeit the Sum of one thouſand Pounds

of lawful Money of *England* unto any Party grieved, his Executors or Adminiſtrators, who ſhall really proſecute for the ſame, and firſt obtain Judgment thereupon, to be recorded in any Court of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Protection, Wager of Law, Aid Prayer, Privilege, Injunction or Order of Reſtraint ſhall be in any wiſe prayed, granted or allowed, nor any more than one Imparlance: (3) And if any Perſon againſt whom any ſuch ſecond Judgment or Recovery ſhall be had as aforeſaid, ſhall after ſuch Judgment or Recovery offend again in the ſame Kind, and ſhall be thereof duly convicted by Indictment, Information, or any other lawful Way or Means, that ſuch Perſon ſo convicted ſhall be from thenceforth diſabled, and become by Virtue of this Act incapable *Ipſo facto*, to bear his and their ſaid Office and Offices reſpectively; (4) and ſhall be likewiſe diſabled to make any Gift, Grant, Conveyance, or other Diſpoſition of any of his Lands, Tenements, Hereditaments, Goods or Chattels, or to take any Benefit of any Gift, Conveyance or Legacy to his own Uſe. Third Offence.

VII. And every Perſon ſo offending ſhall likewiſe forfeit and loſe unto the Party grieved, by any Thing done contrary to the true Intent and Meaning of this Law, his treble Damages which he ſhall ſuſtain and be put unto by Means or Occaſion of any ſuch Act or Thing done, the ſame to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action or Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Wager of Law, Aid Prayer, Privilege, Injunction or Order of Reſtraint, ſhall be in any wiſe prayed, granted or allowed, nor any more than one Imparlance. Treble Damages to the Party grieved.

VIII. And be it alſo provided and enacted, That if any Perſon ſhall hereafter be committed, reſtrained of his Liberty, or ſuffer Impriſonment, by the Order or Decree of any ſuch Court of Star-Chamber, or other Court aforeſaid, now or at any Time hereafter, having or pretending to have the ſame or like Juriſdiction, Power or Authority to commit or impriſon as aforeſaid, (2) or by the Command or Warrant of the King's Majeſty, his Heirs or Succeſſors, in their own Perſon, or by the Command or Warrant of the Council-Board, or of any of the Lords or others of his Majeſty's Privy Council; (3) that in every ſuch Caſe every Perſon ſo committed, reſtrained of his Liberty, or ſuffering Impriſonment, upon Demand or Motion made by his Council, or other employed by him for that Purpoſe, unto the Judges of the Court of King's Bench or Common Pleas, in open Court, ſhall without Delay, upon any Pretence whatſoever, for the ordinary Fees uſually paid for the ſame, have forthwith granted unto him a Writ of *Habeas Corpus*, to be directed generally unto all and every Sheriffs, Gaoler, Miniſter, Officer or other Perſons in whoſe Cuſtody the Party committed or reſtrained ſhall be, (4) and the Sheriffs, Gaoler, Miniſter, Officer or other Perſon in whoſe Cuſtody the Party ſo committed or reſtrained ſhall be, ſhall at the Return of the ſaid Writ, and according to the Command thereof, upon due and convenient Notice thereof given unto him, at the Charge of the Party who requireth or procureth ſuch Writ, and upon Security by his own Bond given, to pay the Charge of carrying back the Priſoner, if he ſhall be remanded by the Court to which he ſhall be brought, as in like Caſes hath been uſed, ſuch Charges of bringing up and carrying back the Priſoner to be always ordered by the Court, if any Difference ſhall ariſe thereabout, bring or cauſe to be brought the Body of the ſaid Party ſo committed or reſtrained unto and before the Judges or Juſtices of the ſaid Court from whence the ſaid Writ ſhall iſſue, in open Court, (5) and ſhall then likewiſe certify the true Cauſe of ſuch his Detainer or Impriſonment, and thereupon the Court, within three Court-Days after ſuch Return made and delivered in open Court, ſhall proceed to examine and determine whether the Cauſe of ſuch Commitment appearing upon the ſaid Return be juſt and legal, or not, and ſhall thereupon do what to Juſtice ſhall appertain, either by delivering, bailing or remanding the Priſoner: (6) And if any Thing ſhall be otherwiſe wilfully done or omitted to be done by any Judge, Juſtice, Officer or other Perſon aforementioned contrary to the Direction and true Meaning hereof, that then ſuch Perſon ſo offending ſhall forfeit to the Party grieved his treble Damages, to be recovered by ſuch Means, and in ſuch Manner as is formerly in this Act limited and appointed for the like Penalty to be ſued for and recovered. Every Perſon committed contrary to this Act ſhall have an Habeas Corpus. Treble Damages in Default.

IX. Provided always, and be it enacted, that this Act and the ſeveral Clauſes therein contained ſhall be taken and expounded to extend only to the Court of Star-Chamber, (2) and to the ſaid Courts holden before the Preſident and Council in the Marches of *Wales*, (3) and before the Preſident and Council in the Northern Parts, (4) and alſo to the Court commonly called the Court of the Duchy of *Lancaſter*, holden before the Chancellor and Council of that Court, (5) and alſo in the Court of Exchequer of the County Palatine of *Cheſter*, held before the Chamberlain and Council of that Court, (6) and to all Courts of like Juriſdiction to be hereafter erected, ordained, conſtituted or appointed as aforeſaid; and to the Warrants and Directions of the Council-board, and to the Commitments, Reſtraints and Impriſonments of any Perſon or Perſons made, commanded or awarded by the King's Majeſty, his Heirs or Succeſſors, in their own Perſon, or by the Lords and others of the Privy Council, and every one of them. To what Courts this Act ſhall extend.

X. And laſtly provided, and be it enacted, That no Perſon or Perſons ſhall be ſued, impleaded, moleſted or troubled for any Offence againſt this preſent Act, unleſs the Party ſuppoſed to have ſo offended ſhall be ſued or impleaded for the ſame within two Years at the moſt after ſuch Time wherein the ſaid Offence ſhall be committed. Offenders againſt this Act ſhall be impleaded within two Years after any Offence.

## CAP. XI.

### A Repeal of the Branch of a Statute *primo Elizabethæ*, concerning Commiſſioners for Cauſes Eccleſiaſtical.

'WHEREAS in the Parliament holden in the firſt Year of the Reign of the late Queen *Elizabeth* late Queen of *England*, there was an Act made and eſtabliſhed, intituled, *An Act reſtoring to the Crown the antient Juriſdiction over the State Eccleſiaſtical and Spiritual, and aboliſhing all foreign* 1 Eliz. c. 1. ſect. 18.

'*Power*

'*Power repugnant to the ſame*; in which Act amongſt other Things, there is contained one Clauſe, 'Branch, Article or Sentence, whereby it was enacted to this Effect; namely, That the ſaid late 'Queen's Highneſs, her Heirs and Succeſſors, Kings or Queens of this Realm, ſhould have full Power 'and Authority by Virtue of that Act, by Letters Patents under the Great Seal of *England*, to aſſign, 'name and authorize, when and as often as her Highneſs, her Heirs or Succeſſors, ſhould think meet 'and convenient, and for ſuch and ſo long Time as ſhould pleaſe her Highneſs, her Heirs or Succeſſors, 'ſuch Perſon or Perſons being natural-born Subjects to her Highneſs, her Heirs or Succeſſors, as her Ma'jeſty, her Heirs or Succeſſors, ſhould think meet to exerciſe, uſe occupy and execute under her High'neſs, her Heirs and Succeſſors, all Manner of Juriſdictions, Privileges and Preheminence, in any wiſe 'touching or concerning any Spiritual or Eccleſiaſtical Juriſdiction within theſe her Realms of *England*, 'and *Ireland*, or any other her Highneſs Dominions and Countries, and to viſit, reform, redreſs, order, 'correct and amend all ſuch Errors, Hereſies, Schiſms, Abuſes, Offences, Contempts and Enormities whatſo'ever, which by any Manner of Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, can or may law'fully be reformed, ordered, redreſſed, corrected, reſtrained or amended, to the Pleaſure of Almighty God, 'the Increaſe of Virtue, and the Conſervation of the Peace and Unity of this Realm: And that ſuch Per'ſon or Perſons ſo to be named, aſſigned, authorized and appointed by her Highneſs, her Heirs or Suc'ceſſors, after the ſaid Letters Patents to him or them made and delivered as aforeſaid, ſhould have full 'Power and Authority, by Virtue of that Act, and of the ſaid Letters Patents, under her Highneſs, her 'Heirs or Succeſſors, to exerciſe, uſe and execute all the Premiſſes, according to the Tenor and Effect of 'the ſaid Letters Patents; any Matter or Cauſe to the contrary in any wiſe notwithſtanding.

High Commiſſion Court.

'II. And whereas by Colour of ſome Words in the aforeſaid Branch of the ſaid Act, whereby Com'miſſioners are authorized to execute their Commiſſion according to the Tenor and Effect of the King's 'Letters Patents, and by Letters Patents grounded thereupon, the ſaid Commiſſioners have, to the great 'and inſufferable Wrong and Oppreſſion of the King's Subjects, uſed to fine and impriſon them, and 'to exerciſe other Authority not belonging to Eccleſiaſtical Juriſdiction reſtored by that Act, and divers 'other great Miſchiefs and Inconveniencies have alſo enſued to the King's Subjects, by Occaſion of the 'ſaid Branch and Commiſſions iſſued thereupon, and the Executions thereof:' Therefore for the Re-preſſing and Preventing of the foreſaid Abuſes, Miſchiefs and Inconveniencies in Time to come;

The ſaid Branch of the 1 Eliz. c. 1. repealed.

III. Be it enacted by the King's moſt excellent Majeſty, and the Lords and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the foreſaid Branch, Clauſe, Article or Sentence, contained in the ſaid Act, and every Word, Matter and Thing contained in that Branch, Clauſe, Article or Sentence, ſhall from henceforth be repealed, annulled, revoked, annihilated and utterly made void for ever; any Thing in the ſaid Act to the contrary in any wiſe notwithſtanding.

Power taken away from Archbiſhops, Biſhops and other Eccleſiaſtical Perſons and Courts.

IV. And be it alſo enacted by the Authority aforeſaid, That no Archbiſhop, Biſhop nor Vicar General, nor any Chancellor, Official nor Commiſſary of any Archbiſhop, Biſhop or Vicar General, nor any Ordinary whatſoever, nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, nor any other Perſon or Perſons whatſoever, exerciſing Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, by any Grant, Licence or Commiſſion of the King's Majeſty, his Heirs or Succeſſors, or by any Power or Authority derived from the King, his Heirs or Succeſſors or otherwiſe, ſhall from and after the firſt Day of *Auguſt*, which ſhall be in the Year of our Lord God one thouſand ſix hundred forty and one, award, impoſe or inflict any Pain, Penalty, Fine, Amerciament, Impriſonment or other corporal Puniſhment upon any of the King's Subjects, for any Contempt, Miſdemeanor, Crime, Offence, Matter or Thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance or Juriſdiction, (2) or ſhall *ex Officio*, or at the Inſtance or Promotion of any other Perſon whatſoever, urge, enforce, tender, give or miniſter unto any Churchwarden, Side-man or other Perſon whatſoever, any corporal Oath, whereby he or ſhe ſhall or may be charged or obliged to make any Preſentment of any Crime or Offence, or to confeſs or to accuſe himſelf or herſelf of any Crime, Offence, Delinquency or Miſdemeanor, or any Neglect, Matter or Thing, whereby or by Reaſon whereof he or ſhe ſhall or may be liable or expoſed to any Cenſure, Pain, Penalty or Puniſhment whatſoever; (3) upon Pain and Penalty that every Perſon who ſhall offend contrary to this Statute, ſhall forfeit and pay treble Damages to every Perſon thereby grieved, and the Sum of one hundred Pounds to him or them who ſhall firſt demand and ſue for the ſame; which ſaid treble Damages and Sum of one hundred Pounds, ſhall and may be demanded and recovered by Action of Debt, Bill or Plaint, in any Court of Record, wherein no Privilege, Eſſoin, Protection or Wager of Law ſhall be admitted or allowed to the Defendant. (4) And be it further enacted, That every Perſon who ſhall be once convicted of any Act or Offence prohibited by this Statute, ſhall for ſuch Act or Offence be from and after ſuch Conviction, utterly diſabled to be or continue in any Office or Imployment in any Court of Juſtice whatſoever, or to exerciſe or execute any Power, Authority or Juriſdiction by Force of any Commiſſion or Letters Patents of the King, his Heirs or Succeſſors.

3 Cr. 262.

Penalty, treble Damages, and one hundred Pounds.

Offenders convicted, diſabled from any Office or Imployment by the King's Letters Patents.

No new Court to be erected with the like Power.

V. And be it further enacted, That from and after the ſaid firſt Day of *Auguſt*, no new Court ſhall be erected, ordained or appointed within this Realm of *England* or Dominion of *Wales*, which ſhall or may have the like Power, Juriſdiction or Authority, as the ſaid High Commiſſion Court now hath or pretendeth to have; but that all and every ſuch Letters Patents, Commiſſions and Grants, made or to be made by his Majeſty, his Heirs or Succeſſors, and all Powers and Authorities granted, or pretended or mentioned to be granted thereby, and all Acts, Sentences and Decrees to be made by Virtue or Colour thereof, ſhall be utterly void and of none Effect. [Repealed by 13 Car. 2. Stat. 1. c. 12. §. 2. except as to the High Commiſſion-Court, &c.]

## CAP. XII.

Tonnage and Poundage.

A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported. EXP.

CAP.

## CAP. XIII.

An Act for the ſecuring of ſuch Monies as are or ſhall be due to the Inhabitants of the County of *York*, and the other adjoining Counties, wherein his Majeſty's Army is or hath been Billetted, for the Billet of the Soldiers of the ſaid Army, as alſo to certain Officers of the Army who do forbear Part of their Pay according to an Order in that Behalf made in the Commons Houſe of Parliament this preſent Seſſion, for ſuch Part of their Pay as they ſhall ſo forbear. EXP.

## CAP. XIV.

An Act for the declaring unlawful and void the late Proceedings touching Ship-Money, and for the vacating of all Records and Proceſs concerning the ſame.

The late Proceedings touching Ship-Money declared unlawful, and all Records and Proceſs concerning the ſame, made void.

'WHEREAS divers Writs of late Time iſſued under the Great Seal of *England*, commonly called *Ship-Writs*, for the Charging of the Ports, Towns, Cities, Boroughs and Counties of this Realm reſpectively, to provide and furniſh certain Ships for his Majeſty's Service: (2) And whereas upon the Execution of the ſame Writs and Returns of *Certioraries* thereupon made, and the ſending the ſame by *Mittimus* into the Court of Exchequer, Proceſs hath been thence made againſt ſundry Perſons pretended to be charged by Way of Contribution, for the making up of certain Sums aſſeſſed for the providing of the ſaid Ships, and in eſpecial in *Eaſter* Term in the thirteenth Year of the Reign of our Sovereign Lord the King that now is a Writ of *Scire facias* was awarded out of the Court of Exchequer, to the then Sheriff of *Buckinghamſhire*, againſt *John Hampden*, Eſquire, to appear and ſhew Cauſe, why he ſhould not be charged with a certain Sum ſo aſſeſſed upon him; (3) upon whoſe Appearance and Demurrer to the Proceedings therein, the Barons of the Exchequer adjourned the ſame Caſe into the Exchequer-Chamber, where it was ſolemnly argued divers Days, and at Length it was there agreed by the greater Part of all the Juſtices of the Courts of King's Bench and Common Pleas, and of the Barons of the Exchequer, there aſſembled, That the ſaid *John Hampden* ſhould be charged with the ſaid Sum ſo as aforeſaid aſſeſſed on him; (4) the main Grounds and Reaſons of the ſaid Juſtices and Barons which ſo agree, being, that when the Good and Safety of the Kingdom in general is concerned, and the whole Kingdom in Danger, the King might by Writ under the Great Seal of *England*, command all the Subjects of this his Kingdom, at their Charge, to provide and furniſh ſuch Number of Ships with Men, Victuals and Munition, and for ſuch Time as the King ſhould think fit, for the Defence and Safeguard of the Kingdom from ſuch Danger and Peril, and that by Law the King might compel the doing thereof, in caſe of Refuſal or Refractorineſs; (5) and that the King is the ſole Judge, both of the Danger and when and how the ſame is to be prevented and avoided; (6) according to which Grounds and Reaſons, all the Juſtices of the ſaid Courts of King's Bench and Common Pleas, and the ſaid Barons of the Exchequer, having been formerly conſulted with by his Majeſty's Command, had ſet their Hands to an extrajudicial Opinion, expreſſed to the ſame Purpoſe; which Opinion, with their Names thereunto, was alſo by his Majeſty's Command inrolled in the Courts of Chancery, King's Bench, Common Pleas and Exchequer, and likewiſe entred among the Remembrances of the Court of Star-Chamber, and according to the ſaid Agreement of the ſaid Juſtices and Barons, Judgment was given by the Barons of the Exchequer, That the ſaid *John Hampden* ſhould be charged with the ſaid Sum ſo aſſeſſed on him; (7) and whereas ſome other Actions and Proceſs depend, and have depended, in the ſaid Court of Exchequer, and in ſome other Courts againſt other Perſons, for the like Kind of Charge, grounded upon the ſaid Writs, commonly called *Ship-Writs*, all which Writs and Proceedings as aforeſaid, were utterly againſt the Law of the Land;'

Ship Writs.
Certioraries.
Mittimus.
Scire facias againſt John Hampden, Eſq; Vaughan 139.
2 Inſt. 528.
Extrajudicial Opinion.
Judgment.

II. Be it therefore declared and enacted by the King's moſt excellent Majeſty, and the Lords and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Charge impoſed upon the Subject, for the providing and furniſhing of Ships, commonly called Ship-Money, and the ſaid extrajudicial Opinion of the ſaid Juſtices and Barons, and the ſaid Writs, and every of them, and the ſaid Agreement or Opinion of the greater Part of the ſaid Juſtices and Barons, and the ſaid Judgment given againſt the ſaid *John Hampden*, were and are contrary to and againſt the Laws and Statutes of this Realm, the Right of Property, the Liberty of the Subjects, former Reſolutions in Parliament, and the Petition of Right made in the third Year of the Reign of his Majeſty that now is.

Ship-Money, and Proceedings thereupon, contrary to Law.

III. And it is further declared and enacted by the Authority aforeſaid, That all and every the Particulars prayed or deſired in the ſaid Petition of Right, ſhall from henceforth be put in Execution accordingly, and ſhall be firmly and ſtrictly holden and obſerved, as in the ſame Petition they are prayed and expreſſed; (2) and that all and every the Records and Remembrances of all and every the Judgment, Inrolments, Entry and Proceedings as aforeſaid, and all and every the Proceedings whatſoever, upon or by Pretext or Colour of any of the ſaid Writs, commonly called *Ship-Writs*, and all and every the Dependants on any of them, ſhall be deemed and adjudged to all Intents, Conſtructions and Purpoſes, to be utterly void and diſannulled; and that all and every the ſaid Judgment, Inrolments, Entries, Proceedings and Dependants of what Kind ſoever, ſhall be vacated and cancelled in ſuch Manner and Form as Records uſe to be that are vacated.

3 Car. 1. Petition of Right to be obſerved.
Judgments and Proceedings touching Ship-Money, and all Entries, Records and Inrolments thereof, made void.

## CAP. XV.

### An Act against divers Incroachments and Oppressions in the Stannary Courts.

Ed. 1. Charter. 'WHEREAS King *Edward* the First, of famous Memory, did for the Amendment of the Stannaries in the County of *Devon*, grant divers Franchises and Liberties to the Tinners there: (2) 'And whereas in the Parliament in the fiftieth Year of King *Edward* the Third, upon the Petition of the 'Commons of the County of *Devon*, certain Branches and Articles of the said Charter were explained in 'Manner following, that is to say, Whereas one Article of the said Charter is in these Words following,'

Explained 50 Ed. 3. "viz. Sciatis nos ad emendationem Stannariarum nostrarum in Com. Devon. ad tranquillitatem & utilitatem Stannatorum nostrorum prædictorum earundem, Concessisse pro nobis & hæredibus nostris, Quod "omnes Stannatores prædicti operantes in Stannariis illis quæ sunt Dominia nostra, dum operantur in "eisdem Stannariis, liberi sint & quieti de placitis nativorum, & de omnibus placitis & querelis Curiam "nostram & hæredum nostrorum qualitercunque tangen'. Ita quod non respondeant coram aliquibus "Justiciariis vel Ministris nostris seu hæredum nostrorum de aliquo placito seu querela infra prædictas "Stannarias emergen. nisi coram Custode nostro Stannariarum nostrarum prædictarum, qui pro tempore "fuerit (except. placitis terr', vitæ & membrorum) nec recedant ab operationibus suis per summonitionem alicujus Ministrorum nostrorum, seu hæredum nostrorum, nisi per summonitionem communem "dicti Custodis nostri; & quod quieti sint de omnibus tallag,' Theolon. stallag. auxiliis & aliis custumis "quibuscunque in villis, portubus, feriis, & mercatis infra Com. prædict. de bonis suis propriis, &c." (3) 'Whereupon the said Commons prayed a Declaration, as followeth,' "Requeste, Sur quoi pleise declarer "si auters persons que les Esteynors overantz in les Esteineryes averont & enjoyeront la franchise grante "per la dite Chartre du Roy desicome la dite Chartre voet. Quod omnes Stannatores prædicti operantes "in Stannariis illis, sint liberi, &c. Et autres persons que les overours ceastassavoir leurs Maistres que les "louent & leurs servants & auters clayment meisme la Franchise. Et auxint pleise declarer si les dites overours y averont les Franchises que in autres temps a quant ils averont in meisme Lesteinery desicome la "Chartre voet; Dum operantur in eisdem Stannariis sint liberi, &c." (4) 'Upon which Request, Answer was made as followeth:' "Responf. En droit de les dites paroles, operantes in Stannariis illis, & "dum operantur in eisdem Stannariis, Soient clerement entenduz de operariis laborantibus duntaxat in "Stannariis illis sine fraude & dolo, & non de aliis, nec alibi laborantibus." (5) 'And whereas the said 'Commons prayed a farther Declaration, as followeth:' "Requeste, Item soit declarez, si le Gardein de "Lesteinery puisse tenir plee inter Estyeinor & Forreyn de querele sourdante aillours que en les lieux ou "ils sont overantz desicome la Chartre voet. Quod Custos noster prædictus, vel ejus Locum-tenens "teneat omnia placita inter Stannatores prædictos emergen. & etiam inter ipsos & alios forinsecos de omnibus transgressionibus, querelis, & contractibus factis in locis in quibus operantur infra Stannarias prædictas similiter emergen. &c. Quare il tient plee des tieux quereles sourdantz in chescune parte deins "le dit Counte." (6) 'Upon which, Answer was in these Words,' "viz. Resp. Et en droit de ceste Article, se ent extende la Jurisdiction cleremente solonc' les paroles del dit Chartre, Ceastassavoir; in locis

8. R. 2. "ubi iidem operarii operantur, & nemy aillours ne en autre manere." (7) 'Which Charter so declared, 'was repeated again; and in the eighth Year of the Reign of King *Richard* the Second, commanded to be 'put in Execution:

'II. And whereas the said King *Edward* the First made the like Charter to the Tinners in the County 'of *Cornwall*, which Charter was in the foresaid Parliament, upon the Request of the Commons of the 'County of *Cornwall*, declared in the same Manner and Words:

The like Charter to Tinners in Cornwall. Declaration. 'III. And whereas the Tinners of the Counties of *Devon* and *Cornwall* have by Virtue of the said Char-'ters enjoyed divers and great Liberties, and are quit from all Tolls, Tallages, Aids and other Customs 'in the Vills, Ports, Fairs and Markets within the said Counties respectively: (2) Which great Liberties 'do of Right belong to the working Tinner, working without Fraud or Deceit in the Stannaries aforesaid, 'and not to any other nor elsewhere working, and were granted to the said Tinners for their Incourage-

Abuse of Liberties. 'ment in their Works: (3) And whereas of late Years sundry Inhabitants within the said Counties, and 'others, to entitle themselves to the said Liberties, have by Fraud and Covin, for small or no Considera-'tions, bought and acquired, and do buy and acquire to themselves decayed Tin-works, and small and 'inconsiderable Parts in the same and other Tin-works; which Abuses are done principally to inable the 'said false and fained Tinners to vex and sue their Neighbours in the Stannary Courts, where for the 'most part the Defendant is unjustly debarred his Costs, although the Cause be adjudged with him; (4) 'and the Jurisdiction of the said Stannaries hath, contrary to antient Right and Usage, and the said 'Charters, been endeavoured to be extended out of the Places where the Tinners do work, through the 'whole Counties of *Devon* and *Cornwall* respectively, which is no Way for the Benefit of his Majesty, but 'for the singular Lucre of some private Persons: (5) And whereas by the said Abuses great Inconveni-'encies do follow, (that is to say) the Inhabitants of the said Counties are miserably vexed, oppressed and 'imprisoned, his Majesty defrauded of his Aids and Customs, and the Lords and Owners of Fairs, Mar-'kets and other Franchises, of their Tolls and Duties, and the Government of the Country exceedingly 'confounded and eluded, the said false and feigned Tinners claiming when they list to be Tinners, and 'when they list to be Foreigners; besides, that if timely Provision be not made, the certain Decay of his 'Majesty's Profit in the Tin-works will ensue, for that the same being divided into so many Hands and 'Parts, cannot conveniently be set on work, nor Contribution raised for the working of the same:'

The former Declarations confirmed. IV. Be it therefore enacted by his Majesty, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That the said Declarations be henceforth held and duly observed;

ſerved; with this, That the Words of the ſaid Charters and Declarations, *In locis ubi operantur*, be expounded of the Vill, Tithing and Hamlet where ſome Tinwork in Work is ſituate, and not elſewhere, and no longer than the ſame Tin-work is or ſhall be in Working: (2) And if any Perſon or Perſons that ſhall be ſued in the ſaid Stannaries, ſhall ſwear or tender his or their Oath in the ſaid Court where he or they ſhall be ſued, that he or they are not, nor is, nor at Time of the Suit commenced was not, nor were a Tinner or Tinners, then ſuch Defendant or Defendants ſhall be forthwith diſcharged of ſuch Suit, unleſs that the Plaintiff or Plaintiffs do forthwith make Oath that the ſaid Plaintiff or Plaintiffs is or are true and working Tinners, without Fraud or Deceit, and that the Cauſe of his or their Suit aroſe within the ſaid Stannaries, or concerneth Tin or Tin-works: (3) And if any Perſon be not *revera*, and without Fraud, a working and labouring Tinner, in or about ſome Tin-work, ſet on work within one Half-Year next before his Suit, ſhall ſue, proſecute or implead in any the ſaid Courts, or before the Warden, Vice-warden or Steward of the ſaid Stannaries, any Perſon or Perſons, that is or are not a Tinner or Tinners at the Time of ſuch Suit commenced, then the Defendant and Defendants in every ſuch Caſe ſhall have his and their Action at the Common Law, againſt ſuch Perſon ſuing or proſecuting, wherein he ſhall recover ten Pounds and his Damages and Coſts of Suit: (4) Provided, That ſuch Action be brought within two Years next after the Action or Suit brought in the ſaid Stannary Courts, or before the ſaid Warden, Vice-warden or Steward.

*In locis ubi operantur, how expounded.*

*None but Tinners to be ſued; unleſs by working Tinners.*

*Perſons ſued by others ſhall have their Action.*

*Such Action to be brought within two Years.*

V. And be it declared and enacted, That in all Caſes where the Plaintiff or Defendant, Plaintiffs or Defendants, are to have Coſts by the Laws or Statutes of this Realm, there alſo the ſaid Plaintiffs and Defendants ſhall have the like Coſts in the Stannary Courts: (2) And in regard that the ſaid Charters were granted for the Eaſe and Advantage of the Tinners, and not for their Diſadvantage or Oppreſſion, and yet divers of them who for ſpecial Reaſons have deſired to ſue at the Common Law, have been reſtrained;

*Coſts in Stannary Courts.*

VI. Be it declared and enacted, That it ſhall be lawful to and for the ſaid Tinners, if they think fit, to ſue any Foreigners at the Common Law; the ſaid Charter or any Uſage to the contrary notwithſtanding.

*Tinners may ſue Foreigners at the Common Law.*

'VII. And whereas the Bailiffs of the ſaid Stannary Courts are very numerous, and are Perſons of 'ſmall or no Credit, and yet upon their Return that any Perſon is become Surety for any other upon 'Arreſt by Proceſs out of the ſaid Courts, ſuch Perſon who ſometimes knows nothing of the Matter, is 'by falſe Returns of the ſaid Bailiffs, made liable to the Debt or Demand, which Bailiffs, by Reaſon of 'their Poverty, are often not reſponſible, and ſo the Party without Remedy;'

*Abuſes of poor Bailiffs in the Stannaries.*

VIII. Be it enacted, That no Perſon or Perſons be charged or troubled as Surety by any Return of any Bailiff or Bailiffs of the ſaid Stannaries, unleſs that the Perſon or Perſons returned Surety or Sureties ſhall in the Preſence of two Witneſſes ſubſcribe or ſign a Note in Writing, that ſuch Perſon or Perſons is or are become Surety or Sureties; (2) which Note ſhall mention the Names of the Plaintiffs and Defendants in the Suit, and the Sum or Damages in Demand, and the Nature of the Action, and ſhall be ſigned or ſubſcribed by the ſaid Witneſſes, and returned and filed in the Court out of which ſuch Proceſs ſhall iſſue, and no Bailiff or Bailiffs of the ſaid Stannaries ſhall be admitted as Witneſſes to any ſuch Note.

*How Sureties may be ſued.*

'IX. And whereas in the ſaid Stannaries it is uſed, that if the Bailiffs return any Perſon arreſted, that 'if ſuch Perſon make Default at the Day, he hall be condemned, and Execution is ſuddenly awarded, 'when as often the Party was not arreſted:'

X. Be it further enacted, That no Defendant ſhall be condemned upon ſuch Return for not appearing, unleſs alſo a Note under the Hand or Sign of the Party arreſted, and ſubſcribed by two ſuch Witneſſes as aforeſaid, be returned into the ſaid Court at or before the Day of Appearance; and the ſaid Bailiff or Bailiffs ſhall take but four-pence for every ſuch Note as aforeſaid; and it is provided, that none ſhall be bailed upon Arreſt there, till he give ſuch Note.

*No Defendant ſhall be condemned on a Bailiff's Return, unleſs on a Note ſubſcribed by the Party.*

XI. And in Caſe any the ſaid Bailiff or Bailiffs ſhall return a Reſcous againſt any Perſon or Perſons, he or they ſhall be admitted to traverſe the ſaid Return; which Traverſe if it be found with him or them ſo traverſing, then he or they ſhall be no further troubled or occaſioned by Reaſon of ſuch Return.

*Reſcous. See 27 Geo. 2. c. 6. which provides that Labourers in the Stannaries may recover their Wages before Juſtices.*

## CAP. XVI.

### An Act for the Certainty of Foreſts, and of the Meets, Meers, Limits and Bounds of the Foreſts.

'WHEREAS by Act of Parliament made in the firſt Year of the Reign of the late King *Edward* 'the Third, it was ordained, That the old Perambulation of the Foreſt in the Time of King 'Edward the Firſt, ſhould be thenceforth holden in like Form as it was then ridden and bounded, and 'in ſuch Places where it was not bounded, the King would that it ſhould be bounded by good Men 'and lawful:

*1 Ed. 3. Stat. 2. c. 1.*

'II. And whereas for many Ages paſt certain Meets, Meers, Limits and Bounds of the Foreſts, have 'been commonly known and obſerved in the ſeveral Counties wherein the ſaid Foreſts lie:

'III. And whereas of late divers Preſentments have been made, and ſome Judgments given, whereby 'the Meets, Meers, Limits and Bounds of ſome of the ſaid Foreſts have been variouſly extended, or 'pretended to extend, beyond ſome of the ſaid Meets, Meers, Limits and Bounds ſo commonly known, 'and formerly obſerved, to the great Grievance and Vexation of many Perſons having Lands adjoining to the ſaid Meets, Meers, Limits and Bounds ſo commonly known, and formerly obſerved: And

'whereas of late Time ſome Endeavours or Pretences have been to ſet on foot Foreſts in ſome Parts of 'this Realm, and the Dominion of *Wales*, where in Truth none have been or ought to be, or at leaſt 'have not been uſed of long Time:' For Remedy whereof, may it pleaſe your moſt excellent Majeſty, That it be declared and enacted by Authority of Parliament;

9 *H.* 3. *ſtat.* 2. What ſhall be the Meets and Bounds of Foreſts.

IV. And be it declared and enacted by the King's moſt excellent Majeſty, and the Lords and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth the Meets, Meers, Limits and Bounds of all and every the Foreſts reſpectively, ſhall be to all Intents and Purpoſes taken, adjudged and deemed to extend no further reſpectively than the Meets, Meers, Limits and Bounds which in the ſeveral Counties reſpectively wherein the ſaid Foreſts do lie, were commonly known, reputed, uſed or taken to be the Meets, Meers, Limits and Bounds of the ſaid Foreſts reſpectively, in the twentieth Year of the Reign of our late Sovereign Lord King *James*, and not beyond in any wiſe; any Perambulation or Perambulations, Preſentments, Extents, Surveys, Judgments, Records, Decrees, or other Matter or Thing whatſoever to the contrary notwithſtanding: (2) And that all and every the Preſentments ſince the ſaid twentieth Year made, and all and every other Preſentment and Preſentments, and all and every Judgement and Award upon, or by Reaſon or Pretext of, any ſuch Preſentment or Preſentments, and all and every Perambulation and Perambulations, Surveys, Extents, and other Act and Acts, at any Time heretofore had or made, by which the Meets, Meers, Limits or Bounds of the ſaid Foreſts, or any of them, are or are pretended to be further extended than as aforeſaid; (3) And alſo all and every Preſentment of any Perſon or Perſons at any Juſtice-Seat, Swainmote, or Court of Attachments, for or by Reaſon or by Colour of any Act or Acts whatſoever done or committed in any Place without or beyond the ſaid Meets, Meers, Limits or Bounds reſpectively, ſo commonly known, reputed, uſed or taken as aforeſaid, and all and every Fine and Fines, and Amerciament and Amerciaments, upon, by Reaſon or Colour of any ſuch Preſentment or Preſentments, ſhall from henceforth be adjudged, deemed and taken to be utterly void, and of no Force or Effect; any Law, Statute, Record or Pretence whatſoever, to the contrary notwithſtanding.

Preſentments contrary hereunto ſhall be void.

No Place where no Juſtice-Seat, Swainmote, Court of Attachments, &c. hath been within ſixty Years, ſhall be accounted Foreſt.

V. And be it further enacted by the Authority aforeſaid, That no Place or Places within this Realm of *England*, or Dominion of *Wales*, where no ſuch Juſtice-Seat, Swainmote, or Court of Attachment have been held or kept, or where no Verderers have been choſen, or Regard made, within the Space of ſixty Years next before the firſt Year of his Majeſty's Reign that now is, ſhall be at any Time hereafter judged, deemed or taken to be Foreſt, or within the Bounds or Meets of the Foreſts; (2) But the ſame ſhall be from thenceforth for ever hereafter diſafforeſted and freed, and exempted from the Foreſt Laws; any Juſtice-Seat, Swainmote, or Court of Attachment held or kept within or for any ſuch Place or Places, at any Time or Times ſince the Beginning of his Majeſty's ſaid Reign, or any Preſentment, Enquiry, Act or Thing heretofore made or hereafter to be made or done to the contrary notwithſtanding.

For aſcertaining of Meets, &c. Commiſſions ſhall be iſſued.

VI. Provided alſo, and be it further enacted by the Authority aforeſaid, That for the better putting into Certainty all and every the Meets, Meers, Bounds and Limits of all and every the Foreſt, as aforeſaid, the Lord Chancellor, or Lord Keeper of the Great Seal of *England* for the Time being, ſhall by Virtue of this Act, upon Requeſt of any of the Peers of this Kingdom, or of the Knights and Burgeſſes of the Parliament, or any of them, grant ſeveral Commiſſions under the Great Seal of *England*, to Commiſſioners to be nominated reſpectively by the ſaid Peers, Knights and Burgeſſes, or any of them, (2) to enquire of and find out by Inqueſts of good and lawful Men upon Oath, and by the Oaths of Witneſſes to be produced at the ſaid Inqueſts, and by all other lawful Means, all and every the Meers, Meets, Bounds and Limits of the Foreſts reſpectively, which were commonly known to be their Meers, Meets, Bounds and Limits reſpectively, in the ſaid twentieth Year of the Reign of our late Sovereign Lord King *James*, and to return the Inqueſts ſo taken into the Court of Chancery; (3) and that all and every the Sheriffs and Bailiffs, of and in every County wherein any ſuch Inqueſts ſhall be ſo to be taken, and all and every the Verderers, Foreſters, Rangers, and other Officers of the Foreſts reſpectively where any ſuch Officers be, ſhall be aſſiſtant and attendant to the Executions of the ſaid Commiſſions, according as by Virtue of the ſaid Commiſſions reſpectively they ſhall be commanded; (4) and where no ſuch Officers are, or where ſuch Officers be, if they or any of them ſhall refuſe or neglect ſuch Aſſiſtance and Attendance as aforeſaid, then the ſaid Commiſſioners ſhall and may proceed without them in the Execution of the ſaid Commiſſions.

Foreſts ſhall not extend beyond the Meets, &c. ſo returned.

VII. And be it further enacted by the Authority aforeſaid, That the Foreſts whereof the Meets, Meers, Limits and Bounds ſhall be ſo returned and certified by Virtue of any the ſaid Commiſſions as aforeſaid, from thenceforth ſhall not extend nor be extended, nor be deemed, adjudged or taken to extend any further in any wiſe than the Meets, Meers, Limits and Bounds that ſhall be ſo returned and certified: (2) And that all the Places and Territories that ſhall be without the Meets, Meers, Limits and Bounds ſo returned and certified, ſhall be and are hereby declared to be from thenceforth free to all Intents and Purpoſes, as if the ſame had never been Foreſt, or ſo reputed; any Act or Acts, Matter or Thing whatſoever to the contrary thereof notwithſtanding.

Grounds diſafforeſted ſhall be excluded.

VIII. Provided, and be it further enacted by the Authority aforeſaid, That all and every the Grounds, Territories or Places, which have been or are diſafforeſted, or mentioned to be diſafforeſted in or by any Letters Patents, Charters or otherwiſe, ſince the ſaid twentieth Year of the Reign of our ſaid late Sovereign Lord King *James*, ſhall be excluded and left out of the Meets, Meers, Limits and Bounds of the Foreſts, which are to be enquired of, returned and certified by Virtue of the ſaid Commiſſions, or any of them reſpectively, and ſhall be and hereby are declared and enacted to be utterly diſafforeſted, free and exempt to all Intents and Purpoſes, as if the ſame had never been at all Foreſt, or ſo reputed; any Thing in this preſent Act contained, or any other Act, Matter or Thing whatſoever to the contrary in any wiſe notwithſtanding

*Vin. V.* 13. *ſtat.* 425.

IX. Provided nevertheleſs, and be it enacted, That the Tenants, Owners and Occupiers and every of them, of Lands and Tenements which ſhall be excluded and left out of the Meets, Meers, Limits or Bounds of the Foreſts to be returned and certified by Virtue of any the ſaid Commiſſions, ſhall or may uſe and enjoy ſuch Common, and other Profits and Eaſements, within the Foreſt, as antiently or accuſtomably they have uſed and enjoyed; any Thing in this preſent Act contained, or any Act or Ordinance made in the three and thirtieth Year of King *Edward* the Firſt, or any Cuſtom or Law of the Foreſt, or any other Matter or Thing to the contrary thereof notwithſtanding. Tenants, Owners, &c. of Lands excluded, ſhall enjoy their antient Commons, &c. 33 Ed. 1. Stat. 5. *Farther Proviſions concerning Foreſts*, 20 *Car.* 2. *c.* 3. 9 & 10 *W.* 3. *c.* 36. 5 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 22. and 28 *Geo.* 2. *c.* 19.

## CAP. XVII.

An Act for the Pacification between *England* and *Scotland*. EXP. *Rhymer's Foedera*, Vol. 20. p. 488. Scotland.

## CAP. XVIII.

An Act for ſecuring by publick Faith the Remainder of the friendly Aſſiſtance and Relief promiſed to our Brethren of *Scotland*. EXP. Scotland.

## CAP. XIX.

An Act for the better Ordering and Regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute; and for the Reformation of falſe Weights and Meaſures.

FOraſmuch as the undue Execution of the Office of Clerk of the Market hath been very grievous unto divers of his Majeſty's moſt loving Subjects, who have been much troubled by unneceſſary Summons, and charged with Exactions of divers Sums of Money, by Colour of the ſaid Office, and in Regard the ſaid Evils have partly ariſen by Means of an Inequality of Weights and Meaſures throughout this Kingdom, (2) and by Granting and Letting to Farm the ſaid Office of Clerk of the Market and the Execution thereof, in and through all or the moſt of the ſeveral Counties of this Kingdom, for great Sums of Money, which the ſaid Farmers or Grantees, by their unjuſt and undue Proceedings in the ſaid Office, do extort from his Majeſty's Subjects again, to their great Impoveriſhment, and yet little or no Redreſs at all in their ſaid Weights and Meaſures, or any Benefit thereby accruing to his Majeſty: (3) For Remedy whereof, and for regulating of all Weights and Meaſures according to the true Intent of this Statute, and the other Statutes in that Behalf formerly made and provided, and preventing the ſaid Inconveniencies:" Grievances by Clerks of the Market, and Inequality in Weights and Meaſures.

II. Be it therefore enacted by the King's moſt excellent Majeſty, the Lords and Commons of this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth there ſhall be but one Weight, one Meaſure, and one Yard, according to the Standard of the Exchequer, throughout all the Realm, as well in Places privileged as without; any Uſage or Cuſtom to the contrary notwithſtanding: (2) And that every Meaſure of Corn ſhall be ſtriked without Heap: (3) And whoſoever ſhall ſell by or keep any other Weight, Meaſure or Yard, than as aforeſaid, whereby any Corn, Grain or other Thing is bought or ſold after ſix Months after the End of this Preſent Seſſion of Parliament, ſhall forfeit for every ſuch Offence five Shillings; (4) being thereof lawfully convicted by the Oath of one ſufficient Witneſs, before any Juſtice of Peace, Mayor or other Head Officer of the County, City or Town Corporate reſpectively where the ſaid Offence ſhall be committed, who by Virtue of this Act ſhall have Power to adminiſter an Oath in that Behalf: (5) Which ſaid Sum or Penalty of five Shillings ſhall be levied by the Church-Wardens and Overſeers of the Poor of the Pariſh, or ſome or one of them, where ſuch Offence is or ſhall be committed, to the Uſe of the Poor of the ſame Pariſh, of the Goods and Chattels of ſuch Offenders, by Way of Diſtreſs and Sale of the Offender's Goods, rendring the Overplus to the Party ſo offending: (6) And in Default of ſuch Diſtreſs, it ſhall be lawful for any Juſtices of Peace, Mayor or other Head Officer of the County, City or Town Corporate reſpectively, to commit the ſaid Party to the Priſon or Gaol, there to remain without Bail or Mainprize until he ſhall pay ſuch Sums of Money forfeited as aforeſaid. There ſhall be but one Meaſure, one Weight, and one Yard. 9 H. 3. Stat. 1. c. 25. 14 Ed. 3. Stat. 1. c. 12. 27 Ed. 3. Stat. 2. c. 10. Forfeiture. *Burn, V.* 2.---553, *&c.* How to be levied.

III. And be it further enacted by the Authority aforeſaid, That no Clerk of the Market of the King's Houſe, which now is or hereafter ſhall be, or of the Prince his Highneſs, his Heirs or Succeſſors, which is or ſhall be Duke of *Cornwall*, or his or their Deputy or Deputies, ſhall hereafter execute his or their ſaid Office or Offices reſpectively in any Part of the Kingdom, but only within the Verge of the King's Court where it ſhall then reſide for the Time being: (2) And that it ſhall be always hereafter lawful for any Mayor or other Head Officer of any City, Borough or Town Corporate, or for any Lord or Lords of Liberty, Liberties or Franchiſes, his or their Deputy or Deputies or Agents, according to their ſeveral Liberties and Juriſdictions, to have full Power to execute the ſaid Offices reſpectively, as they ought or might have done before the Making of this Act. (3) And for the more Eaſe of his Majeſty's Subjects; Clerk of the Market, his Limits. Mayor, Head Officer and Lords of Liberties have Power as Clerks of the Market.

IV. Be it further enacted, That if any Clerk of the Market within his aforeſaid Precincts and Limits of the Verge of the King's Houſe only, or any Mayor or other Officer whatſoever, who by Virtue of this Act ſhall have Power to enquire of any Abuſes in Weights and Meaſures, ſhall ſeal or give Allowance unto any other Weight or Meaſure, Weights or Meaſures, other than according to the ſaid Standard of the Exchequer, or ſhall upon reaſonable Requeſt and Warning refuſe to ſeal or give Allowance unto ſuch Weight or Meaſure, Weights or Meaſures, as are according to the ſaid Standard of the Exchequer, Forfeiture of Clerks of the Market for Offences.

paying

paying only ſuch Fee or Fees for ſuch Allowance, as by the Statute or Statutes, or by antient Cuſtom, are in that Behalf formerly provided and allowed, and no more, that then the ſaid Clerk of the Market, Mayor and other Officer or Officers of ſuch City, Borough or Town, and the ſaid Lord and Lords of Liberty or Liberties and his and their Deputy and Deputies and Agents reſpectively, ſhall forfeit for every ſuch Offence five Pounds, to be levied as aforeſaid to the Uſe of the Poor of the Pariſh where ſuch Offence is or ſhall be committed.

Forfeiture for taking unlawful Fines or Fees.

V. And be it further enacted by the Authority aforeſaid, That if the Clerk of the Market, his Deputy or Deputies, or Agents within the Verge aforeſaid, or any Mayor, or any other Officer or Officers of any City or Town, or any Lord or Lords of Liberties, his or their Deputy or Deputies, Agents or Aſſigns reſpectively, ſhall take or receive of any of his Majeſty's Subjects, by Colour of the ſaid Office, any common Fine or Fines, or any Fees, other than are formerly allowed by the Statute or Statutes, or ancient Cuſtom in that Behalf made or uſed: (2) ſhall take any Fee or Fees, or other Sum of Money, Reward or Conſideration, for the Making, Signing or Examination of any Weights or Meaſures which have been formerly marked or ſealed; (3) or ſhall impoſe or aſſeſs, or cauſe to be impoſed or aſſeſſed, any Fine or Amerciament, Fines or Amerciaments, without a due and legal Trial of the Offences for which the ſaid Fine or Fines, Amerciament or Amerciaments, are impoſed or aſſeſſed: (4) or ſhall otherwiſe miſdemean himſelf in the Execution of his ſaid Office, and be thereof lawfully convicted; (5) he ſhall forfeit for the firſt Offence whereof he ſhall be ſo lawfully convicted, five Pounds; (6) And for the ſecond Offence, ten Pounds; (7) And for the third Offence, and every other Offence afterwards, twenty Pounds; to be levied as aforeſaid to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed.

13 R. 2. Stat. 1. c. 4.

Perſons fined by this Act, not to be fined upon any former Law.

VI. And be it enacted, That whoſoever ſhall be fined or amerced by Virtue of this Act ſhall not be again fined or amerced for the ſame Offence, by Virtue of any former Law or Statute.

Rents of Corn excepted.

VII. Provided always, That this Act or Statute ſhall not extend to the Rents of Farms or Lands, or any Corn or Grain due or payable to any Lord or Lords, or any Colleges, Houſes or other Societies, by Virtue of any Leaſe or Leaſes, or other Covenant or Agreement, but that the ſame, during the Continuation of ſuch Leaſe, Leaſes or other Agreements, ſhall be paid, delivered and performed, in ſuch Meaſure and Form as the ſame hath been paid, delivered and performed before the Making of this Act: (2) And that ſuch Meaſure, that is commonly called Water-Meaſure, in any Ports, Maritime Towns or other Places, ſhall be ſtill uſed and continued as formerly the ſame hath been; any Thing in this Statute contained to the contrary hereof in any wiſe notwithſtanding.

Water-meaſures to be continued.

Repealed as to Corn and Salt by 22 Car. 2. c. 8. ſect. 2.

The General Iſſue may be pleaded.

VIII. Provided alſo, That no Juſtice or Juſtices of the Peace, Mayor, Bailiff or other Head Officer, Churchwardens, Overſeers, or any other authorized by this Statute for the due Execution thereof in any Point, ſhall be ſued, impleaded or otherwiſe impeached for doing or executing their ſaid Offices reſpectively: (2) And if any Suit or Suits hereafter ſhall be commenced againſt them or any of them, their Agents or Aſſiſtants, touching the Premiſes; That then it ſhall and may be lawful for them and every of them ſo ſued or troubled in any Court or Courts whatſoever, to plead the General Iſſue, *Not guilty*, and to give this Statute in Evidence, or any other ſpecial Matter in Evidence.

Treble Coſts for unjuſt Vexation.

IX. And in Caſe by or upon this Law they or any of them ſhall be found Not guilty, or the Plaintiff be nonſuited, the Defendant or Defendants ſhall recover treble Coſts againſt the Plaintiff for his unjuſt Vexation.

## CAP. XX.

### An Act for the Prevention of vexatious Proceedings touching the Order of Knighthood.

None ſhall be compelled to take the Order of Knighthood.

Writs iſſued for Perſons to take the Order of Knighthood.

Diſtringas.

Fines.

'WHEREAS upon the Pretext of an ancient Cuſtom or Uſage of this Realm of *England*, That Men of full Age, being not Knights, and being ſeiſed of Lands or Rents of the yearly Value of forty Pounds or more (eſpecially if their Seiſin had ſo continued by the Space of three Years next paſt) might be compelled by the King's Writ, to receive or take upon them the Order or Dignity of Knighthood, or elſe to make Fine for the Diſcharge or Reſpite of the ſame; ſeveral Writs about the Beginning of his Majeſty's Reign iſſued out of the Court of Chancery, for Proclamations to be made in every County to that Purpoſe, and for certifying the Names of all ſuch Perſons, and for ſummoning them perſonally to appear in the King's Preſence before a certain Day, to be there ready to receive the ſaid Order or Dignity: (2) Upon Return of which Writs, and tranſmitting the ſame with their Returns into the Court of Exchequer, and upon other Writs for further Inquiry of the Names of ſuch Perſons, iſſuing out of the ſaid Court of Exchequer, Proceſs by *Diſtringas* was thence made againſt a very great Number of Perſons, many of which were altogether unfit, in regard either of Eſtate or Quality, to receive the ſaid Order or Dignity, and very many were put to grievous Fines and other Vexations for the ſame, although in Truth it were not ſufficiently known how or in what Sort or where they or any of them ſhould or might have addreſſed themſelves for the receiving the ſaid Order or Dignity, and for ſaving themſelves thereby from the ſaid Fines, Proceſs and Vexations: (3) And whereas it is moſt apparent, that all and every ſuch Proceeding in regard of the Matter therein pretended, is altogether uſeleſs and unreaſonable;' May it therefore pleaſe your moſt excellent Majeſty, that it be by Authority of Parliament declared and enacted:

No Perſon ſhall be compelled to take on him the Order of Knighthood, nor undergo any Fine for that Cauſe.

II. And be it declared and enacted by the King's moſt excellent Majeſty, and the Lords and Commons, in this Parliament aſſembled, and by the Authority of the ſame, That from henceforth no Perſon or Perſons, of what Condition, Quality, Eſtate or Degree ſoever, ſhall at any Time be diſtrained, or otherways compelled by any Writ or Proceſs of the Court of Chancery or Court of Exchequer, or otherwiſe by any Means whatſoever, to receive or take upon him or them reſpectively, the Order or Dignity of Knighthood; (2) nor ſhall ſuffer or undergo any Fine, Trouble or Moleſtation whaſoever, by Rea-

ſon

ſon or Colour of his or their having not received or not taken upon him or them the ſaid Order or Dignity: (3) And that all and every Writ or Proceſs whatſoever, and all and every Proceeding which ſhall hereafter be had or made contrary to the Intent of this Act, ſhall be deemed and adjudged to be utterly void: And that all and every Proceſs, Proceeding and Charge now depending by Reaſon or Colour of the ſaid pretended Cuſtom or Writs aforeſaid, or of any the Dependants thereof, ſhall from henceforth ceaſe and ſtand, be and remain diſcharged and utterly void: any former Law or Cuſtom, or any Pretence of any former Law or Cuſtom, or any other Matter whatſoever to the contrary in any wiſe notwithſtanding. 1 E. 2. Stat. 1.

## CAP. XXI.

### An Act for the free Bringing in of Gun-powder and Salt-petre from Foreign Parts, and for the free Making of Gun-powder in this Realm.

Miſchiefs by prohibiting the Importation of Gun-powder.

'WHEREAS the Importation of Gun-powder from Foreign Parts hath of late Times been a-
'gainſt Law prohibited, and the Making thereof within this Realm ingroſſed, whereby the Price
'of Gun-powder hath been exceſſively raiſed, many Powder-works decayed, this Kingdom very much
'weakened and endangered, the Merchants thereof much damnified, many Mariners and others taken
'Priſoners, and brought into miſerable Captivity and Slavery, many Ships taken by Turkiſh and other
'Pirates, and many other Inconveniences have from thence enſued, and more are likely to enſue, if they
'be not timely prevented:

Liberty to all to import Gun-powder.

II. Be it therefore declared and enacted by the King's moſt excellent Majeſty, and the Lords and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all and ſingular Perſons, as well Strangers as natural born Subjects of this Realm, to import and bring into this Kingdom any Quantities of Gunpowder whatſoever, paying ſuch Cuſtoms and Duties for the ſame as by Authority of Parliament ſhall be limited and ſet down.

All Subjects may make and ſell Gun-powder, and import Salt-petre.

III. And be it further declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and ſingular his Majeſty's Subjects of this his Realm of *England*, to make and ſell any Quantities of Gun-powder at his and their Will and Pleaſure; (2) and alſo to bring into this Kingdom any Quantities of Salt-petre, Brimſtone or any other Materials neceſſary or requiſite for the Making of Gun-powder.

Penalty for putting in Execution Letters Patents, Proclamations, &c. againſt this Liberty.

IV. And laſtly, Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons from and after the tenth Day of *Auguſt*, which ſhall be in the Year of our Lord God one thouſand ſix hundred forty and one, ſhall put in Execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Reſtraint or other Inhibition whatſoever, whereby the Importation of Gun-powder, Salt-petre, Brimſtone or other the Materials afore-mentioned or any of them from Foreign Parts, or the Making of Gun-powder within this Realm, ſhall be any way prohibited or reſtrained; That then the ſaid Perſon and Perſons ſo offending ſhall incur and ſuſtain the Pains, Penalties and Forfeitures contained and provided in the Statute of Proviſion and *Præmunire* made in the fixteenth Year of the Reign of King *Richard* the Second. 16 R. 2. c. 5.

*Farther Proviſions relating hereto,* 1 *Jac.* 2. *c.* 8. 5 *Geo.* 1. *c.* 26. 11 *Geo.* 1. *c.* 23. 4 *Geo.* 2. *c.* 29. 15 *Geo.* 2. *c.* 32. 22 *Geo.* 2. *c.* 38. *and* 29 *Geo.* 2. *c.* 16.

## CAP. XXII.

A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported. EXP. Tonnage. Poundage.

## CAP. XXIII.

An Act for the Raiſing of Mariners and Sailors, for the Guarding of the Seas, and his Majeſty's Dominions. EXP. Mariners.

## CAP. XXIV.

An Act to relieve Captives taken by the *Turks*, and to prevent the Taking of others hereafter. EXP. Captive.

## CAP. XXV.

A Subſidy granted to the King of Tonnage, Poundage, *&c.* from the laſt of *November* one thouſand ſix hundred forty-one, to the firſt of *February* next, and the like until the ſecond of *July* one thouſand ſix hundred forty-two. EXP. Tonnage. Poundage.

## CAP. XXVI.

An Act for the Raiſing of Mariners and Sailors, for the Guarding the Seas, and his Majeſty's Kingdoms. EXP. Mariners.

## CAP. XXVII.

An Act for the Diſenabling all Perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority. REP. 13 Car. 2. Stat. 1. c. 2. Perſons in Holy Orders.

## CAP. XXVIII.

An Act for the Raiſing of Soldiers for the Defence of *England* and *Ireland*. EXP. Soldiers.

CAP. XXIX.

Tonnage, Poundage. A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported. EXP.

CAP. XXX.

Contribution. An Act for a Contribution and Loan for the diſtreſſed People of *Ireland*. EXP.

CAP. XXXI.

Tonnage, Poundage. A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported. EXP.

CAP. XXXII.

Ireland. For the Raiſing and Levying of Monies for the neceſſary Defence and great Affairs of the Kingdoms of *England* and *Ireland*, and for the Payment of Debts undertaken by the Parliament. EXP.

CAP. XXXIII.

An Act for the reducing the Rebels in *Ireland* to their Obedience to his Majeſty and the Crown of *England*. EXP. See an Act for the Settlement of *Ireland*, paſſed in that Kingdom Anno 14 Car. 2. one thouſand ſix hundred and ſixty-two, by which this and the following Acts concerning *Ireland* are, beſides their Expiration, of no Force.

CAP. XXXIV.

An Act for the Explanation of a former Act for the reducing the Rebels in *Ireland*. EXP.

CAP. XXXV.

An Act to enable Corporations to adventure in *Ireland*. PR.

CAP. XXXVI.

Tonnage, Poundage. A Subſidy granted to the King of Tonnage, Poundage, and other Sums of Money payable upon Merchandize exported and imported. EXP.

CAP. XXXVII.

An Act for the further reducing of the Rebels in *Ireland* to their Obedience to the King and Crown of *England*. EXP.

Anno

# Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, duodecimo.

At the Parliament begun and holden at *Weſtminſter* the five and twentieth Day of *April*, *Anno Dom.* one thouſand ſix hundred and ſixty, in the twelfth Year of the Reign of our moſt gracious Sovereign Lord *Charles* the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And there continued until the nine and twentieth Day of *December* then next following, and then diſſolved by his Majeſty: To the high Pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

## CAP. I.

An Act for removing and preventing all Queſtions and Diſputes concerning the Aſſembling and Sitting of this preſent Parliament.

FOR the preventing all Doubts and Scruples concerning the Aſſembling, Sitting and Proceeding of this preſent Parliament, (2) be it declared and enacted, and it is declared and enacted by the King our Sovereign Lord, and by the Lords and Commons in Parliament aſſembled, and by Authority of the ſame, That the Parliament begun and holden at *Weſtminſter* the third Day of *November* in the ſixteenth Year of the Reign of the late King *Charles* of bleſſed Memory, is fully diſſolved and determined: (3) And that the Lords and Commons now ſitting at *Weſtminſter*, in this preſent Parliament, are the two Houſes of Parliament, and ſo ſhall be, and are hereby declared, enacted and adjudged to be, to all Intents, Conſtructions and Purpoſes whatſoever, notwithſtanding any Want of the King's Majeſty's Writ or Writs of Summons, or any Defect or Alteration of or in any Writ or Writs of Summons, or any other Defect or Default whatſoever; as if this Parliament had been ſummoned by Writ or Writs in his Majeſty's Name, according to the uſual Form, and as if his Majeſty had been preſent in Perſon at the Aſſembling and Commencement of this preſent Parliament. (4) Provided always, That this preſent Parliament may be diſſolved by his Majeſty after the uſual Manner, as if the ſame had been ſummoned by Writ or Writs in his Majeſty's Name. (5) Provided alſo, and it is hereby enacted, That his Majeſty's Royal Aſſent to this Bill ſhall not determine this preſent Seſſion of Parliament.

16 Car. 1. c. 7. The Parliament begun 3 Nov. 16 Car. declared to be diſſolved.

The Lords and Commons now ſitting declared to be the two Houſes of Parliament

The King's Aſſent to this Act ſhall not determine this Seſſion.

## CAP. II.

An Act for putting in Execution an Ordinance mentioned in the ſaid Act. EXP. 13 Car. 2. Stat. 1. c. 7.

## CAP. III.

An Act for the Continuance of Proceſs, and Judicial Proceedings continued.

'WHEREAS the four firſt Returns of *Eaſter* Term in the Year one thouſand ſix hundred ſixty, of late called from *Eaſter-day* in fifteen Days, from *Eaſter-day* in three Weeks, from *Eaſter-day* in one Month, and from *Eaſter-day* in five Weeks, or any of them, cannot be conveniently kept or holden:' (2) Now for avoiding all manner of Diſcontinuances whatſoever, which by Occaſion thereof ſhould or might happen or be in any Matter or Cauſe whatſoever, in any the Courts at *Weſtminſter*: (3) Be it enacted by the King's moſt excellent Majeſty, and the Lords and Commons aſſembled in Parliament, That no Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, or other Thing or Things whatſoever, pleaded, returned or depending, or having Day or Days, in any of the ſaid Courts, in or at the ſaid ſeveral Returns, or any of them, or at any other Day or Days certain after any of the ſaid Returns, ſhall be in any wiſe diſcontinued, or put without Day, for or by Reaſon of the not keeping or holding of the ſaid Returns or Days, or any of them; (4) but that all and ſingular the ſaid Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, and other the Premiſſes aforeſaid, ſhall ſtand, continue, and be good and effectual in Law, to all Intents and Purpoſes, as if the ſaid Returns and Days, and every of them, had been actually kept and holden in all and every the ſaid Courts; any Law, Statute, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

Writs, &c. ſhall not be diſcontinued for not holding certain Days of Return.

II. And be it further enacted by the Authority aforeſaid, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, and other Thing or Things whatſoever aforeſaid, pleadable, or to be pleaded, returnable, or to be returned, or having Day in any Manner whatſoever at any of the ſaid Returns, or any

The ſaid Writs, Proceſs, Pleas, &c. returnable, and pleadable at a certain Day.

any Day or Days certain after any of the ſaid Returns, be and are hereby continued and adjourned unto, (and ſhall and may be pleaded, returned, heard and determined in the reſpective Courts aforeſaid) at or on the fifth Return of the ſaid Term, of late called *In the Morrow of the Aſcenſion of our Lord*; (2) And that all Parties in any Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, or other Thing or Things whatſoever, having Days given them at any of the ſaid four firſt Returns, or at any other Day or Days certain after any of the ſaid Returns, in the ſaid Courts, or any of them, by Virtue of this preſent Act, have the ſaid Return of late called *In the Morrow of the Aſcenſion of our Lord*, prefixed them therein; (3) and that all Sheriffs, Officers, and other Miniſters whatſoever, and every of them reſpectively, keep in their Hands all Writs, Bills, Proceſs and Precepts, and all other Things whatſoever to them directed reſpectively, returnable or to be returned in the ſeveral Courts aforeſaid, at the ſaid four firſt Returns, or any of them, in or at any Day certain, as aforeſaid, until the ſaid fifth Return of late called *The Morrow of the Aſcenſion of our Lord*, and then return the ſame into the ſaid ſeveral Courts reſpectively, that ſuch Proceedings may be then had thereupon as ſhould have been had in caſe the ſaid four firſt Returns had been kept and holden.

Proceſs, Writs, Pleas, &c. under certain Titles and Names, may be proſecuted and proceeded upon.

III. And be it further enacted by the Authority aforeſaid, That no Writs, Proceſs, Plaints, Pleas, Informations, Indictments or Judicial Proceedings, had, commenced or proſecuted before the fifth Day of *May* in the ſaid Year of our Lord one thouſand ſix hundred ſixty, in the Name, Stile, Title or Teſt of *Cuſtodes Libertatis Angliæ Authoritate Parliamenti*; or in the Name, Stile, Title or Teſt of *The Keepers of the Liberty of* England, *by Authority of Parliament*; (2) or in the Name, Stile, Title or Teſt of *Oliver Lord Protector of the Commonwealth of* England, Scotland *and* Ireland, *and the Dominions thereto belonging*; or in the Name, Stile, Title or Teſt of *Oliver Lord Protector of the Commonwealth of* England, Scotland *and* Ireland, *and the Dominions and Territories thereunto belonging*; or in the Name, Stile, Title or Teſt of *Richard Lord Protector of the Commonwealth of* England, Scotland *and* Ireland, *and the Dominions and Territories thereunto belonging*; (3) ſhall be put without Day, abated, quaſhed or diſcontinued, by his Majeſty's moſt juſt Reaſſumption of the actual Exerciſe of his Kingly Government in this Kingdom; (4) nor ſhall the ſame be Cauſe of Error, Abatement or Diſcontinuance; (5) but that all ſuch Writs, Proceſs, Plaints, Pleas, Informations, Indictments and Judicial Proceedings, and all Commiſſions for taking of Anſwers or Examination of Witneſſes, Commiſſion for taking of Fines and Warrants of Attorney, Guardians or *Prochein Amy*, ſhall ſtand and be continued, and ſhall and may be proceeded upon, proſecuted and returned, notwithſtanding the ſame were commenced or proſecuted in *Engliſh*, and notwithſtanding the preſent happy Change and Reſtitution of his Majeſty's Name and Stile in Judicial Proceedings.

Proceſs and Proceedings in Engliſh in Courts of Juſtice to continue. EXP.

IV. And be it further enacted by the Authority aforeſaid, That one pretended Act made in the Year of our Lord one thouſand ſix hundred fifty, intituled, *An Act for turning the Books of the Law, and all Proceſs and Proceedings in Courts of Juſtice, into* Engliſh, ſhall ſtand and be in Force as if the ſame had been a good and effectual Act, from the firſt Return of *Eaſter* Term in the Year of our Lord one thouſand ſix hundred fifty-one, until the firſt Day of *Auguſt* in the Year of our Lord one thouſand ſix hundred ſixty, and no longer: (2) And whereas by one other pretended Act made in the ſaid Year of our Lord one thouſand ſix hundred fifty, intituled, *An Act touching Corn and Meal*, It was enacted, or mentioned to be enacted, That from and after the twentieth Day of *November* one thouſand ſix hundred fifty, it ſhould and might be lawful to and for any Perſon or Perſons, Defendant or Tenant, for or by Reaſon of any Matter to be pleaded, ſet forth or alledged in Bar to any Action Real, Perſonal or Mixt, in any Court of Record, to plead the General Iſſue of Not guilty; or the like General Iſſue proper to the Nature of the Action or Suit commenced, and for his or their Diſcharge or Acquitting to give any ſuch Matter in Evidence to the Jury that ſhall try the ſame; (3) and that the ſaid Matter ſhall be as available to ſuch Perſon or Perſons, Defendant or Tenant, to all Intents and Purpoſes, as if the ſaid Matter had been ſpecially pleaded, ſet forth or alledged in Bar of ſuch Action:

Pleading the General Iſſue. EXP.

V. Be it further enacted, That the ſaid pretended Act, as touching the Pleading of the General Iſſue, ſhall by Authority hereof ſtand and be in full Force and Effect according to the Tenor thereof, until the ſaid firſt Day of *Auguſt*, as if the ſame had been a good and effectual Act of Parliament, and no longer.

VI. Provided always, That where the General Iſſue hath been ſince the ſaid twentieth Day of *November* one thouſand ſix hundred fifty pleaded, or ſhall before the ſaid firſt Day of *Auguſt* in the ſaid Year of our Lord one thouſand ſix hundred ſixty be pleaded, in any Action, that then upon the Trial of the ſaid Cauſe, ſuch Evidence ſhall and may be allowed, as if the ſaid pretended Act touching the Pleading of the General Iſſue had been and continued a good and effectual Act of Parliament not determined or diſcontinued.

His Majeſty's Aſſent to this Bill doth not determine the Seſſion.

VII. Provided alſo, That his Majeſty's Royal Aſſent to the Paſſing of this Bill ſhall not extend or be conſtrued or extend to the Determining of the Seſſion of this preſent Parliament.

All Writs, Patents, Commiſſions, &c. to iſſue in the King's Name as formerly.

VIII. Provided nevertheleſs, and be it enacted, That all Writs, Patents and Commiſſions for conſtituting Juſtices of either Bench, and Barons of the Exchequer, Commiſſions of *Oyer* and *Terminer* and Gaol-delivery, and Precepts upon Commiſſions of *Oyer* and *Terminer* and Gaol-delivery, and all other Commiſſions hereafter to be made by the Clerk of the Crown in the Chancery, Charters and Letters Patents under the Great Seal, of Lands, Liberties, Honours or Offices, do or may iſſue in the King's Majeſty's Name, in the ſame Manner as was uſual before the making of the ſaid firſt recited pretended Act; any Thing in this preſent Act to the contrary thereof before expreſſed in any wiſe notwithſtanding.

## CAP. IV.

### A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported.

THE Commons assembled in Parliament, reposing Trust and Confidence in your Majesty, in and for the Guarding and Defending of the Seas against all Persons intending or that shall intend the Disturbance of your said Commons in the Intercourse of Trade, and the Invading of this your Realm; For the better Defraying the necessary Expences thereof, which cannot otherwise be effected without great Charge to his Majesty, (2) do, by and with the Advice and Consent of the Lords in this your present Parliament assembled, and by the Authority of the same, to the Intent aforesaid, give and grant unto You our Supreme Liege Lord and Sovereign, one Subsidy called Tonnage, that is to say, Of every Ton of Wine of the Growth of *France*, or of any the Dominions of the *French* King, or Crown of *France*, that shall come into the Port of *London* and the Members thereof, by way of Merchandize by your Natural-born Subjects, (3) the Sum of four Pounds and ten Shillings of current *English* Money, and so after that Rate, and by Strangers and Aliens, six Pounds of like Money; (4) and of every Ton of the like Wine which shall be brought into all and every the other Ports and Places of this Kingdom and the Dominions thereof, by way of Merchandize by your Natural-born Subjects, the Sum of three Pounds, (5) and by Aliens four Pounds and ten Shillings; (6) and of every But or Pipe of Muscadels, Malmseys, Cuts, Tents, Allicants, Bastards, Sacks, Canaries, Malligoes, Maderaes and other Wines whatsoever, commonly called Sweet Wines, of the Growth of the *Levant*, *Spain*, *Portugal* or any of them, or of any the Islands or Dominions to them or any of them belonging, or elsewhere, that shall come or be brought into the Port of *London* by your Natural-born Subjects, the Sum of forty-five Shillings of current *English* Money, and so after that Rate, and by Strangers and Aliens, three Pounds of like Money; (7) and of every But and Pipe of the like Wine which shall come or be brought into all, every or any the other Ports and Places of this Kingdom and Dominions thereof, by way of Merchandize, by your Natural-born Subjects, the Sum of thirty Shillings, and by Strangers, forty-five Shillings; (8) and of every Awm of *Rhenish* Wine or Wine of the Growth of *Germany*, that shall be brought into this your Realm and the Dominions thereof, by your Natural-born Subjects, the Sum of twenty Shillings of current *English* Money, and by Strangers and Aliens, twenty and five Shillings; (9) which several Rates are the same which are expressed in a certain Book of Rates herein after mentioned and referred unto: (10) And also one other Subsidy called Poundage, that is to say, of all Manner of Goods and Merchandize of every Merchant, Natural-born Subject, Denizen and Alien, to be carried out of this Realm or any your Majesty's Dominions to the same belonging, or to be brought into the same by way of Merchandize, of the Value of every twenty Shillings of the same Goods and Merchandizes, according to the several and particular Rates and Values of the same Goods and Merchandizes, as the same are particularly and respectively rated and valued in the said Book of Rates herein after mentioned and referred unto, twelve-pence and so after that Rate: (11) And of every twenty Shillings Value of any the Native Commodities of this Realm or Manufactures wrought of any such Native Commodities, to be carried out of this Realm, by every or any Merchant-Alien, according to the Value thereof in the said Book expressed, twelve-pence over and above the twelve-pence aforesaid: (12) except and foreprized out of this Grant of Subsidy of Poundage, all manner of Woollen Clothes, made or wrought or to be made or wrought within this Realm of *England*, commonly called old Draperies; (13) and all Wines before limited to pay Subsidy of Tonnage; (14) and all manner of Fish, *English* taken and brought by *English* Bottoms into this Realm, and all manner of fresh Fish and Bestial that shall come into this your Realm; (15) and all other Goods and Merchandizes, which in the said Book of Rates are mentioned to be Custom-free.

The Causes and Trusts upon granting the Subsidies of Tonnage and Poundage. Defending the Seas. A Subsidy of Tonnage granted to the King. *Burn, V.* 1. 319.

25 Car. 2. c. 6. Vaugh. 160. A Subsidy of Poundage. The Duties on Tonnage, &c. are continued, enlarged and explained by 25 Car. 2. c. 6. 4 & 5 W. & M. c. 5. 7 & 8 W. 3. c. 39. 8 & 9 W. 3. c. 24 & 34. 9 & 10 W. 3. c. 23 & c. 30. 11 & 12 W. 3. c. 3. & c. 20. 1 Ann. Stat. 1. c. 7. & c. 13. 2 & 3 Ann. c. 9. 3 & 4 Ann. c. 5. c. 12. 3 Geo. 1.

4 Ann. c. 6. 5 Ann. c. 19. & c. 27. 6 Ann. c. 19. & c. 22. 7 Ann. c. 7. §. 22. 8 Ann. c. 7. 9 Ann. c. 6. 1 Geo. 1. Stat. 1. c. 1. & Stat. 2. c. 7. 6 Geo. 1. c. 4. & c. 12. 8 Geo. 1. c. 15. 9 Geo. 1. c. 21. 10 Geo. 1. c. 10. 11 Geo. 1. c. 7. 12 Geo. 1. c. 4. & c. 26. 1 Geo. 2. Stat. 1. c. 1. & Stat. 2. c. 17. 2 Geo. 2. c. 18. & c. 28. 4 Geo. 2. c. 27.

II. And further, We your said Commons, by the Advice, Assent and Authority aforesaid, do give and grant unto You, our said liege Lord and Sovereign, for the Causes aforesaid, one other Subsidy, that is to say, of and for every short Woollen Cloth to be exported by your Natural-born Subjects of this your Realm and the Dominions thereof, called Broad Cloth, not exceeding twenty-eight Yards in Length, and threescore and four Pounds in Weight, the Sum of three Shillings and four-pence of current *English* Money; and of every Cloth of greater Length and Weight, proportionably, according to the same Rate; (2) and of every other Short Cloth of Old Drapery of lesser Length and Weight, accounting so many Pieces to a Short Cloth, as are limited and appointed thereunto by the said Book of Rates, to be likewise exported by your said Natural-born Subjects, the like Sum of three Shillings four-pence, and so after that Rate; (3) and by Strangers and Aliens six Shillings and eight-pence for every Short Cloth accounted as aforesaid; (4) which several Rates are accordingly expressed in the said Book of Rates herein after mentioned and referred unto; (5) to have, hold, take, enjoy and perceive the Subsidies aforesaid, and every of them, and every Part and Parcel of them, unto your Majesty, from the four and twentieth Day of *June* inclusively, in the twelfth Year of your Majesty's Reign, for and during your Majesty's Life, which God long preserve.

On Woollen Cloth, 3 s. 4 d. For Aliens Duties, see 25 Car. 2. c. 6. Strangers, 6 s. 8 d. The Subsidies granted to the King during his Life.

III. And be it further enacted by the Authority aforesaid, That if any Wines, Goods or other Merchandize, whereof the Subsidies aforesaid are or shall be due, shall at any Time after be Shipped or put

The Penalty for not paying the Subsidy.

put into any Boat or Veſſel, to the Intent to be carried into the Parts beyond the Seas, or elſe be brought from the Parts beyond the Seas into any Port, Place or Creek of this Realm or other your Majeſty's Dominions, by way of Merchandize, and unſhipped to be laid on Land, the Subſidy, Cuſtoms and other Duties due or to be due for the ſame, not paid or lawfully tendred to the Collector thereof or his Deputy, with the Conſent and Agreement of the Comptroller and Surveyor there or one of them at the leaſt, nor agreed with for the ſame in the Cuſtom-Houſe according to the true Meaning of this Act, that then, from the ſaid four and twentieth Day of *June*, all the ſame Wines, Goods and Merchandizes whatſoever, ſhall be forfeit to your Majeſty; the one Moiety of the Rate thereof to your Majeſty, and the other Moiety to him or them that will ſeiſe the ſame or ſue for the ſame; and that it may pleaſe your Majeſty, That all Merchants, as well Denizens as Strangers, coming into this your Realm, be well and honeſtly intreated and demeaned, for ſuch Things as Subſidy by this Act is granted, as they were in the Time of your Noble Progenitors and Predeceſſors, without Oppreſſion to them to be done, paying the Subſidies aforeſaid.

Merchants Strangers ſhall be well intreated.

A Proviſo for ſuch whoſe Goods be taken by Pirates, or periſh on the Sea.

IV. And be it further enacted by the Authority aforeſaid, That if any Goods or Merchandize as aforeſaid, of any Merchant being born Denizen, after the ſaid four and twentieth Day of *June*, hath been or at any Time hereafter during your Majeſty's Life ſhall be taken by any Enemies or Pirates upon the Sea, or periſhed, in any Ship or Ships that ſhall happen to be taken or periſhed during your Majeſty's Life, whereof the Subſidies and other Duties aforeſaid are or ſhall be duly paid or agreed for as aforeſaid, and that duly proved before the Treaſurer of *England*, Commiſſioners of the Treaſury or Chief Baron of the Exchequer for the Time being, by the Examination of the ſame Merchants if they be alive, or of their Executors or Adminiſtrators if they be dead, or by two credible Witneſſes at the leaſt ſworn, or other reaſonable Witneſſes and Proof ſworn, then the ſame Merchant or Merchants, his or their Executors or Adminiſtrators, ſhall or may newly ſhip in the ſame Port where the Goods and Merchandize aforeſaid were or ſhall be Cuſtomed, ſo much other Merchandize or Goods as the ſame Goods or Merchandize are or ſhall be loſt as aforeſaid ſhall amount unto in Cuſtom, without paying of any Thing for the ſame; (2) ſo as the ſame Proof be recorded and allowed of in the Court of Exchequer, and certified unto the Collectors of the Cuſtoms of the Port where the ſame Wares or Merchandizes are to be newly Shipped without Cuſtom as aforeſaid: (3) And further, That every Merchant-Denizen who ſhall hereafter Ship any Goods or Merchandize in any Carrack or Galley, ſhall pay to your Majeſty all manner of Cuſtoms and all the Subſidies aforeſaid, as any Alien born out of the Realm.

The Cuſtoms of any Goods ſhipped in Carracks or Gallies.

Shipping of Herrings.

V. Provided always, That it ſhall and may be lawful to all and every your Subjects at his and their Will and Pleaſure, to convey and tranſport out of this Realm, in Ships and other Veſſels of any the Subjects of this Realm, all and every kind of Herrings and other Sea-fiſh, to be taken on the Sea by any the Subjects aforeſaid, from or out of any Port or Harbour of this Realm, to any Place out of your Majeſty's Dominions, without paying any Cuſtom, Subſidy or Poundage-Monies for the ſame Herrings or other Fiſh ſo carried or tranſported, during your Majeſty's Life; any Thing herein before contained to the contrary notwithſtanding.

No Rates to be impoſed on Merchandize without Authority of Parliament.

A Book of Rates agreed by the Commons Houſe of Pariament.

'VI. And becauſe no Rates can be impoſed upon Merchandize imported or exported by Subjects or 'Aliens, but by common Conſent in Parliament;' (2) Be it further enacted and declared by the Authority aforeſaid, That the Rates intended by this preſent Act ſhall be the Rates mentioned and expreſſed in one Book of Rates, intituled, *The Rates of Merchandize*, that is to ſay, the Subſidy of Tonnage, the Subſidy of Poundage, and the Subſidy of Woollen Clothes or Old Draperies, as they are rated and agreed on by the Commons Houſe of Parliament, ſet down and expreſſed in this Book, to be paid according to the Tenor of the Act of Tonnage and Poundage, from the twenty-fourth Day of *June* incluſively, in the twelfth Year of his Majeſty's Reign, during his Majeſty's Life, and ſubſcribed with the Hand of Sir *Harbottle Grimſton*, Baronet, Speaker of the Houſe of Commons; (3) which ſaid Book of Rates compoſed and agreed on by your Majeſty's ſaid Commons, and alſo every Article, Rule and Clauſe therein contained, ſhall be and remain during your Majeſty's Life, as effectual to all Intents and Purpoſes, as if the ſame were included particularly in the Body of this preſent Act.

The Fees of Cuſtom Officers.

VII. And it is further enacted, That during the Continuance of this preſent Grant where the Goods exported or imported amount to the Value of five Pounds or more, the Cuſtomers and Collectors, and all other his Majeſty's Officers in the ſeveral Ports, ſhall take and receive ſuch Fees and no other, as were taken in the fourth Year of the late King *James*, until ſuch Time as the ſaid Fees ſhall be otherwiſe ſettled by Authority of Parliament.

A Proviſo for ſuch as paid before July 24, 1660.

VIII. Provided always, That no Perſon or Perſons, who after the four and twentieth Day of *June* in the Year one thouſand ſix hundred and ſixty, and before the four and twentieth of *July* in the ſame Year, have paid, received or collected any Duties or Cuſtoms, according to the Rates uſed in *April* one thouſand ſix hundred and ſixty, ſhall be moleſted or any way impeached for or concerning the Payment or Receipt of the ſaid Duties or any other Duties by this Act impoſed.

IX. And it is hereby further declared, That no Perſon who hath ſhipped any Goods ſince the ſaid four and twentieth of *June*, and before the ſaid four and twentieth of *July*, ſhall be liable to the Payment of any Duties therefore, other than ſuch as were uſed to be paid in the ſaid Month of *April* one thouſand ſix hundred and ſixty.

Goods which may be exported immediately after the Paſſing this Act.

X. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons, immediately from and after the Paſſing of this Act, to tranſport, ſhip and carry out of this Kingdom, or out of any Port thereof, by way of Merchandize, any of theſe Commodities, Goods and Merchandizes following; that is to ſay, Iron, Armour, Bandeleers, Bridle-bits, Halbert-heads and Sharps, Holſters, Muſkets, Carbines, Fowling-pieces, Piſtols, Pike-heads, Sword or Rapier-blades, Saddles, Snaffles, Styrrops, Calve-Skins dreſſed or undreſſed, Geldings, Oxen, Sheep-ſkins dreſſed without

out the Wool, and all Sorts of Manufactures made of Leather, paying the reſpective Rates appointed by this Act and no other; any Law, Statutes, Prohibitions and Cuſtoms to the contrary notwithſtanding.

XI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful, immediately after the Paſſing of this Act, for any Perſon or Perſons to ſhip, carry out and tranſport by way of Merchandize, theſe ſeveral Sorts of Goods following, that is to ſay, (2) Gunpowder, when the ſame doth not exceed the Price of five Pounds the Barrel: (3) And Wheat, Rye, Peaſe, Beans, Barley, Malt and Oats, Beef, Pork, Bacon, Butter, Cheeſe, Candles, when the ſame do not exceed in Price at the Ports from whence they are laden, and at the Time of their Lading, theſe Prices following; that is to ſay, (4) Wheat the Quarter, forty Shillings; Rye, Beans and Peaſe the Quarter, twenty-four Shillings; Barley and Malt the Quarter, twenty Shillings; Oats the Quarter, ſixteen Shillings; (5) Beef the Barrel, five Pounds; Pork the Barrel, ſix Pounds ten Shillings; Bacon the Pound, ſix-pence; (6) Butter the Barrel, four Pounds ten Shillings; Cheeſe the Hundred, one Pound ten Shillings; (7) Candles the dozen Pound, five Shillings, paying the reſpective Rates appointed by this Act, and no more; any former Law, Statute, Prohibition or Cuſtom to the contrary in any wiſe notwithſtanding. 22 Car. 2. c. 13. ſect. 4. 1 W. & M. Stat. 1. c. 24.

Goods which may be exported being at certain Prices.

By 3 & 4 W. & M. c. 8. and 11 & 12 W. 3. c. 20. ſect. 4. the Exportation of theſe Victuals, Corn and Grain, &c. is made Duty-free. Altered as to Exportation of Beef, &c. by

XII. Provided always, That it ſhall be free and lawful for his Majeſty, at any Time when he ſhall ſee Cauſe ſo to do, and for ſuch Time as ſhall be therein expreſſed, by Proclamation to prohibit the tranſporting of Gun-powder, or any Sort of Arms or Ammunition into any Parts out of this Kingdom; any Thing in this Act contained to the contrary notwithſtanding.

His Majeſty by Proclamation may prohibit tranſporting of Gun-powder, Arms and Ammunition out of England.

XIII. And be it further enacted by the Authority aforeſaid, That over and above the Rates herein before-mentioned, there ſhall be paid unto your Majeſty of every Ton of Wine of the Growth of *France*, *Germany*, *Portugal* or *Madera*, brought unto the Port of *London*, or elſewhere, the Sum of three Pounds of current *Engliſh* Money, within the Space of nine Months after the Importing; (2) and of every Ton of all other Wines brought in, as aforeſaid, the Sum of four Pounds of like current Money, within the Space of nine Months after the Importing thereof; (3) For the Payment of which Duties accordingly, the Importer ſhall give good Security: (4) And if any of the ſaid Wines, for which the additional Duty in this Clauſe mentioned is paid or ſecured at the Importation, be exported within twelve Months after their Importation, then the aforeſaid addititional Duty in this Clauſe mentioned ſhall be returned, or the Security diſcharged, as to ſo much as ſhall be ſo exported; (5) and if at the Importation the Importer ſhall pay for the ſame Ready Money, he ſhall be allowed after the Rate of Ten *per Cent.* for a Year. to three Years, by 7 Geo. 1. Stat. 1. c. 21. ſect. 10.

16 Car. 1. c. 21. An additional Subſidy upon Wines, over and above the fore-mentioned Rates. Security to be given by the Importer. The ſaid Subſidy to be repaid upon Exportation. Theſe twelve Months enlarged

XIV. And be it further enacted, That from and after the ſaid four and twentieth Day of *July*, all manner of Wines whatſoever to be impotted into the Port of *London*, or elſewhere, ſhall be freed and diſcharged of and from the Impoſition of Exciſe.

All Wines diſcharged of Exciſe.

XV. Provided, and it is hereby declared and enacted, That the Prizage of Wines, or Prize Wines, ought not to pay Tonnage nor Cuſtom, and ſhall not be charged with the Payment of any Cuſtom, Subſidy or Sum of Money impoſed upon Wines by this Act, or any Thing therein contained. 13 Car. 2. Stat. 1. c. 7.

Prizage Wines not to pay any Cuſtom or Subſidy.

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The RATES of MERCHANDISE, that is to ſay, The Subſidy of Tonnage, the Subſidy of Poundage, and the Subſidy of Woollen Clothes or Old-Drapery, as they are Rated and Agreed on by the Commons Houſe of Parliament. Set down and expreſt in this Book, to be paid according to the Tenor of the Act of Tonnage and Poundage, from the 24th Day of *June* incluſively, in the twelfth Year of his Majeſty's Reign, during his Majeſty's Life, and Subſcribed with the Hand of Sir *Harebotle Grimſton* Baronet, Speaker of the Houſe of Commons.

## RATES INWARDS.

11 Geo. 1. c. 7.

### A

ADZES for Coopers, the dozen — xij. s.
Aggets ſmall as a Beane, the C. dozen — xiij. s. iiij. d.
Aggets large, the piece — vj. d.
Alphabets the ſet, containing twenty-four — v. s.
Allum the hundred weight, cont. 112 pound — j. l.
Alpiſti, or Canary-feed, the hundred weight, containing 112 pound — iij. l. xv. s.
Amber { the pound — iij. s. viij. d. / the maſt, cont. two pound and an half viij. s. iiij. d. / Beades the pound — x. s.
Anchoves, the little barrel — vij. s. vj. d.
Andirons { or Creepers of Lattin, the pound — j. s. / of Iron the paire — x. s.
Andlets, or Males, the pound — iij. s.
Anvills, the hundred weight, cont. 112 pound — xv. s.
Aneile of Barbary, the pound — j. s. vj. d.

8 Geo. 1. c. 15.

Annotto, the pound — j. s.
Apples { the buſhel — iiij. d. / the barrel, containing three buſhels — j. s. / vocat. Pippins, or Rinnets the barrel, containing three buſhels — iij. s.
Aqua-vitæ { the barrel — ij. l. xiij. s. iiij. d. / the hogſhead — iiij. l.
Argall white and red, or powder, the hundred weight, containing 112 pound — j. l. iij. s. iiij. d.
Armour old, the hundred weight, containing 112 pound — j. l.
Arrowes for trunks the groce, cont. twelve dozen — vj. s. viij. d.
Aſhes voc. { Pot-aſhes the barrell, containing two hundred weight — j. l. v. s. / Wood or Soap-aſhes the laſt, containing 12 Barrels — vj. l.
Aule-blades, the thouſand — xiij. s. iiij. d.
Aulgers for Carpenters, the groce — j. l.
Axes or hatchets, the dozen — vj. s. viij. d.

8 Geo. 1. c. 15.

8. Geo. 1. c. 20.

8 Geo. 1. c. 15.

10 & 11 W. 3. c. 21.

## B

Babies, or Puppets for children, the groce, containing 12 dozen — xvij. s. x. d.
Babies heads of earth, the dozen — xiij. s. iiij. d.
All other toyes for children, to pay sixteen pence in twenty shillings value — v. s.
Balkes Bacon of Ireland, the Flitch — v. s.
Balkes Bacon of Westphalia and Hamborough, or the like, the hundred weight, cont. 112 pound — j. l. vi. s. viij. d.
Balkes great the hundred, containing 120 — xij. l.
Balkes middle, the hundred, containing 120 — v. l.
Balkes small the hundred, containing 120 — ij. l.
Baggs with locks, the dozen — ij. l. viij. s.
Baggs with steele rings without locks, the dozen — j. l. xij. s.
Ballances vocat. Gold Ballances the groce, containing 12 dozen pair — v. l. vj. s. viij. d.
Ballances vocat. Ounce Ballances the groce, containing 12 dozen pair — ij. l. xiij. s. iiij d.
Ballances vocat. the sort containing 4 dozen — iij. l. xj. s. ij. d.
Balls vocat. Tennis balls, the thousand — ij. l.
Balls vocat. Washing-balls the groce, cont. 12 dozen — ij. l.
Bandeliers the 100, containing five score — xvj. s. viij. d.
Band-strings, the dozen knots — x. s.
Bands, vocat. Flanders bands of bone-lace the band — x. l.
Bands cutwork, of Flanders, or any other country — xx. l.
Bankers of Verdure, the dozen pieces — iv. l.
Barbers aprons, or checks, the piece, not above ten yards — xiij. s. iv. d.
Barlings the hundred, containing 120 — j. l. xiij. s. iiij. d.
Barley, *vide* Corn
Barillia, or Saphora to make glass, the barrel, containing two hundred weight — j. l.
Basket-rods, the bundle — vj. s. viij. d.
Baskets, vocat. hand baskets, or sports the dozen — iij. s. iv. d.
Basons of Lattin, the pound — j. s. iv. d.
Bast or straw-hats knotted, the dozen — vj. s. viij. d.
Bast or straw-hats plain, the dozen — j. s. vj. d.
Bast ropes the rope — vj. d.
Bast ropes the bundle, containing 10 ropes — v. s.
Bast ropes the hundred weight, cont. 112 pound — viij. s.
Batterie, Bashrons, or Kettles, the hundred weight, cont. 112 pound — ix l.
Bayes of Florence, per yard — j. l. v. s.
Beads of Amber the pound — x. s.
Beads of Bone, the great groce, containing 12 small groce — j. l. x. s.
Beads of Box the great groce — j. l. x. s.
Beads of Coral the pound — x. s.
Beads of Christal the thousand — iij. l.
Beads of Glass and Wood all sorts the great groce — x. s.
Beads of Jasper square the hundred stones — ij. l.
Beaupers the piece, cont. 24 or 25 yards — j. l. v. s.
5 Ann. c. 8. Beefe of Ireland or Scotland the barrel — j. l.
Beefe or Pork of Ireland or Scotland per Ton — vj. l.
Bells vocat. Hawks bells, French-making, the dozen pair — v. s.
Bells vocat. Hawks bells, Norembourgh making, the dozen pair, — ij. s.
Bells vocat. Horse bells the small groce, cont. 12 dozen — x. s.
Bells vocat. Dog bells the small groce, cont. 12 dozen — j. s. iv. d.
Bells vocat. Morrice bells the small groce, cont. 12 dozen — v. s.
Bells vocat. Clapper Bells the pound — j. s.
Bell-metal the hundred weight, cont. 112 pound — j. l. xiij. s. iv. d.
Bellowes the pair — iij. s. iv. d.
Bitts for Bridles the dozen — j. l.
Blacking or Lamp-black the hundred weight, containing 112 pound — iv. l.
Blankets vocat. Paris mantles coloured, the mantle — j. l. vi. s. viij. d.
Blankets vocat. Paris mantles, or others uncoloured, the mantle — j. l.
Boards vocat. Burrell boards the hundred, cont. 120 — v. s.
Boards vocat. Clapboards the hundred, cont. 120 boards — xv. s.
Boards vocat. Pastboards for bookes the thousand — xiij. s. iv. d.
Boards vocat. Pipe boards or pipe holt the hundred, containing 120 boards — j. l.
Boards vocat. White boards for Shoomakers the board — j. s.
Bodkins the small groce, containing 12 dozen — vj. s. viij. d.
Bomespars the hundred, containing 120 — j. l. xiij. s. iv. d.
Boratoes or Bombasines narrow the single piece not above 15 yards — vj. l.
Boratoes or Bombasines broad the single piece not above 15 yards — viij. l.
Boratoes or Bombasines of Silk *vide* Silke
Bookes unbound the basket or maund, containing 8 bales or 2 fats — viij. l.
Bookes unbound the fat cont. half a maund — iv. l.
Bosses for Bridles the small groce, cont. 12 dozen — j. l.
Botanoes per piece — x. s.
Bottles of Earth or Stone the dozen — v. s.
Bottles of Glasse covered with Wicker the dozen — j. l.
Bottles of Glass with vices covered with leather the dozen — iv. l. x. s.
Bottles of Glass uncovered the dozen — iv. s. vj. d.
Bottles of Wood, vocat. sucking bottles the Groce containing 12 dozen — x. s.
Boultel Rains the piece — viij. s.
Boultel the bale containing twenty pieces — viij. l.
Bowes, vocat. stone-bowes of steel, the piece — x. s.
Bow-staves the hundred, cont. six score staves — iv. l.
Boxes fire, or Tinder-boxes the groce, containing twelve dozen boxes — j. l.
Boxes Neft boxes the groce, containing twelve dozen nefts — iij. l.
Boxes Pepper-boxes the groce, containing 12 dozen boxes — i. l. ij. s. vj. d.
Boxes Spice-boxes the dozen — vj. s.
Boxes Round boxes, or French boxes for Marmelade or Gelly, the dozen — iv. s. vj. d.
Boxes Sand-boxes the groce, cont. 12 dozen — j. l.
Boxes Soap-boxes the Shock, containing three-score boxes — ij. l.
Boxes Touch-boxes covered with leather, the dozen — iij. s.
Boxes Touch-boxes covered with velvet, the dozen — xv. s.
Boxes Touch-boxes of iron or other mettal, guilt, the dozen — j. l.
Boxes Tobacco boxes the groce, cont. 12 dozen — j. l. x. s.
Bracelets or Neck-laces of Glass the small groce, containing 12 bundles or dickers — iv. s.
Bracelets or Neck-laces Red the small groce, containing 12 bundles or dickers — iv. s.
Brafs or Laver Cocks the pound — j. s. iv. d.
Brafs or Pile weights the pound — j. s.
Brafs or Trumpets the dozen — xij. s.
Brafs or Lampes the dozen — x. s.
Bridles the dozen — j. l.
Brouches of Lattin or Copper, the groce containing 12 dozen — xij. s.
Brushes vocat. beard brushes the groce, cont. 12 dozen — vj. s. viij. d.
Brushes vocat. of Heath course the dozen — iij. s.
Brushes vocat. of Heath fine, or head brushes, the dozen — vj. s. viij. d.
Brushes vocat. of Haire called head brushes, the dozen — vj. s. viij. d.
Brushes vocat. of Heath vocat. rubbing brushes, the dozen — j. s.
Brushes vocat. of Haire vocat. combrushes, the groce containing 12 dozen — xiij. s. iv. d.
Brushes vocat. of haire vocat. weavers brushes, the dozen — v. s.
Brushes vocat. of haire vocat. rubbing brushes the dozen — j. s. iv. d.
Brimstone the hundred weight, cont. 112 pound — vj. s. viij. d.
Briftles rough or undrest the dozen pound — v. s.
Briftles drest the dozen pound — x. s.
Buckrams of Germanie, or fine per peice — x. s.
Buckrams of the East country the roule or half-piece — v. s.
Buckrams of French-making the dozen pieces (*a*) — ij. l. x. s.
Buckrams vocat. Carricke Buckrams the short piece — ij. s.
Buckles for Girdles the small groce, cont. 12 dozen — j. l.
Buckles for Girthes the groce, cont. 12 dozen — viij. s. vj. d.
Buffins, Mocadoes, and Lile Grograms narrow the single piece, not above fifteen yards — iij. l.
Buffins, Mocadoes, and Lile Grograms broad the single piece, not above fifteen yards — iv. l. x. s.
Bugasines or Calico Buckrams the half piece — v. s.
Bugle great the pound — iv. s.
Bugle small or seed Bugle the pound — vj. s. viij. d.
Bugle Lace the pound — viij. s.
Bullions for purses the groce, containing 12 dozen — x. s.
Bull Rushes the loade — j. l.
Burrs for Millstones the hundred, containing five score — ij. l. x. s.
Buskins of Leather the dozen paire — iv. l.
Bustians the single piece, not above fifteen yards — ij. l.
Butter of the barrel — j. l.
Butter of Ireland the hundred weight, containing 112 pounds — x. s.
Buttons of Brass, Steel, Copper or Lattin the great groce, containing twelve small groce, every groce 12 dozen — ij. l. xiij. s. iv. d.
Buttons of Chrystal the dozen — viij. s.
Buttons of Glasse the great groce, containing twelve small groce — j. l. vj. s. viij. d.
Buttons of thred the great groce, containing twelve small groce — j. l.
Buttons of silk the great groce, containing twelve small groce — ij. l.
Buttons of fine damaske work the dozen — j. l.
Buttons of Bugle the dozen — j. s. iv. d.
Buttons for Handkerchers the groce, cont. 12 dozen — iv. l.
Buttons of Haire the groce, cont. 12 dozen — iv. s.

## C

Cabinets, or Countores small the piece — ij. l.
Cabinets, or Countores large the piece — iv. l.
Cables tarred or untarred the hundred weight, containing 112 — xiij. s. iv. d.

(*a*) 7 & 8 W. 3. c. 20.

Caddas

Caddas or Cruell Ribband the dozen pieces, every piece containing 36 yards — iij l.
Calve ſkins in the haire the piece — x. d.
Cabogium, vide Druggs
Cameletto half ſilk, half haire, the yard — x. s.
Candles of Tallow the pound — iij. d.
Candle plates, or Wallers of Braſs or Lattin the pound — j. s. iv. d.
Candleſticks of Braſs or Lattin the Pound — j. s. iv. d.
Candleſticks of wire the dozen — vj. s. viij d.
Candleweeke the hundred weight, cont. 112 pound — iij. l. x s.
Callicoes fine or coarſe the piece — x. s.
Canes or Reeds the thouſand — ij. l. x s.
Canes of Wood the dozen — iv s.
Canes of Wood the ſhock cont. 60 canes — j. l.
Cant ſpars the hundred, cont. ſix ſcore — j. l. xiij. s. iv d.
Capers, the pound — vj. d.
Capravens the hundred, cont. ſix ſcore — iij. l. xiij. s. iv. d.
Cap-hookes, or hooke-ends the groce, cont. 12 doz. — xv. s.
Caps vocat. double turfed, or Cockared Caps the dozen — ij. l. viij. s.
Caps vocat. for children the dozen — j. l.
Caps vocat. Nightcaps of Sattin and Velvet the dozen — iij. l.
Caps vocat. Nightcaps of Silk knit the dozen — iv. l.
Caps vocat. Nightcaps of woollen the dozen — j. l.
Caps vocat. Nightcaps of Linnen the dozen — viij. s.
Cards Playing Cards the groce, containing 12 dozen paire — vj. l.
Cards vocat. Wool Cards old the dozen paire — vj. s.
Cards vocat. Wool cards new the dozen paire — x. s.
Carpets vocat. of Tonney the piece, containing two yards and a half long — j. l. x s.
Carpets vocat. of Scotland the piece *(b)* — xiij. s. iv d.
Carpets vocat. of Cornix the Carpet two yards and a half long — j. l. v. s.
Carpets vocat. Brunſwicke Carpets ſtript and unſtript the piece — x. s.
Carpets vocat. China of Cotton courſe the piece — iv. s.
Carpets vocat. Gentiſh the dozen — iij. l.
Carpets vocat. Turkey or Venice ſhort the piece — j. l. x s.
Carpets vocat. Turkey or Venice long, containing four yards and upwards — viij. l.
Carpets vocat. of Perſia the yard ſquare the yard — ij. l. v. s.
Carrells the piece, containing 15 yards — j. l. vi. s. viij. d.
Caſes for looking glaſſes gilt of No. 3 and 4 the dozen — iv s.
Caſes for looking glaſſes gilt of No. 5 and 6 the dozen — vij. s.
Caſes for looking glaſſes gilt of No. 7 and 8 the dozen — x. s.
Caſes for looking glaſſes gilt of No. 9 and 10 and upwards the dozen — j. l. xiij. s. iv. d.
Caſes for looking glaſſes ungilt of No. 3 and 4 the dozen — ij. s.
Caſes for looking glaſſes ungilt of No. 5 and 6 the dozen — iij. s. vj. d.
Caſes for looking glaſſes ungilt of No. 7 and 8 the dozen — v. s.
Caſes for looking glaſſes ungilt of No. 9 and 10 the dozen — xvi. s. viii. d.
Caſes with wooden Combs garniſhed the dozen — j. l.
Caſes with ſmall Ivorie Combs garniſhed the dozen — j. l. vi. s. viij. d.
Caſes with middle ſort Ivorie Combes garniſhed the dozen — ij. l.
Caſes with large Ivorie Combs garniſhed the dozen — iv. l.
Caſes for Combs ſingle the groce, cont. 12 dozen — j. l.
Caſes for Combes double the groce, cont. 12 dozen — ij. l.
Caſes for ſpectacles gilt the groce, containing 12 dozen — j. l. vj. s. viij. d.
Caſes for ſpectacles ungilt the groce, cont. 12 dozen — xiij. s. iv. d.
Caſes for Needles or Pin-caſes the groce, containing 12 dozen — xiij. s. iv. d.
Caſes for Needles French guilt the dozen — v. s.
Cattel great Imported from Ireland into England, apiece after the rate of — ij. l. x. s.
Caſkets of Iron ſmall, the dozen — j. l. x s.
Caſkets of Iron middle ſort, the dozen — ij. l. viij. s.
Caſkets of Iron large, the dozen — iij. l.
Caſkets of Steel, the dozen — vj. l.
Caviare the hundred weight, cont. 112 pound — j. l.
Cauls of Linen for women, the dozen — viij. s.
Cauls of Silk, the dozen — j. l. vj. s. viij. d.
Ceſterns of Lattin, the pound — j. s. iv d.
Chaffing-diſhes of Braſs or Lattin, the pound — j. s. iv. d.
Chaffing-diſhes of Iron, the dozen — xiij. s. iv. d.
Chains for Keys or Purſes, fine, the dozen — viij. s.
Chains for Dogs courſe, the dozen — iij. s. iv. d.
Chairs of Walnut-tree, the piece — x. s.
Chamlets unwatered or Mohairs, the yard — iij. s.
Chamlets watered, the yard — v. s.
Chamlets half ſilk half hair, the yard — x. s.
Cheeſe the hundred weight, cont. 112 pound — vj. s. viij. d.
Cherries the hundred weight, cont. 112 pound — j. l.
Cheſs-boards, the dozen — j. l.
Cheſs-men the groce, cont. 12 dozen — xij. s.
Cheſts of Iron ſmall or middle ſort the piece — v. l.
Cheſts of Iron large the piece — vj. l. xiij. s. iv. d.
Cheſts of Cyprus wood the neſt, cont. three cheſts — viij. l.
Cheſts of Spruce or Danſke the neſt, containing three cheſts — j. l. x. s.
Cheſts painted the dozen — ij l.
Chimney-backs ſmall the piece — vj. s. viij. d.
Chimney-backs large the piece — xiij. s. iiij. d.
China Peaſe the Pound — iij. s. iiij. d
Chizels for Joyners, the dozen — iiij. s.
Citterns, the dozen — iij. l.
Claphoult or Clapboard the ſmall hundred, containing ſix-ſcore boards — xv. s.
Claphoult or Clapboard the Ring, cont. two ſmall hundred — j. l. x. s.
Claphoult or Clapboard the great hundred, cont. twenty four ſmall hundred — xviij. l.
Claricords the pair — xiij. s. iiij d.
Cloakes of Felt the piece — ij. l.
All manner of Woollen Cloths imported per yard — viij. l. x. s.
Cocheneale voc. Sylveſter, or Campeachea chocheneale the pound — j. s. viij. d.
Cocheneale of all ſorts of Cocheneale except Sylveſter and Campechea cocheneale, the pound — vj. s. viij. d. — 8 Geo. 1. c. 15.
Coales of Scotland the Tonne — vj. s. viij. d. — 5 Ann. c. 8.
Coffers covered with gilt leather, the dozen — ij. l.
Coffers covered with Velvet, the dozen — iv. l.
Coffers with Iron barrs the neſt, cont. three coffers — j. l. xij. s.
Coffers plain the neſt, containing three coffers — xiiij. s. iv. d.
Coffers painted the neſt, cont. three coffers — xvj. s.
Comaſhes out of Turkey, the piece — iv. l.
Combes for wool the paire, old or new — v. s.
Combes of bone the pound — iv. s.
Combes of box the groce, cont. 12 dozen — x. s.
Combes voc. lightwood combes the groce, containing 12 dozen — vj. s. viij. d.
Combes of horne for Barbers, the dozen — ij. s.
Combes of Ivorie, the pound — x. s.
Combes vocat. Horſecombs, the dozen — iv. s.
Comfets the pound — ij. s.
Compaſſes of Iron for Carpenters, the dozen — ij. s.
Compaſſes of braſſe, the dozen — iv. s.
Compaſſes for Ships, the dozen — vij. s. vj. d.
Copper unwrought bricks or plates round or ſquare, the hundred weight cont. 112 pound, or roſe Copper — x. s.
Copper Chaines, the Chaine — ij. s. — 12 Ann. c. 18.
Copper purles or plate the marke — vj. s. viij. d.
Copperas green the hundred weight, containing 112 pound — xv. s.
Cordage or Ropes tarred or untarred the hundred weight, containing 112 pound — xiij. s. iiij. d.
Corke tacks of Iron the thouſand — vj. s. viij. d.
Corke tacks of Steel the thouſand — j. l. xij. s. iv. d.
Corke for Shoomakers, the dozen pieces — iv s.
Corke of all other ſorts the hundred weight, containing 112 pound — xvj. s. viij. d.
Corn Wheat imported not exceeding the price of five ſhillings ſix pence the Buſhell at the place of importation by the buſhel — v. s. — 22 Car. 2. c. 13.
Corn Wheat When it ſhall exceed that rate by the quarter — vj. s. viij. d.
Corn Rye Imported not exceeding the price of four ſhillings ſix pence the buſhel at the place of importation by the buſhel — iij. s. iv. d.
Corn Rye when it ſhall exceed that rate by the quarter — v. s.
Corn Beans Barley Malt Imported not exceeding the price of three ſhillings ſix pence the buſhell, at the place of importation iij. s. iiij. d. by the buſhel — iij. s. iv. d.
Corn When it ſhall exceed that rate, by the quarter — v. s.
Coverlets of Scotland, the piece — xv. s. — 5 Ann. c. 8.
Counters of Latin, the pound — j. s.
Crosbow Laths the pound — viij. d.
Crosbow Threed, the pound — viij. d.
Crosbow Racks the piece — x s.
Cruſes of Stone without covers, the hundred containing five ſcore — x. s.
Cruſes of ſtone with covers, the hundred cont. 5 ſcore — j. l. vj. s. viij. d.
Cuſhians of Scotland, the dozen — x. s.
Cuſhen-cloths courſe the dozen — ij. l. x. s. — 5 Ann. c. 8.
Cuſhen-cloths of Tapeſtry, the dozen — iij. l. x. s.
Cuttle bones, the thouſand — j. l. vj. s. viij. d.

## D.

Daggs with fire locks, or Snaphances, the piece — j. l.
Daggers blades, the dozen — j. l. vj. s. viij. d.
Daggers for children, the dozen — iij. s.
Daggers of bone for children, the dozen — ij. s.
Daggers black, with velvet ſheaths, the dozen — ij. l.
Daggers gilt, with velvet ſheaths, the dozen — iij. l.

*(b)* 5 Ann. c. 8.

Deales

Deales voc.
- Meabro-deals, the hundred, cont. fixſcore iiij. l.
- Norway-deals, the hundred, cont. fix ſcore v. l.
- Burgendorp-deals, the hundred, containing fix ſcore xij. l.
- Spruce-deals, the hundred, cont. fix ſcore xv. l.

Deſks
- or ſtayes for books, the dozen iiij. s.
- for women to work on, covered with wollen, the piece v. s.
- for women, covered with velvet, the piece x. s.

Dials
- of wood, the dozen iij. s.
- of bone the dozen xij. s.

Dimity, the yard iij. s.

Dogs of earth, the groce, cont. twelve dozen iiij. l.

Dornix
- with caddas the piece, cont. fifteen yards j. l. x. s.
- with ſilk the piece, cont. fifteen yards ij. l.
- with wool the piece, cont. fifteen yards j. l. v. s.
- with thred the piece, cont. fifteen yards j. l.
- French-making, the ell ij. s. vj. d.
- French-making, the yard ij. s.

Dugeon, the hundred pieces, containing five ſcore j. l.

Durance or Duretty
- with thred, the yard vj. s. viij. d.
- with ſilk, the yard x. s.

Dutties, the piece j. l.

Drugs vocat.
- Acacia, the pound iiij. s.
- Acorus, the pound j. s.
- Adiantum Album, the pound viij. d.
- Adiantum Nigrum, the pound vj. d.

8 Geo. 1. c. 15.
- Agaricus or Agarick, trim'd, or pared, the pound j. l.
- Agaricus rough or untrim'd, the pound v. s.
- Agnus Caſtus ſeeds, the pound j. s.
- Alkanet roots, the pound j. s.

Alchernes
- Syrrup, the pound vj. s. viij. d.
- Confectio, the ounce iiij. s.

- Aloes-Cicotrina, the pound v. s.
- Aloes-Epatica, the pound ij. s.
- Allum Roniſh or Roch, the hundred, containing 112 pound j. l.
- Ambergreece black or grey, the ounce Troy iij. l.
- Ameos ſeed, the pound viij. d.
- Amomi ſeeds, the pound viij. d.
- Anacardium, the pound iij. s. iiij. d.
- Angelica, the pound j. s.
- Antimonium crudum, the hundred weight, containing 112 pound j. l.
- Antimonium preparatum or Stibium, the pound viij. d.
- Argentum Sublime or limum, the pound, or Quickſilver iij. s.
- Ariſtolochia longa and rotunda, the pound j. s. iiij. d.
- Arſnick white or yellow, or Roſalger, the pound iiij. d.
- Aſarum roots, the pound j. s.
- Aſpalathus the pound j. s. vj. d.
- Aſſa fœtida, the pound j. s. ij. d.
- Almonds bitter, the hundred weight, cont. 112 pound ij. l.
- Alumen plume, the pound j. s.
- Balauſtium, the pound ij. s. vj. d.
- Balſamum artificial, the pound iij. s. iiij. d.
- Balſamum natural, the pound x. s.
- Bayberries, the 112 pound xiij. s. iiij. d.
- Barley huld or French Barley, the 112 pound *(a)* j. l.
- Bdellium, the pound ij. s. vj. d.
- Benalbum or Rubrum, the pound ij. s.
- Benjamin of all ſorts, the pound v. s.
- Beazer ſtone of the Eaſt-India, the ounce Troy iij. l.
- Beazer ſtone of the Weſt-India, the ounce Troy x. s.
- Black leade, the 112 pound j. l. x. s.
- Blatta Bizantia, the pound ij. s.
- Bolus communis, or Armoniacus, the hundred weight, cont. 112 pound vj. s. viij. d.
- Bolus verus, the pound, or fine Bole viij. d.
- Borax in paſte or unrefined, commonly called Tinckull, the pound iij. s. iv. d.
- Borax refined, the pound xiij. s. iiij. d.
- Bunkins, Holliwortles or piſtolachia, the pound ij. s. vj. d.
- Callamus, the pound viij. d.
- Camphire refined, the pound v. s.
- Camphire unrefined, the pound ij. s. vj. d.
- Cancri oculus, the pound iv. s.
- Cantarides the pound v. s.
- Caraway ſeeds, the 112 pound j. l. iv. s.
- Cardamomes, the pound iij. s.
- Carpo balſami, the pound iv. s.
- Carrabe, or Succinum, the pound j. s.
- Carthamus ſeeds, the pound viij. d.

(a) 7 & 8 W. 3. c. 20.

Drugs vocat.
- Caſſia fiſtula, the pound, of all ſorts i. s. vj. d.
- Caſſia lignea, the pound j. s. viij. d.
- Caſtoreum, or Bever cods the pound, x. s.
- Ceruſſa, the 112 pound j. l. x. s.
- China roots, the pound vj. s. viij. d.
- Ciceres white and red, the pound vj. d.
- Ciperus longus & rotundus, the 112 pound j. l. xlij. s. iv. d.
- Ciperus Nuts, the pound viij. d.
- Civet, the ounce Troy ij. l.
- Coculus Indiæ the pound ij. s.
- Coloquintida, the pound ij. s.
- Coral, red or white in fragments, for phyſical uſe, the pound iij. s. iv. d.
- Coral whole, the pound j. l.
- Coriander ſeeds, the one hundred and twelve pound j. l.
- Cortex guaci, the 112 pound iij. l.
- Cortex Caperum, the pound j. s.
- Cortex Tamariſci, the pound viij. d.
- Cortex Mandragoræ, the pound ij. s.
- Coſcus dulcis and amarus, the pound j. s. viij. d.
- Cubebs, the pound j. s. iv. d.
- Cumminſeed, the 112 pound j. l. xiij. s. iv. d.
- Cuſcuta, the pound j. s.
- Cyclamen or panis porcinus, the pound ij. s.
- Citrago, the pound j. s.
- Cetrach, the pound j. s.
- Cinabrum, or Vermilion, the pound ij. s. vj. d.

Copperas
- white the 112 pound ij. l.
- blew, of Danſke or Hungary, the 112 pound xij. s.

- Cambogium or Gutta Gambæ, the pound iij. s. iv. d.
- Chryſtal in broken pieces for phyſick uſes, per pound iij. s. iv. d.
- Carlina, the pound j. s.
- Carolina, the pound iv. d.
- Cortex winteranus, the pound viij. d.
- Daucus Creticus, the pound iv. s.
- Diagredium or Scamony, the pound j. l.

Diptamus
- leaves, the pound j. s.
- roots, the pound j. s. vj. d.

- Doronicum, the pound ij. s. vj. d.
- Eleborus albus and niger, the pound viij. d.
- Epithemum, the pound j. s.
- Æs uſtum, the pound j. s. iv.
- Euphorbium, the pound viij. d.
- Fennel ſeeds, the pound vj. d.
- Fenugreek, the 112 pound xv. s.
- Flory, the pound ij. s.
- Folium Indiæ, the pound v. s.
- Fox lungs, the pound iij. s.
- Frankincenſe of France or Parroſin, the 112 pound xij. s.
- Galbanum, the pound j. s. vj. d.
- Galanga, the pound j. s. vj. d.
- Generall, the pound j. s. iv. d.
- Gentiana, the pound vj. d.
- Ginny pepper, the pound j. s.
- Grana Pinæ, the pound j. s.
- Green ginger, the pound ij. s.
- Gum Animi, the pound j. s.
- Gum Armoniack, the pound j. s.
- Gum Carannæ, the pound iv. s.
- Gum Tragagant, the pound j. s.
- Gum Elemni, the pound x. d.
- Gum Hederæ, the pound iv. s.
- Gum Lack, the pound *(a)* j. s.
- Gum Opopanax, the pound vj. s. viii. d.
- Gum Sarcocol, the pound j. s. vj. d.
- Gum Serapinum the pound, or Sagapenum j. s. vj. d.
- Gum Taccamahaccæ, the pound iv. s.
- Grana Tinctorum ij. s. vj. d.
- Grains of Guiney or French Grains, the 112 pound j. l. x. s.
- Gum Arabeck, or Gum Seneca, the hundred and twelve pound j. l. x. s.
- Gum Sandrake, or Gum Juniperi, the hundred and twelve pound j. l. viij. s.
- Gum Guiaci, the pound iv. s.
- Gum Caramen, the pound vj. d.
- Hermodactilus, the pound ij. s.
- Hypociſtis, the pound ij. s.
- Horns of Harts or Stags, the hundred j. l. x. s.
- Incenſe or Olibanum, the 112 pound v. l.
- Ireos, the 112 pound ij. l. x. s.
- Iſonglaſs, the 112 pound *(a)* v. l.
- Jujubes, the pound j. s.
- Jolop, the pound iv. s.
- Juniper berries, the 112 pound j. l.
- Labdanum or Lapadonum, the pound j. s.
- Lapis Callaminaris, the 112 pound xvj. s. viij. d.
- Lapis Hematitis, the pound j. s.

(a) 8 Geo. 1. c. 15.

Lapis

Druggs vocat.

| | | |
|---|---|---|
| Lapis Judaicus, the pound | | j. s. |
| Lapis Lazuli, the pound | | x. s. |
| Lapis Tutiæ, the pound | | j. s. |
| Leaves of Roſes, the pound | | j. s. |
| Leaves of Violet or Flowers, the pound | | viij. d. |
| Lyntiſcus or Xylobalſamum, the pound | | j. s. viij. d. |
| Lignum Aloes, the pound | | x. s. |
| Lignum Aſphaltum, the pound | | j. s. |
| Lignum Rhodium, the 112 pound | | x. s. |
| Lignum vitæ, the 112 pound | | x. s. |
| Litharge of gold, the 112 pound | | xij. s. |
| Litharge of ſilver, the 112 pound | | x. s. |
| Locuſt, the pound | | j. s. iiij. d. |
| Lupines, the 112 pound | | x. s. |
| Lentills, the pound | | iij. d. |
| Lapis contrayerva, the ounce | | v. s. |
| Lignum Nephreticum, the pound | | lv. s. |
| Madder Roots, or Rubea Tinctorum, the pound *(a)* | | j. s. |
| Manna, the pound | | ij. s. vj. d. |
| Marmelade, the pound | | j. s. |
| Maſtick white, the pound | | iij. s. iv. d. |
| Maſtick red, the pound | | j. s. |
| Mechoacan, the pound | | ij. s. vj. d. |
| Mercury ſublimat. the pound | | iij. s. |
| Mercury præcipitat. the pound | | vj. s. viij. d. |
| Methridate Venetiæ, the pound | | x. s. |
| Millium ſolis, the pound | | j. s. |
| Mirabolanes dry, the pound | | j. s. |
| Mirabolanes, condited the pound | | j. s. viij. d. |
| Mirtle berries, the pound | | j. s. |
| Mummia, the pound | | j. s. |
| Muſke, the ounce Troy | | ij. l. |
| Muſke Cods, the dozen | | ij. l. |
| Myrrha, the pound | | iij. s. |
| Nygella, the pound | | viij. d. |
| Nytrum, the pound | | ij. s. |
| Nutmegs condited, the pound | | iv. s. |
| Nux de Benne, the pound | | j. s. |
| Nux Cupreſſi, the pound | | viij. d. |
| Nux Indica, the piece | | vj. d. |
| Nux Vomica, the pound | | viij. d. |
| Nardus Celtica, or Spica Romana, the 112 pound | | v. l. xij. s. |
| Nux Pini or Grana Pini, the pound | | j. s. |
| Olibanum or Incenſe, the 112 pound | | v. l. |
| Opium, the pound | | x. s. |
| Opium Huirredum, the pound | | vj. d. |
| Orcant or Almiet, the pound | | j. s. |
| Oringe Flower Oyntment, the pound | | ij. s. vj. d. |
| Oringe Flower Water, the gallon | | v. s. |
| Origanum, the pound | | viij. d. |
| Oſſa de Corde Cervi, the pound | | ij. l. |
| Oyle of Amber, the pound | | x. s. |
| Oyle of Roſemary, the pound | | viij. s. |
| Oyle de Bay, the 112 pound | | ij. l. |
| Oyle of Mace or Nutmegs, the pound | | vj. s. |
| Oyle de Ben, the pound | | vj. s. viij. d. |
| Oyle of Spike, the pound | | j. s. viij. d. |
| Oyle of Almonds, the pound | | j. s. |
| Oyle de Scorpions, the pound | | ij. s. viij. d. |
| Oleum Petrolium, the pound | | j. s. viij. d. |
| Oleum Turpentine, the pound | | vj. d. |
| Orabus, the pound | | vj. d. |
| Orpment or Auripigmentum, the 112 pound | | ij. l. |
| Panther, the pound | | iv. l. |
| Panis porcinus, vide Cyclamen | | |
| Pearle beaten, the ounce Troy | | iij. s. iv. d. |
| Pellitorie, the pound | | vj. d. |
| Pepper long, the pound | | j. s. |
| Perroſen, vide Frankinſence | | |
| Piony ſeeds, the pound | | viij. d. |
| Piſtachias or Nux Piſtachiæ, the pound | | j. s. |
| Pix Burgundiæ, the 112 pound | | xv. s. |
| Polium Montanum, the pound | | viij. d. |
| Polipodium, the pound | | iv. d. |
| Pomegranet pills, the 112 pound *(a)* | | ij. l. |
| Poppie ſeeds, the pound | | viij. d. |
| Præcipitate, vide Mercurie præcipitate | | |
| Pſyllium, the pound | | viij. d. |
| Prunellaies or Pruans of Brunolia, the pound | | j. s. |
| Quickſilver, vide Argentum vivum | | |
| Rhapontikum, the pound | | xiij. s. iv. d. |
| Radix Eſule, the pound | | j. s. |
| Redlead, the 112 pound | | xvj. s. viij. d. |
| Rhabarbarum or Rubarbe, the pound | | j. l. |
| Roſalger, the pound, vide Arſnick | | |
| Roſſet, the pound | | vj. d. |
| Radix contra Yerva, the pound | | iij. s. iv. d. |
| Radix Scorcionera, the pound | | iij. s. iv. d. |
| Radix Peonæ, the pound | | viij. d. |

(a) 8 Geo. 1. c. 15.

Druggs vocat.

| | | |
|---|---|---|
| Sal Alkali, the pound | | iv. s. |
| Sal Armoniacum, the pound | | j. s. viij. d. |
| Sal Gem, the pound | | viij. d. |
| Sal Niter, the pound | | j. s. vj. d. |
| Sandracha or Gum Sandracha, or Gum Juniperi the hundred and twelve pound | | j. l. viij. s. |
| Sandiver, the 112 pound | | x. s. |
| Sanguis draconis, the pound | | iij. s. iv. d. |
| Sarſaparilla, the pound | | iij. s. iv. d. |
| Saſſafras Wood or Roots, the hundred and twelve pound | | j. l. |
| Saunders white, the pound | | j. s. |
| Saunders yellow, the pound | | ij. s. |
| Saunders red alias ſtock, the 112 pound | | iij. l. |
| Scamonie, vide Diagredium | | |
| Scincus Marinus, the piece | | iij. d. |
| Scordium, the pound | | vj. d. |
| Scorpions, the piece | | iij. d. |
| Sebeſtines, the pound | | j. s. |
| Seeds for Gardens of all ſorts, the pound | | viij. d. |
| Seler Montanus, the pound | | viij. d. |
| Semen Cucumeris, Cucurb, citrul. melon the pound | | viij. d. |
| Sena, the pound | | ij. s. vj. d. |
| Soldonella, the pound | | viij. d. |
| Sperma cæti, fine, the pound | | v. s. |
| Sperma cæti courſe oylie, the hundred and twelve pound | | iiij. l. |
| Spica celtica, vide Nardus Celtica, or Spica Romana | | |
| Sanguis Hirci, the pound | | j. s. |
| Spiknard the pound | | vj. s. viij. d. |
| Spodium, the pound | | j. s. vj. d. |
| Spunges, the pound | | iij. s. iv. d. |
| Squilla, the 112 pound | | j. l. v. s. |
| Squinanthum, the pound | | iij. s. iv. d. |
| Stechados, the pound | | x. d. |
| Staphiſager, the 112 pound | | ij. l. |
| Stibium, vide Antimonium preparatum | | |
| Storax Calamita, the pound | | v. s. |
| Storax Liquida, the pound | | j. s. |
| Succus Liquiritiæ, the pound | | j. s. |
| Sulphur vivum, the pound | | viij. d. |
| Tamarindes, the pound | | x. d. |
| Terra Lemnia, the pound | | v. s. |
| Terra Sigillata the pound | | iij. s. |
| Thlaſpii ſemen, the pound | | j. s. |
| Tornſall, the pound | | viij. d. |
| Trociſci de Vipera, the ounce Troy | | v. s. |
| Treacle common, the pound | | ij. s. |
| Treacle of Venice, the pound | | x. s. |
| Turbith, the pound | | v. s. |
| Turbith Thapſiæ, the pound | | ii. s. |
| Turmerick, the pound | | j. s. |
| Turpentine of Venice, Scio or Cyprus, the pound | | j. s. viij. d. |
| Turpentine Common, the hundred and twelve pound | | x. s. |
| Talke white, the pound | | vj. d. |
| Talke green, the pound | | ij. s. |
| Verdigreece, the pound | | j. s. viij. d. |
| Verniſh, the 112 pound | | ij. l. |
| Vermillion, vide Cinabrium | | |
| Vitriolum Romanum, the pound | | j. s. |
| Vmber, the hundred weight cont. one hundred and twelve pound | | j. l. |
| Viſcus quercinus, the pound | | iv. s. |
| White lead, the 112 pound | | j. l. |
| Wormſeeds, the pound | | iij. s. iv. d. |
| Zedoaria, the pound | | iij. s. iv. d. |
| Xylobalſamum, vide Lentiſcus | | |

8 Geo. 1. c. 15.

8 Geo. 1. c. 15.

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All Druggs imported directly from the place of their growth in Engliſh-built Shipping, to be rated one third part of what is charged in the Book of Rates, and no more.

| | | |
|---|---|---|
| Diamonds, Pearls, Precious Stones and Jewels, the hundred pound value | | x. s. |

6 Geo. 2. c. 7.

## E.

Earthen Ware

| | | |
|---|---|---|
| Earlings, the Groce, cont. 12 dozen | | j. l. |
| Brick-ſtones, by the thouſand | | j. l. |
| Flanders Tiles to ſcowr with, the thouſand | | ij. l. |
| Galley Tiles, the Foot | | j. s. |
| Paveing Tiles, the thouſand | | iij. l. |
| Tiles called Pan Tiles, the thouſand | | viij. l. |
| All other ſorts of Earthen Ware not particularly mentioned, to pay for every twenty ſhillings value | | 1s. 6d. |
| Eggs, the hundred, cont. ſix ſcore | | j. s. viij. d. |
| Elephants teeth, the hundred, cont. 112 pound | | iv. l. |
| Emery ſtones, the hundred weight cont. 112 pound | | viij. s. |
| Ebony wood, the hundred weight, cont. 112 pound | | j. l. |

## F.

Fannes { For Corn, the piece — vj. s. viij. d.
of Paper, the dozen — vj. s. viij. d.
for women and children French-making, the dozen — ij. l.

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Feathers { for beds, the 112 pound — iv. l.
voc. Eſtridge or Oſtridge Feathers undreſt the pound — j. l.
Eſtridge or Oſtridge dreſt, the pound ij. l.

Feather-beds old or new, the piece — ij. l. xiij. s. iv. d.

Felts for Cloaks, French-making, three yards and an half long, one yard and an half broad the Felt — iv. l.

Fiddles for Children, the dozen — iv. s.

Fire-ſhovels, the dozen — xiij. s. iv. d.

Fire-ſhovel plates, the hundred weight, cont. 112l. xiij. s. iv. d.

Figuretto, the yard — viij. s. iv. d.

Files, the groce, containing twelve dozen — ij. l.

Fiſh voc. { Cod-fiſh, the barrel — xiij. s. iv. d.
Cod-fiſh, the laſt, cont. twelve barrels — viij. l.
Cod-fiſh, the hundred, cont. ſix ſcore — ij. l. vj. s. viij. d.
Cods-heads, the barrel — iij. s. iv. d.
Cole fiſh, the hundred, cont. ſix ſcore — j. l.

15 Car. 2. c. 7.

Fiſh voc. { Eels voc. { Pimper Eeles, the barrel — j. l.
Shaft, Kine or Dole Eeles the barrel — j. l. x. s.
Spruce Eeles, the barrel — ij. l.
Stub Eeles, the barrel — ij. l. vj. s. viij. d.
Quick Eeles, the Ships lading xx. l.
Gull Fiſh, the barrel — vj. s. viij. d.
Haddocks, the barrel — vj. s. viij. d.
Herrings { white, full or ſhotten, the barrel viij. s. iv. d.
white, full or ſhotten, the laſt, cont. twelve barrels — v. l.
red, the cade, cont. 500 — viij. s. iv. d.
red, the laſt, cont. 20 cades — viij. l. vj. s. viij. d.
Lampreis, the piece — j. s.
Lings of all ſorts, the hundred, cont. ſix ſcore — iij. l. vj. s. viij. d.
Newland { fiſh ſmall, the hund. cont. ſix ſcore — x. s.
fiſh, middle ſort, the hund. cont. ſix ſcore — j. l.
Newland fiſh great, the hundred, containing ſix ſcore — j. l. x. s.
Salmon { the barrel — ij. l.
Girles, the barrel — xv. s.
Seale fiſh, the fiſh — xiij. s. iv. d.
Stock fiſh voc. { Cropling, the hund. cont. 6 ſcore xiij. s. iv. d.
Cropling the laſt, cont. 1000 — vj. l. xiij. s. iv. d.
Lubfiſh, the hund. cont. ſix ſcore j. l. vj. s. viij. d.
Lubfiſh, the laſt, cont. 1000 — xiij. l. vj. s. viij. d.
Titling, the hund. cont. ſix ſcore vj. s. viij. d.
Titling, the laſt, cont. 1000 — iij. l. vj. s. viij. d.
Whiting the barrel — iij. s. iv. d.

*Note*, that all Sorts of Fiſh, *Engliſh* taken and brought in *Engliſh* Ships, ought to pay no Cuſtom, as by the Stat. 10 Eliz. Reg. cap. 5.

Flannel, the yard — j. s. viij. d.

Flaſks voc. { covered with leather, the dozen — v. s.
covered with velvet, the dozen — ij. l.
of horn, the dozen — vj. s. viij. d.

Flax voc. { Spruce, Muſcovie, and all Flax undreſt, the hundred weight, cont. 112 pond — j. l.
dreſt or wrought flax, the hundred weight, containing 112 pound — xv. l.

Fleams to lead blood, the piece — ij. d.

Flocks, the hundred weight, cont. 112 pound — ij. l.

Flutes courſe, the groce, cont. 12 dozen — j. l.

Freeze of Ireland, the yard — ix. d.

Frizado, the piece, cont. 24 yards — viij. l.

Furres vocat. { Armins, the Tymber, cont. 40 ſkins — ii. l.
Badger ſkins, the piece — ij. s.
Beare ſkins { black or red, the piece — j. l.
white the piece — ij. l.
Beaver { ſkins, the whole piece — vj. s. viij. d.
wombes the piece — j. s. viij. d.
Budge { white taw'd, the hundred, cont. five ſcore ſkins — ij. l.

Furres vocat. { Budge { black tawed, the dozen ſkins — j. l. vj. s. viij. d.
black untawed, the hundred, cont. five ſcore ſkins — iij. l. x. s.
Poules the fur, cont. 4 pains — j. l.
Navern, the hundred legs, cont. five ſcore — viij. s. iiij. d.
Rumney, the hund. legs, cont. five ſcore — vj. s. viij. d.
Calaber { untawed, the tymber, cont. 40 ſkins vj. s. viij. d.
tawed, the tymber, cont. 40 ſkins — viij. s.
ſeaſoned, the paine — j. l.
ſtagg, the paine — xij. s. vj. d.
Cats { ſkins, the hundred, cont. five ſcore — ij. l.
poults, the hundred, cont. five ſcore j. l.
poults, the mantle — vj. s. iij. d.
wombes, the paines or mantle — vj. s. ij. d.

Furres vocat. { Dokerers, the tymber, cont. 40 ſkins — xiij. s. iv. d.
Fitches { the tymber, cont. 40 ſkins — xiij. s. iv. d.
the paine or mantle — xij. s. vj. d.
Foxes { the black Fox ſkin — x. l.
the ordinary ſkin — j. s. iv. d.
the pain or mantle — xv. s.
wombes, poules, or pieces the pain x. s.
Foynes { backs the dozen — xiij. s. iv. d.
tailes, the pain or mantle — xij. s. vj. d.
with tailes, the piece — iij. s. iv. d.
without the tailes, the piece — iv. s.
raw, the piece — j. s.
Poults, the hundred, cont. five ſcore j. l. vj. s. viij. d.
Wombs ſeaſoned, the pain or mantle j. l. vj. s. viij. d.
Wombs ſtag, the pain or mantle — xv. s.
Jennets Grayes { untawed, the timber cont. fourty ſkins — viij. s. iv. d.
tawed, the timber cont. 40 ſkins — xij. s. vj. d.
Jennets { black, raw the ſkin — xij. s. vj. d.
black, ſeaſoned the ſkin — xvj. s. viij. d.
gray, raw the ſkin — iij. s.
gray, ſeaſoned the ſkin — iv. s.
Letwis { Tawed, the Tymber, cont. 40 ſkins — viij. s. iv. d.
Untawed, the Timber, cont. 40 ſkins — vj. s.
Leopards { ſkins the piece — j. l. v. s.
wombs the paine — v. l.
Lewzernes ſkins, the piece — ij. l. x. s.
Martrons { The tymber, cont. 40 ſkins — x. l.
the pain or mantle — ix. l.
Poults the pain or mantle — x. s.
Gils the tymber, cont. 40 ſkins — xij. s.
Tailes, the hundred cont. five ſcore ij. l.
Miniver, the mantle — xiij. s. iiij. d.
Minkes { untawed, the timber cont. 40 ſkins iij. l.
tawed, the timber cont. 40 ſkins iv. l.
Moule ſkins, the dozen — vj. d.
Otter ſkins, the piece — v. s.
Ounce ſkins, the piece — xij. s. vi. d.
Sables of all ſorts, the tymber cont. 40 ſkins xxx. l.
Weazle ſkins, the dozen — iv. d.
Wolfe ſkins { tawed, the piece — j. l. x. s.
untawed, the piece — j. l. iij. s.
Wolverings, the piece — xij. s. vj. d.

Furres vocat. { Fuſtians vocat. { Amſterdam, Holland or Dutch fuſtains, the piece cont. 2 half pieces, of 15 yards the half piece — viij. l.
Barmilians, the piece cont. two half pieces viij. l.
Cullen fuſtians, the piece cont. two half pieces — viij. l.
Holmes and Bevernex fuſtians, the bale cont. 45 half pieces — lxxx. l.
Holmes and Bevernex fuſtians, the piece cont. two half pieces — iij. l. xiv. s.
Jeane fuſtians, the piece cont. two half pieces — iii. l. vij. s.
Millain fuſtians, the piece containing two half pieces — viij. l.
Naples fuſtians, tripe or velure plain, the half piece cont. ſeven yards and half iv. l.
Naples fuſtians, tripe or velure plain, the piece cont. 15 yards — viij. l.
Naples fuſtians tripe or velure plain, the yard x. s.
Naples fuſtians wrought voc. Sparta velvet, the half piece cont. 7 yards and half vj. l.
Naples fuſtians wrought, or Sparta velvet the yard — xvj. s.
Oſbrow or Auguſta fuſtians, the piece cont. two half pieces — iv. l. x. s.
with ſilk, the yard — viij. s.
of Weazel the piece cont. two half pieces viij. l.

Fuſſes of Cloves, the pound — iij. s. vj. d.

## G.

Gadza of all ſorts without gold or ſilver, the yard ij. s. viij. d.
Gadza ſtript with gold or ſilver, the yard — v. s.
Gally diſhes, the dozen — ij. s. vj. d.
Garnets { ſmall rough, the pound — j. l.
ſmall or great, cut, the pound — iij. l.
Gantlets, the pair — iv. s.
Garters of ſilk French-making, the dozen pair iij. l.
Gaules, the hundred weight cont. 112 pound (a) ij. l.
Gimblets for Vintners, the dozen — viij. s.
Girdles { of cruel, the groce cont. 12 dozen, — ij. l. xiij. s. iv. d.
of leather, the groce cont. 12 dozen — iij. l. vj. s. viij. d.
of ſilk, the dozen — ij. l.
of velvet, the dozen — iiij. l.
of woollen, the dozen — j. l. xij. s.
of counterfeit gold and ſilver, the dozen — j. l.
Glaſſes for { Burgundy white, the cheſt (b) — iij. l. xv. s.
Windows voc. { Burgundy coloured, the cheſt — v. l. v. s.
Normandy white, the caſe — j. l. x. s.

(a) 8 Geo. 1. c. 15. (b) 7 & 8 W. 3. c. 20.

Glaſſes

Glaſſes for Windows:
- Normandy coloured, the caſe — iij. l. xv. s.
- Rheniſh the way or web, cont. 60 bunches — iv. l. x. s.
- Muſcovy glaſs or ſlude the pound ij. s.

Drinking glaſſes, voc.:
- Venice drinking glaſſes, the dozen xviij. s.
- Flanders drinking glaſſes, the hundred glaſſes — j. l. v. s.
- Scotch and French drinking glaſſes, the hund. cont. five ſcore — xv. s.
- courſe drinking glaſſes, the dozen iij. s.

Glaſſes vocat.:
- Burning glaſſes, the dozen — iij. s.
- Balme glaſs, the groce cont. 12 dozen vij. s. vj. d.
- Vials, the hundred cont. five ſcore — xv. s.
- Water glaſſes, the dozen — xij. s.

Looking glaſſes.:
- half penny ware, the groce cont. 12 dozen viij. s.
- penny ware, the groce cont. 12 dozen — xvj. s.
- of Steel ſmall, the dozen — xiij. s. iiij. d.
- of Steel large — — — j. l. vj. s. viij. d.
- of Chriſtal ſmall, the dozen under No. 6. j. l. x. s.
- of Chriſtal middle ſort, the dozen No. 6. iij. l.
- of Chriſtal ſmall, the dozen No. 7, 8, 9, 10. vj. l.
- of Chriſtal, the dozen No. 11, 12. — xiv. l.

Houre glaſſes.:
- of Flanders making courſe, the groce cont. 12 dozen — iij. l.
- of Flanders making, the dozen fine — j. l.
- of Venice making, the dozen — iij. l.

Glaſs ſtone plates, for ſpectacles rough the dozen j. l.

Glaſs plates or ſights for looking glaſſes unfiled.:
- of Chriſtal ſmall, under No. 6. the dozen — j. l.
- of Chriſtal, No. 6. the dozen — ij. l.
- of Chriſtal, No. 7, 8, 9, 10. the dozen — iv. l.
- of Chriſtal, Numero 11, 12. the dozen — xxx. l.

Glaſs pipes:
- ſmall, the pound — vij. s. vj. d.
- great, the hund. weight cont. 112 pound vij. l. x. s.

All other glaſs Manufacture not above particularly rated, except glaſs Beads, rated at per pound — j. s. vj. d.

Glew, the hundred weight cont. 112 pound — j. l.

Globes:
- ſmall, the pair — iij. l.
- large, the pair — vj. l.

Gloves.:
- of Bridges or French making, the groce cont. 12 dozen — ij. l. x. s.
- of Canary, Millen or Venice unwrought, the dozen pair — j. l.
- of Canary, Millen, Venice or French, wrought with gold or ſilver, the dozen pair — iv. l.
- of Vandon, the dozen pair — x. s.
- of ſilk knit, the dozen pair, — ij. l.
- of Spaniſh plain, the dozen pair — xv. s.

Gold and Silver threed counterfeit, voc.:
- Bridges gold and ſilver, the pound cont. 16 ounces Hab. de poiz — xiij. s. iv. d.
- Cap gold and ſilver, the pound cont. 16 ounces Hab. de poiz — j. l.
- Copper, gold and ſilver upon quills and rolls, or rolls, or in ſkain, the pound cont. 16 ounces Hab. de poiz — x. s.
- Cullen gold and ſilver, the maſt containing two pound and a half at twelve ounces to the pound — j. l. vi. s. viij. d.
- French copper, gold and ſilver, the mark cont. 8 ounces Hab. de poiz — v. s.
- Lyons copper, gold and ſilver double guilt, the mark cont. 8 ounces, Hab. de poiz — i. l. vj. s. viij. d.

Gold and ſilver threed right voc.:
- Venice, Florence or Milain gold and ſilver, the pound cont. 12 ounces Venice weight — iij. l. vj. s. viij. d.
- French and Paris gold and ſilver, the mark cont. 11 ounces and half Venice weight — ij. l.

Gold foile, the ſmall groce cont. 12 dozen — vj. s. viij. d.

Gold paper, the ſmall groce cont. 12 dozen — xiij. s. iv. d.

Grains French or Guiney, the pound — viij. d.

Graine:
- or Scarlet powder, the pound — vj. s. viij. d.
- of Sevil in berries and grains of Portugal or Rotta, the pound - iij. s. iv. d.

Grindle ſtones, the chalder — j. l. vi. s. viij. d.

Grocery Wares vocat.:
- Almonds, the hundred weight, cont. 112 pound — vi. l.
- Anniſeeds, the hundred weight, cont. 112 pound — iij. l.
- Cloves, the pound — x. s.
- Corrants, the hundred, cont. 112 pound — vj. l.
- Dates, the hundred weight, cont. 112 pound — vi. l.
- Ginger:
  - of the Eaſt Indies, the pound — iij. s.
  - of the Weſt Indies, the pound — j. s. iv. d.
- Licoris, the hundred weight cont. 112 pound — j. l. x. s.
- Maces, the pound — j. l.
- Nutmegs, the pound — viij. s.
- Pepper, the pound — iij. s. iv. d.
- Pepper imported directly from the place of its growth in Engliſh built ſhipping, the pound — j. s. viij. d.
- Sinamon, the pound — vj. s. viij. d.
- Reiſins:
  - great, the hundred weight, containing 112 pound — j. l. x. s.
  - of the Sun, the hundred weight cont. 112 pound — ij. l.
  - of Smyrna black, the hund. weight cont. 112 pound — j. l.
  - of Smyrna red, the hundred weight cont. 112 pound — j. l.
- Figs, the hundred weight cont. 112 pound j. l. xiij. s. iv. d.
- Prunes, the hund. weight, cont. 112 pound xv. s.
- Sugar.:
  - Candy brown, the hundred weight containing 112 pound — x. l.
  - Candy white, the hundred weight containing 112 pound — xv. l.
  - Muſcovadoes, the hundred weight containing 112 pound — iiij. l.
  - Refined double or ſingle in loaves, the hundred weight, containing 112 pound — xvij. l.
  - Saint Thome and Pannellis, the hundred weight, cont. 112 pound — ij. l.
  - white, the hundred weight, cont. 112 pound — vij. l. vj. s. viij. d.
  - white, from the Engliſh Plantations, the hundred weight cont. 112 pound — v. l.
  - brown, and Muſcovadoes, from the Engliſh Plantations, the hundred weight, cont. 112 pound — j. l. x. s.
- All Spicery, except Pepper, imported directly from the place of its growth in Engliſh-built ſhipping, to be rated one third part of what is charged in the Book of Rates, and no more.

Grograins Turkie, the yard — iij. s. ix. d.

Guns vocat.:
- Callivers, the piece — v. s.
- Muſkets, the piece — x. s.

Gunpowder vocat.:
- Serpentine, the hundred weight, cont. 112 pound — v. l.
- Corn-powder, the hund. weight cont. 112 pound — viij. l.

## H.

Halberds:
- gilt, the piece — xiij. s. iv. d.
- unguilt, the piece — iij. s. iv. d.

Hammers:
- with wooden handles or without, the dozen — iv. s.
- *Vocat.* Horſemens hammers, the doz. xiij. s. iv. d.

Handkerchers, the dozen — iij. l.

Harneſs Roſes, the thouſand — j. s.

Harneſs vocat.:
- Corſelets compleat, the piece — j. l.
- Curats, the piece — xij. s. vj. d.
- Morians or head-pieces graven, the piece — x. s.
- Morians or head-pieces plain, the piece v. s.

Harpſtrings or Catlings the groce, containing 12 dozen — v. s.

Hatbands, the groce, cont. 12 dozen — v. l.

Hats:
- of beaver wool or hair, the hat — x. l.
- of Bridges, the dozen — x. l.
- Dutch felts, or hats made of wool, the piece — j. l.
- Spaniſh or Portugal felts, the dozen — v. l.
- of ſilk, French making, the dozen — iij. l.
- of ſtraw, *vide* baſt
- of Venice, the dozen — iij. l.
- of wooll or worſted trimmed, the dozen — ij. l.

Hawkes vocat.:
- Faulcons, the Hawk — iv. l.
- Goſhawks the Hawk — iij. l. vj. s. viij. d.
- Jerfaulcons, the Hawk — iv. l. x. s.
- Jerkins, the Hawk — iij. l. vi. s. viij. d.
- Lanners, the Hawk — iv. l.
- Lannarets, the Hawk — ij. l.
- Taſſels of all ſorts, the Hawk — ij. l.

Hawks hoods, the groſs, cont. 12 dozen — j. l. vi. s. viij. d.

Hair bottoms for ſives, the groce cont. 12 dozen x. s.

Hair voc.:
- Camels hair, the pound — iij. s.
- Elkes hair for ſaddles, the hundred weight cont. 112 pound — xij. s. vi. d.
- Goats hair, the pound — i. s. ij. d.

Headings for pipes, hogſheads or barrels, the hundred, containing ſix ſcore — vi. s. viij. d.

Heath for bruſhes, the hundred, containing 112 pound — j. l.

Hemp voc.
- Hemp short dreft, the hundred weight, cont. 112 pound — viij. l.
- Cullen and ſteel hemp, and all other ſorts of dreſt hemp, the hundred weight, cont. 112 pound — x. l.
- Spruce, Moſcovia, and all other rough hemp, the hundred weight, containing 112 pound — xiij. s. iv. d.

Hides voc.
- Buff hides, the hide — x. s.
- Cow hides of Barbary and Moſcovia, the hide — ij. s. vj. d.
- Cow or horſe hides tanned, the piece — x. s.
- Cow or horſe hides in the hair, the piece — ij. s. vj. d.
- India hides, the hide — iv. s. ij. d.
- Loſh hides, the piece — v. s.

All other hides in the hair or undreſt half the cuſtome.

Red or Muſcovia hides, tanned, collored or uncollored, the hide — vj. s. viij. d.

Hilts for ſwords or daggers, the dozen — ij. l.

Honey
- the barrel — ij. l.
- the tonne — xij. l.

Hoops
- of iron for pipes or hogſheads, the hundred weight, containing 112 pound — j. l. vj. s. viij. d.
- for Coopers, the thouſand — j. l. vj. s. viij. d.

Hops, the hundred weight, cont. 112 pound — xv. l.

Horſes and mares, the horſe or mare — x. l.

Hoſe of cruel, vocat. Mantua hoſe, the pair — x. s.

## I

Jeate, the pound — iij. s. iv. d.

Jews-Trumpes, the groce, cont. 12 dozen — x. s.

Imperlings blew or red, the dozen — j. l. x. s.

Ink for Printers, the hundred weight, containing 112 pound — ij. l.

Ink-horns
- the groce, containing 12 dozen — iij. l.
- of braſs, the dozen — xij. s.

Incle
- unwrought, the pound — ij. s. vj. d.
- wrought, the dozen pound — viij. l.
- Roules, the dozen pieces, containing 36 yards the piece — vj. l.

8 Geo. 1. c. 15. Indico of Turkey of the Weſt-Indies, or rich Indico, the pound — iij. s. iv. d.

Indico duſt, the pound — j. s. viij. d.

Indico Engliſh Plantation, the pound — xij. d.

Inſtruments for Barbers, and Chirurgions, voc.
- Bullet ſcrues, the dozen — iv. s.
- Inciſion ſheers, the dozen — v. s.
- Sets, the bundle, cont. 16 — ij. s.
- Paices or Tooth drawers, the dozen — v. s.
- Plulicanes, the dozen — v. s.
- Trepans, the dozen — x. s.

Iron
- Amys, Spaniſh, Spruce and Swediſh, the Tun — vij. l.
- Backs for chimneys ſmall, the piece — vj. s. viij. d.
- Backs for chimneys large, the piece — xiij. s. iv. d.
- Bands for kettles, the hundred weight containing 112 pound — ij. l.
- Fire Irons, the groce cont. 12 dozen — x. s.
- Hoops, the hundred weight, cont. 112 pound — j. l. vj. s. viij. d.
- Stones, the piece — v. l.

Juice of Lemmons, the pipe — iiij. l.

Ivory, the pound — x. s.

## K

Keyknops, the groce, cont. 12 dozen — j. l.

Knives
- Almain, Bohemia, and all other courſe knives, the dicker cont. ten kives — iij. s.
- Butchers knives, the dicker cont. ten knives — iij. s.
- Carving knives, the dozen — iij. l.
- Collen knives, the groce cont. 12 dozen — viij. l.
- French knives, the groce cont. 12 dozen — iiij. l.
- Glovers knives, the bundle cont. ſix knives — j. l. x. s.
- Pen knives, the groce cont. 12 dozen — j. l. x. s.
- Sker knives, the dicker cont. ten knives — iij. s.
- Stock knives ungilt, the dozen ſtocks — iiij. l.
- Stock knives gilt, the dozen ſtocks — vj. l.

## L

Lace vocat.
- Bone-lace of thred, the dozen yards — iiij. l.
- Brittain-lace, the groce containing 12 dozen yards, — vj. l.
- Cruel-lace, the ſmall groce cont. 12 dozen — viij. l.
- Gold and Silver lace, the pound cont. 12 ounces Troy — xij. l.
- Gold and Silver lace, the ounce Troy — j. l.
- Pomet-lace, the groce cont. 12 dozen yards — ij. l.
- Purle or antlet lace of thred, the groce cont. 12 dozen — j. l.
- Silk bone-lace, the pound cont. 16 ounces — xl. l.
- Silk-lace of all other ſorts, the pound containing 16 ounces — x. l.

Ladles vocat. melting-ladles, the hundred weight cont. 112 pounds — ij. l.

Lapis magnatu falce, the pound — iij. s.

Lattin vocat.
- black Lattin, the hundred weight cont. 112 pound — ij. l.
- ſhaven Lattin, the hundred weight cont. 112 pound — iij. l. vj. s. viij. d.

Lead-ore, the Ton — iiij. l.

Lemons pickled, the Pipe — iiij. l.

Lemon water
- the Ton — x. l. xiij. s. iv. d.
- the Gallon — xj. d.

Leather vocat.
- Baſil leather, the dozen — xx. l.
- Spaniſh leather, or Cordevant, the dozen ſkins — v. l.
- Spruce or Danſk leather, the dozen ſkins — ij. l.
- Hangings gilt, the piece — iiij. l.
- Leather for Maſks, the pound — vj. s. viij. d.
- Turkey and Eaſt India Cordevant, the dozen — ij. l.

Leaves of Gold, the hundred leaves cont. five ſcore — v. s.

Lewers for Hawks, the piece — j. s. iiij. d.

Lyme for Diers, the barrel — v. s.

Lines of Hamborough for ſhips, the piece — vj. d.

Lin-ſeed, the buſhel — v. s.

Linnes blue or red, the dozen — j. l. x. s.

Linen Cloth or

Canvas vocat.
- Callicoes fine or courſe, the piece — x. s.
- Cambrick
  - the half piece, cont. ſix ells and an half — j. l.
  - the piece, cont. 13 ells — ij. l.
- Dutch Barras and Heſſens Canvas, the hundred ells, cont. ſixſcore — iij. l. x. s.
- French or Normandy Canvas, and line narrow, brown or white, the hundred ells, containing ſixſcore — vj. l.
- French Canvas and line broad for tabling, being an ell and half a quarter and upwards, the hund. ells cont. ſixſcore — xv. l.
- Packing Canvas guttings, and Spruce Canvas, the hundred ells, cont. ſixſcore — ij. l. x. s.
- Poledavies the bolt, cont. 28 ells — j. l.
- Spruce Elbing or Quinſborow canvas, the bolt cont. 28 ells — xv. s.
- Stript or tufted canvas with thred, the piece cont. fifteen yards — ij. l.
- Stript tufted or quilted canvas with ſilk, the piece cont. fifteen yards — iiij. l.
- Stript canvas with copper, the piece cont. fifteen yards — iiij. l.
- Vandaloſe or Vittery canvas, the hundred ells, cont. ſixſcore — v. l.
- working canvas for cuſhions narrow, the hundred ells, cont. ſixſcore — iij. l.
- working canvas broad, the hundred ells cont. ſixſcore — v. l.
- working canvas of the broadeſt ſort, the hundred ells, cont. ſixſcore — vj. l.

Damaſk
- Tabling of Holland making, the yard — j. l.
- Towelling and napkenning of Holland making, the yard — vij. s.
- Tabling of Sileſia making the yard — iiij. s.
- Towelling and napkenning of Sileſia making, the yard — j. s. iv. d.

Diaper
- Tabling of Holland making, the yard — ix. s.
- Towelling and napkening of Holland making, the yard — iij. s.
- Napkins of Holland making, the dozen — j. l. xvj. s.
- Tabling of Sletia making, the yard — iij. s. iv. d.
- Towelling and napkening of Sletia making, the yard — j. s. iv. d.

Lawns
- the half piece, cont. ſix ells and a half — j. l.
- the piece, containing thirteen ells — ij. l.
- voc. Callico lawns, the piece — vide Callicoes.
- voc. French Lawns, the piece — j. l. x. s.
- voc. Sletia lawns, the piece cont. between four and eight yards — x. s.

Flanders Holland cloth, the ell — v. s.
- Flemiſh cloth
- Gentiſh cloth
- Iſingham cloth
- Overiſils cloth
- Rouſe cloth
- Brabant cloth
- Embden cloth
- Freeze cloth
- Brown Holland
- Bag Holland

Britiſh, the hundred ells, containing five ſcore — vj. l. xiij. s. iv. d.

Cowffeild cloth or plats, the ell — j. s. viij. d.

Drilling and pack duck, the hundred ells, cont. ſix ſcore — ij. l.

Linen Cloth or

- Elbing or Danſk cloth double ploy, the ell — — — j. s. viij. d.
- Hamborow and Sletia cloth broad, the hundred ells, cont. 120 white or brown — x. l.
- Hamborow cloth narrow, the hundred ells cont. ſix ſcore — — viij. l.
- Hinderlands, Middlegood, Headlake and Muſcovia linen narrow, the hundred ells, cont. ſix ſcore — — ij. l. xiij. s. iv. d.
- Iriſh cloth, the hundred ells, cont. ſix ſcore — — ij. l.
- Lockerams vocat.
  - Treager, greſt and narrow, or common dowlaſſe, the piece, containing 106 ells — —
  - Broad dowlaſs, the piece, containing 106 ells — — v. l.
- Minſters, the roul, cont. 1500 ells, at five ſcore to the hundred — — lvj. l. xiij. s. iv. d.
- Ozenbrigs, the roul, cont. 1500 ells, at five ſcore to the hundred — — lx. l.
- Soultwich, the hundred Ells, cont. ſix ſcore iv. l.
- Polonia, Ulſters, Hannovers, Lubeck, narrow Sletia, narrow Weſtphalia, narrow Hartford, plain napkenning, and all other narrow cloth of high Dutchland and the Eaſt Country, white or brown, and not otherwiſe rated, the hundred ells, cont. ſix ſcore. iv. l.

All Linnen of Germany or highdutchland and Seletia, not above three quarters and a half broad, ſhall be accounted narrow linnen; and all above that breadth ſhall be accounted broad, and pay accordingly.

- Strasborough or Hamborow linnen, the ell iij. s.
- Twill and Ticking of Scotland, the hundred ells, cont. ſix ſcore iij. l.

All linnen ſhall pay one full Moyety over and above what is before rated, for which additional duty the importer, giving ſecurity at the Cuſtom-houſe, ſhall have 12 months time for payment of the ſame, from the time of the Importation; or in caſe ſuch Importer ſhall pay ready money, he ſhall have 10 *per Cent.* of the ſaid Duty abated to him: And if any of the ſaid Linnens for which this ſaid Duty is paid or ſecured at the Importation, be exported within twelve months after their Importation, then the aforeſaid Duty ſhall be wholly repaid, or the Security vacated, as to what ſhall be ſo exported.

- Lockets or Chapes for Daggers, the groce, cont. 12 dozen — — — xiij. s. iv. d.
- Locks vocat.
  - Budget or hanging-locks, ſmall, the groce, containg 12 dozen — j. l. x. s.
  - Hanging-locks, large, the groce containing 12 dozen — — iij. l.
- Lutes
  - Cullen-making, with caſes, the dozen viij. l.
  - Venice making with caſes the dozen xxiv. l.
- Luteſtrings voc.
  - Catlings, the groce, containing 12 dozen knots — — ij. s. viij. d.
  - Minikins, the groce, containing 12 dozen knots — — j. l. vj. s. viij. d.
- Litmus, the hundred weight, cont. 112 pound *(a)* j. l.

## M.

Madder voc.

- Croppe Madder, and all other bale Madder, the hundred weight, cont. 112 pound. j. l. x. s.
- Fat Madder, the hundred weight, cont. 112 pound — — xvj. s. viij. d.
- Mull Madder, the hundred weight, cont. 112 pound *(a)* — — j. l.

- Magnus, the hundred weight, containing 112 pound — — j. l.
- Maps printed, the Ream — — iv. l.
- Maſks
  - of Velvet, the dozen — — iij. l.
  - of Satin, the dozen — — ij. l.
- Maſts
  - for ſhips ſmall, the maſt — — iij. s. iv. d.
  - middle, the maſt — — x. s.
  - great, the maſt — — j. l.
- Match for Guns, the pound — — ij. d.
- Mats of Ruſſia, the mat — — vj. d.
- Malt and Barley, vide Corn
- Meal of Wheat or Rie, the laſt, containing 12 barrels — — iij. l.
- Medlars, the baſket, containing two buſhels — x. s.
- Mellaſſes of Rameales, the ton — xiij. l. vj. s. viij. d.
- Meſtelanes, the piece, containing 30 yards — ix. l.
- The ſmble piece, cont. 14 yards of Sletia-making j. l. xvj. s.
- Metheglin, the hogſhed — — ij. l.

*(a)* 8 Geo. 1. c. 15.

- Mithridate, the pound — — j. l.
- Mocado ends, the dozen pound — iv. l.
- Mortars and Peſtles of braſs, the pound — j. s. iv. d.
- Muſtard-ſeed, the hundred weight, containing 112 pound — — x. s.
- Mittins of Wadmoll, the dozen pair — ix. s.

## N.

Nails voc.

- Chair-nails, the thouſand — — xiij. s. iiij. d.
- Copper-nails, Roſe-nails, and Sadlers-nails, the ſum containing 10000 — xiij. s. iiij. d.
- Head-nails, the barrel — — viij. l.
- Harneſs-nails, the ſum, containing 10000 j. l.
- Small-nails, the half barrel — viij. l.
- Sprig-nails, the ſum containing 10000 — vj. s. viij. d.
- Tenter-hooks, the thouſand — — v. s.

- Napkins, French-making, the dozen — — xij. s.
- Neats-tongues
  - of Ruſſia, the piece — — ij. d.
  - the barrel — — x. s.
  - the dozen — — ij. s. vj. d.
- Nickerchers of Flanders making, the dozen — vj. l.
- Needles
  - the dozen thouſand — iij. l.
  - voc. Pack-needles, the thouſand — xiij. s. iv. d.
  - voc. Sail-needles, the thouſand — vj. s. viij. d.
- Nutmegs pickled, the piece — — iv. d.
- Nuts voc.
  - ſmall Nuts, the barrel — — x. s.
  - Wall-Nuts, the barrel — — vj. s. viij. d.

## O.

- Oakham, the hundred weight, cont. 112 pound x. s.
- Oaker, the barrel — — — — j. l. vi. s. viij. d.
- Oars
  - the piece — — — j. s.
  - the hundred, cont. ſix ſcore — — vj. l.
- Oats, the quarter, containing 8 buſhels — iv. s.

Oyle voc.

- Rape and Linſeed Oyl, the ton — — lxx. l.
- Sivil oyl, Majorca oyl, Minorca oyl, Apuglia, Province oyl, and Portugal oyl, the ton — — — xxxij. l.
- Sallet oyl, the gallon — — — v. s.
- train oyl of Greenland, the ton — viij. l.
- train oyl of New found-land, and the like ſort, the ton — — vi. l.

- All train oyl, or fiſh oyl of Foreign fiſhing the ton — — — — j. l.
- Olives, the hogſhead — — viij. l.
- Onions
  - the barrel — — — iij. s. iv. d.
  - the hundred bunches — — xvi. s. viij. d.
  - ſeed, the hundred weight cont. 112 pound — — iv. l.
- Orchal, the hundred weight, cont. 112 pound ij. l.
- Orenges and Lemmons, the thouſand — — j. l. 8 Geo. 1. c. 15.
- Orſedew, the dozen pound — — j. l. vj. s. viij. d.

## P.

- Packthread
  - in ſkeins, the hundred pound — iij. l.
  - voc. Bottom thread, the hundred pound — — ij. l. x. s.
- Pans voc.
  - dripping and frying-pans, the hundred weight, cont. 112 pound iij. l.
  - Warming-pans, the dozen — iij. l.

Paper voc.

- Blew paper, the ream — — x. s.
- Brown paper, the bundle — — iij. s.
- Cap paper, the ream — — vij. s. vj. d.
- Demy paper, the ream — — xij. s.
- Ordinary printing and copy paper, the ream — — — iv. s. vi. d.
- Painted paper the ream — — xiij. s. iv. d.
- Preſſing paper, the hundred leaves — xiij. s. iv. d.
- Rochel paper, as large as Demy paper, the ream — — — ix. s.
- Royal paper, the ream — — j. l.

- Parchment
  - the dozen, cont. 12 ſheets — vij. s.
  - the role, containing ſix dozen — ij. l. ij. s.
- Paſte of Jene, the pound — — vij. s. vj. d.
- Pears or apples dried, the barrel — x. s.
- Peaſe, the quarter, containing eight buſhels — iv. s.
- Penners, the groce, containing 12 dozen — ij. l.
- Petticoats of ſilk, the piece — — iij. l.
- Percer bits, the groce, containing 12 dozen — j. l.
- Pheaſants.
  - the dozen from Chriſtmas to Midſommer — — iv. l.
  - Pouts, from Midſommer to Chriſtmas ij. l. x. s.
- Pike-heads, the piece — — vj. d.
- Pikes
  - without heads, the piece — — iij. s. vj. d.
  - with heads, the piece — — iv. s.
- Pins, the dozen thouſand — — ij. l. x. s.
- Pincers and pliers, the dozen — — iv. s.
- Pintados or Callico cupberd cloths, the piece vj. s. viij. d.
- Pipe or hogſhead ſtaves, the hund. cont. ſix ſcore vj. s. viij. d.
- Pipes for Tabors, the dozen — — iv. s.

Pipes

Pipes for children, the groce, cont. 12 dozen — viij. s.
Pitch vocat. { Small band, the laſt, cont. 12 barrels ij. l. x. s. / Great band, the laſt, cont. 12 barrels ij. l. x. s.
Plaiſter of Paris, the mount, cont. 3000 weight ij. l.
Plane irons, the dozen — ij. s.
Planks of Ireland, the hundred foot, containing five ſcore — xij. s. vj. d.
Plate vocat. { Silver white or ungilt, the ounce — iv. s. / of ſilver parcel gilt, the ounce — iv. s. vj. d. / of ſilver gilt, the ounce — v. s.
Plates vocat. { ſingle white or black, the hundred plates xiij. s. iv. d. / double white or black, the hundred plates j. l. vi. s. viij. d. / ſingle white or black, the barrel, cont. 300 plates — ij. l. / double white or black, the barrel, cont. 300 plates — iv. l. / Harneſs plates or iron doubles, the plate j. 6. / Harneſs plates or iron doubles, the bundle, containing 10 plates — x. s.
Playing Tables of Walnut-tree, the pair — vj. s. viij. d.
Points { of thred, the great groce, containing 12 ſmall groce — j. l. / of capiton, the great groce, containing 12 ſmall groce — ij. l.
Points { of fine ſilk, the ſmall groce, cont. 12 dozen — j. l. x. s.
Pomyſtones, the tun — xiij. s. iiij. d.
Pomegranets, the thouſand — ij. l.
Pork { the ſide — v. s. / the tun — vj. l.
Potatoes, the hundred weight, containing 112 pound — xvj. s. viij. d.
Pots { of Earth or Stone covered, the hundred, containing five ſcore — j. l. vj. s. viij. d. / of Earth or Stone uncovered, the hundred caſt, containing a gallon to every caſt, whether in one pot or more — ij. l. x. s. / voc. Gallipots, the hundred, containing five ſcore — ij. l. / voc. Melting-pots for Goldſmiths, the hundred — iij. s. / of Iron, French or Flemiſh-making, the dozen — iij. l.
Pullies { voc. Pullies of Iron, the groce, containing 12 dozen — v. l. / of Braſs, the dozen — iiij. s. / of Wood, the groce, containing 12 dozen j. l.
Punſons and Gravers for Goldſmiths, the pound j. s.

## Q.

Quails, the dozen — viij. s.
Quils vocat. Gooſe quils, the thouſand — ij. s.
Quilts { French-making, the dozen — iv. l. xvj. s. / of Callico, the piece — ij. l. / of Satin or other ſilk, the piece — vj. l. xiij. s. iv. d.
Quinces, the hundred — viij. s.

7 & 8 W. 3. c. 29.

## R.

Rackets, the piece — viij. d.
Rape of grapes, the tun — iij. l.
Rape Seed, the quarter — j. l.
Raſhes voc. { Bridges or Leaden Raſhes, the ſingle piece, containing fifteen yards — iv. l. / Bridges or Leaden Raſhes, the double piece, containing two ſingle pieces — vij. l. / Cloth Raſhes, the piece — xviij. l.
Rattles { for children, the groce, containing twelve dozen — j. l. vj. s. viij. d. / with Bells, the dozen — vj. s.
Razers, the dicker, containing ten — j. l.
Recorders, the ſet or caſe, containing five Recorders — j. l.
Ribband of ſilk of all ſorts, the pound — iv. l.
Rice, the hundred weight, containing an hundred and twelve pound — j. l. vj. s. viij. d.
Rozen, the hundred weight, containing an hundred and twelve pound — vj. s. viij. d.
Rugs vocat. { Iriſh Rugs, the piece — xiij. s. iiij d. / Poliſh Rugs, the piece — j. l.
Ryms for Sieves, the groce, containing twelve dozen — vj. s.
Rings vocat. { for Keys, the groce, containing 12 dozen ix. s. / for Curtains, the pound — j. s. iv. d. / of Wyer, the groce, containing 12 dozen iiij. s. / of Braſs, Copper, or St. Martins gilt, the groce, containing twelve dozen — j. l. / ſmall the Box, containing two groce, twelve dozen to each groce — x. s. / of Hair, the groce, containing 12 dozen iij. s.

## S.

Sackcloth { the hundred ells, containing ſix ſcore viij. l. / of ſingle threds, the piece, cont. 15 yards x. s. / with white thred, the yard — j. s. / with ſilk, the yard — j. s. vj. d.
Saddels of ſteel, the piece — j. l.
Saffora, vide Barilia
Saffore, the pound *(a)* — j. s.
Saffron, the pound — j. l. x. s.
Salt vocat. { white or Spaniſh Salt, the buſhel — viij. d. / white or Spaniſh Salt, the wey, containing forty buſhels — j. l. vj. s. viij. d. / Bay or French Salt, the buſhel — vj. d. / Bay or French Salt, the wey, containing forty buſhels — j. l.
Salt-peter, the hundred weight, containing 112 pound — j. l.
Saws voc. { Hand-ſaws, the dozen — vj. s. viij. d. / Tenants-ſaws, the dozen — xiij. s. iv. d. / Whip-ſaws, the piece — v. s. / Leg-ſaws, the piece — vj. s. viij. d.
Sayes { Double Says or Flanders Serges, the piece, containing fifteen yards — ix. l. / Double Say or Serge, the yard — xij. s. / Mild Says, the piece — vj. l. / Hounſcot Say, the piece, containing 24 yards — vj. l.
Scamoty, the yard — j. s.
Scamoty, the piece, containing ſeven yards and an half — vii. s. vj. d.
Sciſers, the groce, containing twelve dozen iij. l.
Sea-holly roots, the hundred weight, containing 112 pound — j. l.
Sea-morſe teeth, the pound — iij. s.
Serge { of Athens, the yard — ij. s. / of Florence, the yard — j. l.
Shears { for Shear-men, new, the pair — j. l. / for Shear-men, old, the pair — xiij. s. iiij. d. / for Glovers, the pair — j. s. / for Seamſters, the dozen — iij. s. iv. d. / vocat. Forceps, the groce, cont. 12 dozen xiij. s. iiij. d. / for Taylors, the dozen — xvj. s.
Sheep imported from Ireland to England, by the ſcore — v. l.
Shubs of Calabar, the piece or ſhub — ij. l.
Shumach, the hundred weight, containing 112 pound — xiij. s. iiij. d.
Shruff or old Braſs, the hundred weight, containing 112 pound — iij. l.
Sider, the tun — iv. l.
Silk vocat. { Bridges ſilk, the pound, cont. 16 ounces ij. l. / Ferret or Floret ſilk, the pound, containing 16 ounces — j. l. / Fillozel or Paris ſilk, the pound, containing 16 ounces — xv. s. / Granado { Silk black, the pound, containing 16 ounces — iij. l. / Silk in colours, the pound, containing 16 ounces — iv. l. } / Naples { Silk black, the pound, containing 16 ounces — ij. l. / Silk in colours, the pound, containing 16 ounces — ij. l. x. s. } / Orgaſine ſilk, and all Thrown ſilk in the Gum, the pound, cont. 16 ounces xvj. s. viij. d. / Pole and Spaniſh ſilk, the pound, containing 16 ounces — ij. l. / Raw China ſilk, the pound, cont. 24 ounces j. l. / Raw Morea ſilk, the pound, cont. 24 ounces x. s. / Raw long ſilk of all ſorts (except China) the pound, containing 24 ounces — x. s. / Raw ſhort ſilk or Capiton, the pound, containing 24 ounces — vj. s. viij. d. / Sattin ſilk, the pound, containing 16 ounces ij. l. / Sleeve ſilk courſe, the pound, cont. 16 ounces xiij. s. iv. d. / Sleeve ſilk fine, or Naples ſleeve, the pound, containing 16 ounces — ij. l. xiij. s. iv. d. / Silk Nubs, or Huſk of ſilk, the pound, containing 21 ounces — ij. s. / Thrown ſilk, the pound, dyed, containing 16 ounces — v. l.
Silk wrought. { Imported in ſhips, Engliſh-built, directly from the Eaſt-Indias, the pound weight, cont. 16 ounces — xv. s. / of the Manufacture of Italy, imported directly from thence in Engliſh-built ſhips, the pound weight, containing 16 ounces — j. l. xiij. s. iv. d.

(a) 8 Geo. 1. c. 15.

Imported

Silk wrought. Imported from the East-Indies in other bottoms, the pound weight, containing 16 ounces — j. l.
from Italy — ij. l.
from any other parts of the World, the pound weight, cont. 16 ounces — ij. l.

*Provided*, That all foreign Silks wrought, exported within one Year from the Importation, shall have two thirds of the aforesaid Rates repaid at the Custom-house *(a)*.

All Silks wrought, shall pay one full Moyety over and above what they stand rated in this Book, for which additional Duty, the Importer, giving Security at the Custom-house, shall have twelve Moneths Time for Payment of the same from the Time of the Importation: Or in case such Importer shall pay Ready Money, he shall have ten Pound *per Cent.* of the said Duty abated to him. And if any of the said Silks, for which the said Duty is paid or secured at the Importation, be exported within twelve Moneths after their Importation, then the aforesaid Duty shall be wholly returned, or the Security vacated, as to what shall be so exported.

Skins vocat.
- Buck skins: in the haire, the skin — ij. s. vj. d.
- Calfe skins: dreft, the skin — v. s.
- Calfe skins: of Ireland, raw, the dozen — vj. s. viij. d.
- Calfe skins: tanned — x. s.
- Cordivant of Turky, East-India, or Scotland, the dozen — j. l. vj. s. viij. d.
- Dogfish skins for Fletchers, the dozen — vj. d.
- Fox skins dreft, the dozen — xvj. s.
- Gold skin, the skin — vj. d.
- Goate skins: of Barbarie or the East Country, in the haire, the dozen skins — j. l.
- Goate skins: of Scotland and Ireland, in the haire, the dozen — vj. s. viij. d.
- Goate skins: tanned, the dozen — ij. l.
- Huffe skins for Fletchers, the skin — vj. d.
- Kids skins: in the haire, the hundred, containing five score — j. l.
- Kids skins: dreft, the hundred, containing five score — ij. l.
- Portugall skins, the dozen — ij. l.
- Seale skins, the skin — j. s. viij. d.
- Shamway skins, the dozen — j. l. vj. s. viij. d.
- Sheepe skins in the wool, the skin — iij. d.
- Spanish Sevill or Cordovant skins, the dozen — v. l.
- Spruce skins tawed, the dozen — ij. l.

Skeets for Whittsters, the Skeet — j. s.
Slip, the barrell — iij. s. iv. d.
Smalts, the pound — j. s. vj. d.
Snuffers of all sorts, the dozen — vj. s. viij. d.
Soape vocat. Castle or Venice, the hundred weight, containing 112 pound — iij. l.
Soape vocat. Flemish, the barrel — iv. l.
Spangles of copper, the thousand — j. s.
Spars small, the hundred, containing six score — j. l.
Spectacles without cases, the groce, cont. 12 dozen — j. l.
Spoones of horne, the groce, cont. 12 dozen — xvj. s.
Spunges, vide Druggs
Standishes: of Wood, the dozen — iv. s.
Standishes: of Brass, the dozen — xij. s.
Standishes: covered with leather gilt, the piece — vj. s. viij. d.
Standishes vocat. Pocket Standishes, the dozen — ij. l.
Starch white, the hundred weight, cont. 112 pound — v. l.
Staves vocat. Barrell staves, the hundred, containing six score — iij. s. iv. d.
Staves vocat. Firkin staves, the hundred, containing six score — ij. s.
Steele vocat. Long steele, Wisp-steele, and such like, the hundred weight, containing an hundred and twelve pound — j. l. x. s.
Steele vocat. Gad steele, the half barrell — x. l.
Stockins of Wadmoll, the paire — j. s.
Stone birds or Whistles, the small groce, containing twelve dozen — iv. s.
Stones vocat. Blood stones, the pound — xv. s.
Stones vocat. Cane stones, the ton — xv. s.
Stones vocat. Dog stones, the last, containing three pair to the last — xxxix. l.
Stones vocat. Millstones, the piece — x. l.
Stones vocat. Querne stones small, the last — ij. l. v. s.
Stones vocat. Querne stones large, the last — iv. l. x. s.
Stones vocat. Slick stones, the hundred, containing five score — xv. s.
Sturgion: the firkin — j. l. x. s.
Sturgion: the cagg — xv. s.
Stuffs of all sorts, made of or mixt with wool, per yard — j. l. v. s.
Succad, wet or dry, the pound — iij. s.

*(a)* 7 Geo. 1. c. 20.

Sword blades: of Venice, Turky, or fine blades, the dozen — j. l. x. s.
Sword blades: course, of Flanders-making, the dozen — j. l.

## T

Table books: course, the dozen — x. s.
Table books: fine, the dozen — j. l.
Tables vocat. playing Tables of Wainscot, and all other sorts, course, the pair — v. s.
Tacks of Iron, the thousand — vj. s. viij. d.
Tallow, the hundred weight, cont. 112 pound — xvj. s. viij. d.
Tannets of Cruel the yard — vj. s.
Tapistry: with haire, the Flemish ell — ij. s. viij. d.
Tapistry: with Caddas, the Flemish ell — viij. s.
Tapistry: with silk, the Flemish ell — xiij. s. iv. d.
Tapistry: with Gold or Silver, the Flemish ell — viij. l.
Tapistry: with Wool, the Flemish ell — iiij. s.
Tarras, the Barrell — vj. s. viij. d.
Tarre: small band, the last, cont. 12 barrels — ij. x. s.
Tarre: great band, the last, cont. 12 barrels — ij. l. x. s.
Tazels, the thousand — v. s.
Thimbells, the thousand — iij. l.
Thred: Bridges thred, the dozen pound — ij. l. v. s.
Thred: Crosbow thred, the hundred pound, containing five score — iii. l. vj. s. viij. d.
Thred: Lions or Paris thread, the bale, containing a hundred bolts — xxx. l.
Thred: Outnal thred, the dozen pound — iij. l.
Thred: Piecing thred, the dozen pound — iv. l.
Thred: Sisters thred, the pound — xv. s.
Thred: whited brown, the dozen pound — iv. l.
Thrums: of linnen or Fustian, the pound — vj. d.
Thrums: of Woollen, the pound — j. s.
Tikes vocat. Brizel Tikes, and counterfeit Brizell, the Tike — j. l. x. s.
Tikes vocat. Turnal Tikes, the Tike — j. l. x. s.
Tiking, of the East country, the yard — viij. d.
Tikes of Stoade, the Tike — j. l. x. s.
Tincal, the pound, vide Drugs.
Tinfoile, the groce, cont. 12 dozen — iij. s. iv. d.
Tinglass, the hundred weight, cont. 112 pound — iii. l.
Tinsel with Copper, the yard — v. s.
Tinsel with right gold and silver, the yard — x. s.
Tinshore, the groce, cont. 12 dozen — j. s. vj. d.
Tobacco vocat. Spanish and Brazeil Tobacco, or any not English plantation, the pound — x. s.
Tobacco vocat. Spanish and Brazeil tobacco in pudding or roull, the pound — x. s.
Tobacco vocat. Saint Christophers, Barbadoes, or any the Carib Islands, Virginia and Summer Islands tobacco, the pound — j. s. viij. d.

All Tobacco of the English Plantation shall pay over and above the last mentioned rate by the Merchant Importer, 1*d.* per pound, at nine moneths after importation, and give security for the same. 1 Geo. 1. c. 20.

Provided that such Tobacco as shall be exported by any person within twelve moneths from the importation, shall have this duty of one penny per pound repaid.

And in case any Merchant or Impopter shall desire to pay ready money, he shall have an abatement at the rate of 10 l. per cent. per ann.

Tooles vocat. Carving tooles, the groce, containing 12 dozen — j. l.
Tow, the hundred weight, cont. 112 pound — x. s.
Trayes of wood, the Shock, cont. 60 Trayes — j. l.
Treacle: Flanders Treacle, the barrel — iv. l.
Treacle: of Jeane, the pound — j. s. iv. d.
Trenchers: white sort common, the groce, cont. 12 dozen — iv. s.
Trenchers: red or painted, the groce, cont. 12 dozen — xij. s.
Treene nailes, the thousand — x. s.
Trunnels, the thousand — x. s.
Tweezes of France, the dozen — iij. l.
Twine: of Hamborough, the pound — vj. d.
Twine: the hundred weight, cont. 112 pound — ij. l. x. s.
Twist for bandstrings, the dozen knots — x. s.

## V.

Vallances of Scotland, the piece — viij. s. 8 Ann. c. 8.
Verditor, the hundred weight, cont. 112 pound — j. l. vj. viij. d.
Verders of Tapestry, with haire, the Flemish ell — ij. s.
Vellum for Table books, the skin — x. s.
Viols, the piece — xiij. s. iv. d.
Vice hasps, the dozen — ij. s.
Vice tongues or hand vices, the dozen — xij. s.
Vinegar, the Tonne — v. l. 14 Car. 2. c. 18.
Vizards, the dozen — j. l. iv. s.

W.

## W.

Wadmoll, the yard — ix. d.
Wainescots, the hundred, cont. six score — x. l.
Wax { the hundred weight, cont. 112 pound — ij. l.
Wax { vocat. hard wax, the pound — iij. s. iv. d.
Whale Finns of English fishing, imported by English in English shipping, directly from the place, by the Tun — l. l.
25 Car. 2. c. 7.
Whale Finns not of English fishing, by the Tun — c. l.
Whet-stones, the hundred stones, cont. five score — xvj. s. viij. d.
Whipcord, the pound — viij. d.
Whistles, Cocks, or Bellows, the groce — j. l. iv. s.
Whistles, Cocks, or Birds of Stone, the small groce, cont. 12 dozen — iiij. s.
Woad vocat. { Islands or green-woad, the Tonne, cont. twenty hundred weight — xv. l.
Woad vocat. { Tholose woad, the hundred weight, cont. 112 pound — j. l. xiij. s. iv. d.
Worm-seed, vide Drugs
Worsteds { vocat. S. Omers narrow, or half worsted, the piece — j. l.
Worsteds { vocat. Russels worsted, or broad worsteds, the piece — ij. l.
Wood vocat. { Box-wood for Combs, the thousand pieces — j. l. xiij. s. iv. d.
Wood vocat. { Brazeil or Farnambuck wood, the hundred weight, cont. 112 pound — j. l. xv. s.
8 Geo. 1. c. 15.
Brazeletto or Gemeaco wood, the hund. weight containing 112 pound — j. l. j. s. viij. d.
Ebonie wood, the hundred weight, containing 112 pound — ij. l.
Fustick, the hundred weight, cont. 112 pound — v. s.
Lignum vitæ, vide Drugs
Wood vocat. { Planks of Ireland, the foot — j. d. ob.
Wood vocat. { Guine. wood, the Tonne — xxx. l.
Wood vocat. { Speckled wood, the hundred weight, cont. 112 pound — xiij. s. iv. d.
Wood vocat. { Sweet wood of West-India, the hundred weight, cont. 112 pound — j. l. v. s.
Wood vocat. { Timber of Ireland, the Tonne or load — xiij. s. iv. d.
Wool vocat. { Bever wooll, free
Wool vocat. { Cotten wool, not of the growth of the English plantations, the pound — iv. d.
Wool vocat. { Cotten wooll of the English plantations, free
Wool vocat. { Estridge wooll imported in English built Ships, the hundred weight, cont. 112 pound, free — —
Wool vocat. { Irish wool comb'd, the pound, free — —
Wool vocat. { Irish wool uncomb'd, the hundred weight, cont. 112 pound, free — —
Wool vocat. { Lambs wooll, the hundred weight, containing 112 pound, free — —
Wool vocat. { Polonia wooll, the hundred weight, cont. 112 pound, free — —
Wool vocat. { Spanish wooll for clothing, the hundred weight, cont. 112 pound, free — —
Wool vocat. { Spanish felt wooll, the hundred weight, containing 112 pound, free — —
Wool vocat. { Red wooll, the pound, free — —
Wool vocat. { Wooll mixt in Stuffs, vide Stuffs
Wrest for Virginals, the groce, cont. 12 dozen — j. l. iv. s.
Wyet vocat. { Dagger and quartern wyer, the pound — iij. s. iv. d.
Wyet vocat. { Iron wyer, the hundred weight, cont. 112 pound — vij. l. x. s.
Wyet vocat. { Lattin wyer, the hundred weight, cont. 112 pound — vj. l. xiij. s. iv. d.
Wyet vocat. { Steele wyer, the pound — iij. s.
Wyet vocat. { Strawsborough wyer, the pound — iij. s. iv. d.
Wyet vocat. { Virginall wyer, the pound — y. s.
Wine-lees, the Tonne — iv. l.

## Y.

Yarn voc. { Cable yarn, the hundred weight, cont. 112 pound — xiij. s. iv. d.
Yarn voc. { Camel or Mo-hair yarne, the pound — ij. s. vj. d.
Yarn voc. { Cotten yarne, the pound — j. s.
Yarn voc. { Grograine yarn, the pound — iij. s.
Yarn voc. { Irish yarne, the pack, cont. 400 weight, at six score pound the hundred (a) — v. l.
Yarn voc. { Raw-linning yarne, Dutch or French the pound — j. s.
Sayle yarne, the pound — vj. d.
Spruce or Muscovia yarn, the hundred weight, cont. 112 pound — ij. l. xiij. s. iv. d.
Scotch yarne, the pound — j. s.
Woollen or bay yarn, the hundred weight, cont. 112 pound — iii. l. vj. s. viij. d.

(a) 7 & 8 W. 3. c. 39.

## The Subsidie of Tonnage upon all Wines to be brought into the Port of *London*, and all other Ports of *England*, and Dominions thereof, by *English-men*.

7 & 8 W. 3. c. 20.

Ascoigne and French wines brought into the Port of London, the Tonne to pay — iv. l. x. s.
Brought into all other Ports, to pay — iij. l.
Rhenish wines brought into any Port, the Awme — j. l.
Muscadels, Malmesies and other wines of the Levant, brought into the Ports of London, Bristol or Southampton, the Butt or Pype to pay — ij. l. v. s.
Brought into all other Ports, to pay — j. l. x. s.
Sacks, Canaries, Malagaes, Maderaes, Romneys, Hollocks, Bastards, Tents and Allicants, brought into the Port of London, the Butt or Pype to pay — ij. l. v. s.
Brought into all other Ports to pay — j. l. x. s.

All Merchant Strangers bringing in any sorts of the said Wines, are to pay thirty shillings in the Tonne over and above the aforesaid rates which the Native payes; including twenty shillings the Tonne formerly paid to his Majestie, by the name of Southampton duties, for Muscadels, Malmesies, and all other wines of the growth of the Levant.

For which sorts of Wines the stranger is also to pay to the use of the Town of Southampton for every Butt or Pipe, the sum of ten shillings.

Moreover, the stranger is to pay the antient duty of Butlerage, which is two shillings upon every Tonne.

Note, that such Wines as shall be landed in any of the Out-Ports and Custome paid, and afterwards brought to the Port of London by Certificate, shall pay so much more Custome, as they paid short of the duty due in the port of London.

## RATES OUTWARDS.

8 Geo. 1. c. 15. sect. 7.

### A.

Ablaster, the load — ij. l.
Allome English, the hundred weight, containing 112 pound — j. l.
Apothecary and Confectionary wares of all sorts, the hundred weight — ij. l.
Anvils, the hundred weight, cont. 112 pound — x. s.
Apples, the bushell — j. s.
Apples vocat. Pippins, the bushell — j. s.
Aquavitæ, the hogshead — ij. l.
Ashes of English wood, the last, containing twelve barrels — j. l. xiij. s. iv. d.

### B.

3 & 4 W & M. c. 8.
Bacon, the flitch — x. s.
Baggs, the dozen — x. s.
Bandaleers, the hundred collars — x. s.
3 & 4 W. & M. c. 8.
Beef, the barrell — iij. l.
Beer, the tonne, vide after Merchandize outwards
Beer Eger, the tonne — j. l.
Bell mettall, the hundred weight, cont. 112 pound — iv. l.
Bellows, the dozen — vj. s.
Bullets, the thousand — ij. l.
Birding-pieces, the piece, vide Iron-ware.
Birdlime, the hundred, containing 112 pound — j. l. x. s.
Boxes vocat. Tobacco boxes, vide Haberdashery
Bodies { vocat. stitched Bodies, with silke, the payr
Bodies { of whale-bone, the payr, vide Garments
Bones vocat. Oxe-bones, the thousand — vj. s. viij. d.
Books printed, unbound or bound, the hundred weight, at 112 pound — v. s.
Brasse manufactures of all sorts, the hundred weight, at 112 pound — xvj. viij. d.
Bridles, the dozen — j. s. viij. d.
Brushes English, of Heath, the dozen — x. s.
Buckweed, the quarter, (vide Corn.)
Buttons of hair, the small groce, containing twelve dozen — vj. d.
Butter, good or bad, the barrel — iij. l.
Bayes { Barnestable course, of 20 pound weight and under, the bay — xij. s. vj. d.
Bayes { Manchester or Barnestable fine and all other single bayes, not exceeding 34 pound weight, the piece — j. l.
Bayes { Double bayes the piece, in weight from 34 pound weight to 60 pound weight (a) — ij. l.

(a) 11 & 12 W. 3. c. 20.

Bays

Bayes
- Minikin bays, containing in weight from 60 pound weight to 90 pound weight, to pay as three ſingle bayes — iij. l.
- And if they do contain above 90 pound in weight, and not above 112 to pay all duties as for four ſingle bayes, and no more — iiij. l.

## C.

- Calve ſkins, the dozen, of thirty-ſix pound weight, undreſt and dreſt — ij. l. x. s.
- By ſtrangers — v. l.
- No one ſkin in any dozen, dreſt or undreſt, to exceed four pound in weight.
- Cambodium, the pound — j. s. vj. d.
- Candles
  - the dozen pound *(a)* — v. s.
  - the barrel, containing ten dozen pound — ij. l. x. s.
- Canvas Engliſh tufted, the piece, containing thirty yards, vide Linnen —
- Canvas Shropſhire making, the hundred ells, containing five ſcore, vide Linnen —
- Caps
  - vocat. Monmouth caps, plain, the dozen vj. s.
  - vocat. Monmouth caps, trim'd, the dozen xij. s.
  - buttoned, Engliſh making, the dozen — viij. s. iv. d.
  - of Wooll, black, the dozen *(b)* — x. s.
- Cards
  - vocat.
    - Stock cards, the dozen — j. l. iv. s.
    - Tow cards new, the dozen — v. s.
  - Wool cards
    - vocat. new, the dozen — x. s.
    - vocat. old, the dozen — vj. s.
- Playing cards, the hundred weight, at 112 pound — v. s.
- Card-boards, the ſmall groce, cont. 12 dozen j. l.
- Carpets Northern, the piece — xj. s. viij. d.
- Catlings, or Engliſh Hat-makers ſtrings, the groce, containing twelve dozen — xvj. s.
- Cheeſe, the hundred weight, cont. 112 pound *(c)* j. l.
- Cloaks old, the piece (vide Garments)
- Cloak-bags, the dozen — xv. s.
- Coaches and chariots of all ſorts, the piece — v. l.
- Coals vocat.
  - Sea Coals, the Chalder, Newcaſtle-meaſure, exported by Engliſh in Engliſh built Bottoms — viij. l.
  - Sea Coals, the Chalder, London meaſure, exported by Engliſh in Engliſh-built Bottoms — v. l.
  - Sea Coals of Wales or the Weſt countrey which ſhall be tranſported into Ireland, the Iſle of Man or Scotland, to pay 12 pence the Chalder, water meaſure.
  - The Officers of the Ports to take good ſecurity for the landing of the ſaid Coals reſpectively.
  - The Merchant Stranger to pay double Cuſtome if he carry out Coals in a forraign Bottome, but if in any Engliſh Bottoms, then fourteen ſhillings the Chalder.
  - That if any Engliſh tranſport Coals in ſtrange-built Bottoms, to pay Strangers Cuſtome.
- Combes of wood, bone or horne, or any other ſort, (vide Haberdaſhery) —
- Cobweb Lawnes, the yard — viij. d.
- Comfits, the pound, vide Confectionary
- Coney haire or Wool, black or white, the pound vj. s.
- Coper manufactures of all ſorts, the hundred weight, containing 112 pound — xvj. s. viij. d.
- Cordage, tarred or untarred, the hundred weight, containing 112 pound — x. s
- Coverlets
  - of Wooll and haire, the piece — j. s. viij. d.
  - of Caddas, the piece — j. s. iij. d.
- Curricombes, vide Iron-ware.
- Cuſhions of Yorkſhire, the dozen — j. l.
- Cottons Northern, Mancheſter, Taunton and Welſh Cottons, the hundred Goads *(b)* — ij. l.
- Cottons called Welch plains, the hundred Goads ij. l. x. s.
- Corne
  - Barley, the quarter, containing eight buſhel x. s.
  - Beans, the quarter — x. s.
  - Buck wheat, the quarter — x. s.
  - Mault, the quarter — x. s.
  - Oates, the quarter — vj. s. viij. d.
  - Peaſe, the quarter — x. s.
  - Wheat, the quarter — j. l.
  - Rye, the quarter — x. s.

## D.

- Darnix *(b)*
  - of Engliſh-making, the yard — ix. d.
  - voc. Coverlets Engliſh, the piece iij. s. iv. d.
- Dice, vide Haberdaſhers ware
- Dimitie, the yard — iv. d.
- Dublets of Leather, the piece, vide Garments.
- Duſt of Cloves, of Ginger, of Lignum vitæ, of Mace, of Nutmegs, of Pepper of all Spices, and the like, are to be exported Cuſtom-free, having paid at the importation.

## E.

- Emery Stones, the hundred weight, containing 112 pound — iij. s. iv. d.
- Earthen Ware.
  - Bricks and Tyles of all ſorts, the thouſand — iij. s. iv. d.
  - All other ſorts of Earthen and Stone Ware made in England (not rated) the hundred parcels — iij. s. iv. d.

## F.

- Fennell-ſeed, the hundred weight, cont. 112 pound j. l. x. s.
- Figurettoes
  - with Silk or Copper, vide Silks
  - narrow, the piece — xvj. s.
  - broad, the piece — j. l. x. s.
- Filozelloes broad of ſilk, the yard, vide ſilks
- Fire-locks the piece, vide Iron wrought
- Fitches, the timber, containing forty ſkins — j. l. xiij. s. iv. d.
- Flannell, the yard — iv. d. ob.
- Flaſks of Horn, vide Haberdaſhers ware
- Flox, the hundred weight, containing 112 pound j. l.
- Freezes, the yard — vj. d.
- Fuſtians of Engliſh making of all ſorts, to go out Free.

## G.

- Garments or wearing apparell of all ſorts, to go out free.
- Gartering of cruell, the groce, containing twelve dozen — viij. s. iv. d.
- Garters of worſted, the groce, cont. 12 dozen ij. s. vj. d.
- Geldings or Nags, the piece. See Horſes.
- For Engliſh Plantations, vide Horſes.
- Girdles
  - of Leather for men, the groce, containing twelve dozen — xvj. s. viij. d.
  - for children the groce, cont. 12 dozen — x. s.
  - of Norwich, the dozen — vj. s. viij. d.
- Glaſſe for windows, the cheſt — x. s.
- Glaſſes to drink in, bottles, and all other ſorts of glaſſes, the hundred — iij. s. iv. d.
- Glew Engliſh, the hund. weight. cont. 112 pound xvj. s. viij. d.
- Gloves
  - plain, of Sheep, Kid or Lambs Leather, the dozen pair — iv. s.
  - fringed, and ſtitched with ſilk, the dozen pair — vj. s. viij. d.
  - furr'd, with Coney wool, the dozen pair — vj. s. viij. d.
  - of Buck leather, the dozen — j. l.
- Glaſſe broken, the barrel — iij. s. iv. d.
- Glovers clippings, the fat or maund — ij. l.
- Gooſ-quills, the thouſand — ij. s.
- Grindleſtones, the Chalder — xiij. s. iiij. d.
- Gunpowder, the hundred weight, cont. 112 pound ij. l.
- Guts vocat. Oxe-guts, the barrell — j. l.

## H.

- Haberdaſhers wares. Packthred, Incle, Tape, Filliting, Buttons of all ſorts, Hooks and Eyes, and other Haberdaſhery Engliſh-making, not particularly rated, by the hundred weight, containing 112 pound — j. l.
- Hair voc.
  - Harts hair, the hundred weight, containing 112 pound — j. l. xij. s.
  - Horſe hair, the hundred weight, containing 112 pound — vj. l.
  - Oxe or Cow hair, the hundred weight, containing 112 pound — ij. l.
- Hair Cloth, the piece — xiij. s. iiij. d.
- Hake fiſh, the hundred, containing ſix ſcore — iij. s. iv. d.
- Harneſs vocat. Coach harneſs the pair, with bridles — j. l.
- Harts horn, the hundred weight, containing 112 pound — j. l. xij. s.
- Hatbands of cruell, the groce, cont. 12 dozen — v. s.
- Hatches, the dozen, vide Iron-ware.
- Hats.
  - Beavers and Demicaſtors, of Engliſh making, the dozen — ij. l.
  - Felts and all other hats, the dozen — x. s.
- Hawkes hoods, the dozen — ij. s. vj. d.
- Hempſeed, the quarter, cont. eight buſhels — ij. l.

*(a)* 3 & 4 W. & M. c. 8. *(b)* 11 & 12 W. 3. c. 20. *(c)* 3 & 4 W. & M. c. 8.

Herrings voc. winter herrings
- white, full
  - packed, the barrel — xiij. s. iv. d.
  - packed, the laſt, containing twelve barrels — viij. l.
  - unpack'd or Sea ſticks, the laſt, cont. 18 barrels — viij. l.
- white, ſhotten
  - packed, the barrel — vj. s. viij. d.
  - packed, the laſt, containing twelve barrels — iv. l.
  - unpacked or Sea-ſticks, the laſt, cont. 18 barrels — iv. l.
- red, full
  - the cade, cont. five hundred — vj. s.
  - the laſt, containing twenty cades, or ten thouſand — vj. l.

Herrings vocat.
- Winter Herrings red,
  - the cade, containing five hundred — iij. s.
  - Shotten, the laſt, containing 20 Cades, or ten thouſand — iij. l.
- Summer Herrings
  - white, ſhotten
    - packed, the barrell — vj. s. viij. d.
    - packed the laſt, containing 12 barrels — iv. l.
    - unpacked, or ſeaſtick, the laſt, cont. 18 barrels — iv. l.
  - Red
    - the Cade, containing five hundred — iij. s.
    - the laſt, containing 20 Cades or ten thouſand — iij. l.

Holſters, the dozen pair — x. s.
Hops, the hundred weight, cont. 112 pound — j. l. x. s.

Hornes vocat.
- Blowing hornes ſmall, the dozen — iv. s.
- of Bucks, the hundred — iv. s.
- Inkhorns, the dozen, vide Haberdaſhery ware.
- Horns for Lanthorns, the thouſand leaves — j. l.
- Oxe hornes, the thouſand — ij. l. x. s.
- Powder hornes, the dozen — iiij. s.
- of Rams, the thouſand — j. l.
- of Sheep, the thouſand — iij. s. iv. d.
- Shooing hornes, the dozen — viij. d.
- of Stags hornes, the hundred — j. l. xij. s.
- Tips of hornes the thouſand — xv. s.

Horſe-litters and Sedands, the piece — ij. l. x. s.

Horſes vocat.
- Stone horſes, the piece — lxvj. l. xiij. s. iv. d.
- Geldings or Nags, the piece — xx. l.
- Geldings or Nags to the Engliſh Plantations — x. l.
- Mares, the Mare — cxxvj. l. xiij. s. iv. d.

Horſe tailes, with haire, the hundred weight, containing five ſcore — iv. l.
Horſe collars, the hundred, cont. five ſcore — ij. l.
Hoops for barrels, the thouſand — xiij. s. iv. d.

## I.

Jewels precious ſtones and Pearls, free
Iron wrought, viz. Axes, Adges, Hoes, Armour, Bitts, Knives, Locks, fowling pieces, Muſkets, Piſtols, Ciſſors, Stirrops, and all Carpenter and Gravers tools, Jackwork, Clockwork, and all Ironmongers wares perfectly manufactured, the hundred weight, cont. 112 pound — x. s.
Iron, the tonn — xvj. l.
Old Iron, the tun — xvj. l.
Iron Ordnance, the hundred weight, cont. 112 pound — ij. l.
Iriſh Mantles, the Mantle — iij. s. iv. d.

11 & 12 W. 3. ſ. 20.

## K.

Knives vocat.
- Shoemakers pairing-knives, the dozen
- Cutting-knives, the dozen
- Sheffield knives, the ſmall groce, containing twelve dozen
- London knives ordinary, the dozen

— vide Iron-ware.

## L.

Lace of gold and ſilver, the pound — j. l. xvj. s.
Lace of velvet, the pound, vide ſilk
Statute Lace, the groce, cont. 12 doz. vide ſilk
Litharge of Lead, the hundred weight, containing 112 pound — iiij. s.
Lamperns, the thouſand — j. l. vi. s. viij. d.
Leather manufactures of any ſort, not particularly rated, the pound — x. d.
Loom work, the yard — vj. d.
Lime, the chalder — xiij. s. iiij. d.
Lynnen, viz. all ſorts of cloth made of Hemp or Flax, fine or courſe, of Engliſh manufacture, the piece, not exceeding forty ells — x. s.
Linſeed, the quarter, containing eight buſhels — iij. l.
Linſey woolſey, vide Stuff



Linnen ſhreds, the maund or fat — ij. l.
Liſts of cloth, the thouſand yards — j. l. x. s.
Lead, caſt and uncaſt, the fodder, containing twenty hundred weight — xx. l.
Note, that every ſtranger is to pay for Lead double cuſtome.

## M.

Maps and Sea Cards of all ſorts, the hundred weight, at 112 pound — v. s.
Muſtard ſeed, the hundred weight, containing 112 pound — x. s.
Melaſſes or Rameales, the ton — x. l.

## N.

Nailes of all ſorts, the hundred weight, containing 112 pound — v. s.
Nuts ſmall, the barrel, containing three buſhels — vj. s. viij. d.

## O.

Oatemeale
- the buſhell — iij. s. iiij. d.
- the barrel, containing three buſhels — x. s.

Oyle vocat. Train oyle made in England, the ton — x. l.
Oyſters, the ſmall barrel, in pickle — j. s. iv. d.
Oker, yellow or red, the hundred weight, containing 112 pound — j. l.
Oxen, the Oxe — vj. l. xiij. s. iv. d.

## P.

Parchment, the roll — xiij. s. iv. d.
Paſt boards, the groce, containing 12 dozen — xij. s.
Pictures of Engliſh-making, the hund. weight, printed or painted — v. s.
Pilchers, the ton, by ſtrangers — xx. l.
Points of Leather, the ſmall groce, cont. 12 dozen — vj. d.
Purls of Broadcloth, the dozen (a) — ij. d.
Pork, the barrel (b) — iv. l.

## R.

Rape cakes, the thouſand — x. s.
Rape ſeed, the quarter, containing eight buſhels — iij. l.
Rugs vocat.
- Iriſh Rug, the yard — iv. d.
- Iriſh Rugs for Beds, the Rug — vj. s. viij. d.

Ruſſetting for painters, the hundred weight, containing 112 pound — v. s.
Raſhes vocat. ſilk Raſhes, broad or narrow, the yard, vide ſilk ware.
Ribbon, vide ſilk manufactures.

## S.

Saddles
- Great ſaddles, the piece — v. s.
- All other ſaddles of all ſorts, apiece — iij. s.

Saddle-trees, the dozen — iij. s. iv. d.
Sackcloth to make ſacks, the boult or piece vide Linnen
Saffron, the pound — j. l. x. s.
Salt-peter, the hundred weight, cont. 112 pound — iv. l.
Seamorſe teeth, the pound — iij. s. iv. d.
Scabbards for ſwords, the dozen — j. s. viij. d.
Shag
- with thred, the yard
- with thred, the piece

— vide Linnen.

Shovels
- ſhod, the dozen — iv. s.
- unſhod, the dozen — iij. s. iv. d.

Shreds and peeces of Broadcloth, the pound — vj. d.
Shooes
- old, the hundred dozen pair — iv. l.
- all new Shooes, Boots and Slippers, the pound weight — x. d.

Silk vocat. Engliſh throne ſilk, the pound, containing ſixteen ounces — iij. s. iv. d.
All other ſilk manufactures made of ſilk only, or of ſilk and worſted, or of ſilk and thred, or hair, the pound weight — j. s. viij. d.

Skins voc.
- Coney-ſkins
  - Tawed & dyed into colors, the hundred, containing an hundred and twenty — j. l.
  - Gray ſtag, the hundred, cont. ſix ſcore — x. s.
  - Gray ſeaſon'd the hund. cont. ſix ſcore — j. l.
  - Gray tawed the hund. cont. ſix ſcore — xiij. s. iiij. d.
  - Black with ſilver hairs or without, the hundred, cont. ſix ſcore — ij. l. xiij. s. iv. d.
- Kid-ſkins
  - In the hair, the hundred, cont. five ſcore — x. s.
  - Dreſt, the hund. cont. five ſcore — xiij. s. iv. d.
- Lamb-ſkins
  - voc. Morkins, untawed, the hundred, cont. ſix ſcore — xvj. s. viij. d.
  - voc. Morkins tawed with the wooll, the hund. cont. ſix ſcore — xvj. s. viij. d.

(a) 11 & 12 W. 3. c. 20. (b) 3 & 4 W. & M. c. 8.

Skins

Skins voc.
- Lamb-skins: white or black untawed, the hund. cont. fix ſcore — j. l. vi. s. viij. d.
- Lamb-skins: white or black tawed with the wooll the hund. cont. fix ſcore — j. l. x. s.
- Otter-ſkins: raw, the piece — j. s.
- Otter-ſkins: tawed, the piece — j. s. iv. d.
- Otter-ſkins: wombs, the mantle — x. s.
- Sheep and Lamb ſkins: tawed with the wooll, the hund. cont. fix ſcore — iij. l.
- Sheep and Lamb ſkins: dreſt without wooll, the hund. cont. fix ſcore *(a)* — ij. l. x. s.
- Sheep and Lamb ſkins: Pelts, the hundred, cont. five ſcore — iij. l. vj. s. viij. d.
- Rabbit-ſkins black, the hundred — xv. s.
- Hare-ſkins, the piece — iij. d.
- Cat-ſkins, the hundred — i. l. vj. s. viij. d.
- Fox-ſkins, the piece — viij. d.
- Swan-ſkins, the piece — ij. s. vj. d.
- Dog-ſkins, the dozen — ij. s. vj. d.
- Elke-ſkins, the piece, raw — j. l.
- Wolf-ſkins, tawed, the piece — vj. s.
- Badgers-ſkins, the piece — j. s.
- Squirrel-ſkins, the thouſand — ij. l. x. s.

Sleeves of Leather, the dozen pair, vide Garments

Soap
- hard, Engliſh-make, the hundred weight, cont. 112 pound — x. s.
- the barrel — j. l.

Spaniſh Sattins
- Engliſh-making, the ſingle piece, cont. fifteen yards — vide ſilk
- The double piece, cont. 30 yards — vide ſilk

Sprats the Cade, containing a thouſand — j. s. viij. d.

Starch, the hundred weight, cont. 112 pound — j. l.

Steel vocat. Gad-ſteele, the hundred weight, cont. 112 pound — j. l.

Stockings
- Iriſh, the dozen — v. s.
- Kerſie long, the pair — j. s. iij. d.
- Kerſie ſhort, the dozen pair — iij. s. ix. d.
- Leather, the dozen, vide Garments.
- Silk ſtockings, vide Silk manufactures.

Stockings
- Woollen for children, the dozen — j. s. viij. d.
- Worſted for children, the dozen — iij. s. iv. d.
- Woollen for men, the dozen — v. s.
- Worſted for men, the dozen — xij. s. vj. d.
- Lower ends of worſted ſtockings, the dozen — vj. s. viij. d.

Stones vocat.
- Hilling ſtones, the thouſand — iij. s. iv. d.
- Slate, the thouſand — xv. s.

Stuffs vocat.
- Perpetuanas and Serges in regard of their courſeneſs, the pound weight — j. s. iij. d.
- All other Stuffs made of wooll, or mixed with hair or thred, the pound weight — j. s. iv. d.

Sugar of all ſorts formerly brought into this Kingdom, and after refined and made into loaves and exported by way of Merchandize, the hundred, cont. 112 pound — x. s.

## T.

Tallow Engliſh, the hundred weight, containing 112 pound — ij. l.

Tapeſtry or Dornix Hangings, of what ſort ſoever made in England, whereof any part of Wool, the pound weight *(b)* — x. d.

Thred vocat.
- black, the pound — vide Haberdaſhery
- brown, the pound — vide Haberdaſhery
- blew vocat. Coventry blew the pound — vide Haberdaſhery

Thrums, the hundred, containing five ſcore pound — xiij. s. iv. d.

Tiking Engliſh, the piece, vide Linnens.

Tiffinie made of Thread, vide Linnen.

Tobacco pipes, the ſmall groce, containing twelve dozen — j. s.

Tuftaffaties
- Engliſh broad, the yard — vide Silk.
- Engliſh narrow, the yard — vide Silk.
- with thred, the yard — vide Silk.

Tynne
- unwrought, the hundred weight, containing 112 pound — vij. l. vj. s. viij. d.
- wrought vocat. Pewter the hund. weight, containing 112 pound *(c)* — v. l.

Note, that every Merchant ſtranger is to pay for Tynne double cuſtome.

## V.

Velures Engliſh, the ſingle piece, cont. 7 yards — x. s.

Velures the double piece, cont. fifteen yards — j. l.

Vinegar of wine, the tonne — ij. l. vj. s. viij. d.

Virginals, the paire — j. l.

## W.

Watches of all ſorts, the piece — x. s.

Wadmoll, the yard — iv. d. ob.

Waſtcoats
- of Wad-moll, the dozen — vide Garments.
- of Cotton, the dozen — vide Garments.
- of Kerſies of Flannell, the piece — vide Garments.
- of Worſted knit, the piece — vide Garments.
- of Woollen knit, the piece — vide Garments.

Wax
- Engliſh, the hundred weight, containing 112 pound — vi. l.
- Engliſh hard wax, the pound — ij. s.

Weld, the hundred weight, containing 112 pound — j. l. v. s.

Whale-bone, cut or wrought, vide Haberdaſhery.

Whale-fins, the groce, containing twelve dozen — ij. s.

Woad Engliſh, the ton — xv. l.

Woadnets, the hundred, containing five ſcore — x. s.

Wood
- Red wood, the hundred weight, containing 112 pound — j. l. x. s.
- Gambray wood, the hundred weight, containing 112 pound — iv. s. vj. d.
- Box wood, the ton — iv. l.

Worſteds
- narrow Engliſh, the piece — xv. s.
- broad Engliſh, the piece — j. l.

Wine-lees, the but — j. l.

Wool Spaniſh, free.

## Y

Yarn vocat. Grograine Yarne, the pound — iv. s.

### *Tonnage.*

For every tonn of Beer to be exported in ſhipping Engliſh-built, in money — ij. s.

For every tonn of Beer exported in any other ſhipping, in money — vj. s.

## Goods Inwards not rated, to pay 5 l. *per Cent.*

AND if there ſhall happen to be brought in or carried out of this Realm, any goods liable to the payment of Cuſtome and Subſidie, which either are omitted in this book, or are not now uſed to be brought in or carried out, or by reaſon of the great diverſity of the value of ſome goods could not be rated; That in ſuch caſe, every Cuſtomer or Collector for the time being, ſhall levie the ſaid Cuſtome and Subſidie of poundage, according to the value and price of ſuch goods, to be affirmed upon the oath of the Merchant in the preſence of the Cuſtomer, Collector, Comptroller and Surveyor, or any two of them.

## Directions for the payment of the Subſidie upon Woollen Clothes or old Drapery.

EVERY Engliſhman ſhall pay for every ſhort cloth, containing in length not above twenty eight yards, and in weight not above ſixty four pound, white or coloured, by him to be ſhipped and carried out of this Kingdome, &c. — L. S. D. 00 03 04 — 11 & 12 W. 3. c. 20. 6 Ann. c. 8.

Being after the rate of two farthings and half a farthing the pound weight.

And ſo after that rate for all other ſorts of cloaths of greater length and weight, allowing not above twenty eight yards, and ſixty four pound to a ſhort cloth, that is to ſay, for every pound weight over and above 64 pound, two farthings and half a farthing, and for all other ſorts of leſſer clothes to be allowed to a ſhort cloth as hereafter is expreſſed.

Every ſtranger ſhall pay for every Short cloth, containing in length not above 28 yards, and in weight not above 64 pound, white or coloured, by him to be ſhipped or carried out of this Kingdom — 00 06 08

beſides the old — 00 01 02

And ſo after that rate for all other ſorts of cloth of greater length and weight, and for all ſorts of leſſer cloths to be allowed to a ſhort cloth, as hereafter is expreſſed.

What and how many ſorts of the leſſer Woollen clothes hereafter ſpecified, ſhall be allowed to a ſhort cloth;

Seaven
- Dorſet and Somerſet dozens rudge waſht
- Cardinals
- Pinwhites
- Straits
- Statutes
- Stockbridge
- Taveſtocks

Five
- Tauntons, Bridgewaters and Dunſters, the five not exceeding 64 pound in weight
- Devon dozens, cont. 12 or 13 yards, in weight 13 pound

Four
- Ordinary Penniſtones or Foreſt Whites cont. between 12 and 13 yards, and in weight 28 pound
- Sorting Penniſtones, cont. 13 or 14 yards, and in weight 35 pound unfrized

ſhall go and be accompted for a ſhort cloth, and ſhall pay after the Rate of the ſhort cloth.

(a) 20 Car. 2. c. 5. (b) 11 & 12 W. 3. c. 20. (c) 8 & 9 W. 3. c. 34.

| | | |
|---|---|---|
| Three | Narrow Yorkſhire Kerſies whites and reds, cont. not above 17 or 18 yards and in weight 22 pound —— | before rated; and for over weight two farthings and half the pound. |
| | Hampſhire ordinary Kerſies —— | |
| | Newbery whites and other Kerſies of like making, cont. 24 yards, and in weight 28 pound —— —— | |
| | Sorting Hampſhire Kerſies, cont. 28 yards and in weight 32 pound —— | |
| Two | Northern Dozens ſingle ſorting Pennyſtones, cont. between 14 and 15 yards, and in weight 53 pound trized — | |
| One | Northern dozen double —— | |

The new ſort of cloth called Spaniſh cloth, otherwiſe narrow liſt; Weſtern broad cloth not exceeding 25 yards in length and 43 pound in weight, to be accompted two thirds of the ſhort cloth before rated.

And for every pound weight exceeding forty three pounds, two farthings and half a farthing the pound weight.

Cloth Raſhes, alias cloth Serges, containing 30 yards, weighing forty pound, to be accounted two thirds of the ſhort cloth before rated.

And for every pound exceeding forty pound weight, two farthings and half a farthing the pound weight.

And for any other ſort of woollen Cloth of the old or new Drapery, and not mentioned in this book, to pay two farthings and half a farthing for the Subſidie of every pound weight thereof.

## Certaine Rules, Orders, Directions and Allowances, for the Advancement of Trade and encouragement of the Merchant, as alſo for the Regulating as well of the Merchants in making of due Entries and juſt payments of their Cuſtomes, as of the Officers in all the Ports of this Kingdome, in the faithfull diſcharge of their duty.

I. EVERY Merchant ſhall have free liberty to break Bulk in any Port allowed by the Law, and to pay cuſtome and ſubſidie for no more then he ſhall enter and land, Provided that the Maſter or Purſer of every ſuch Ship, ſhall firſt make Declaration upon oath, before any two principall Officers of the Port, of the true content of his Ships lading, and ſhall likewiſe after declare upon his oath, before the Cuſtomer, Collector, Comptroller or Surveyor, or two of them, at the next Port of this Kingdome where his Ship ſhall arrive, the quantity and quality of the goods landed at the other Port, where was Bulke firſt broken, and to whom they did belong.

II. All foraigne goods and Merchandizes (except Wines, Corrants and wrought ſilks) firſt imported ſhall be again exported by any Merchant *Engliſh* within twelve moneths, or ſtranger within nine moneths. And ſuch Merchant or Merchants as ſhall export any ſuch foraign Goods or Merchandize (except before excepted) ſhall have allowance and be repayed by the Officer which received the ſame, the one moietie of the ſubſidie which was paid at the firſt importation of ſuch forraigne Goods and Merchandizes, or any part thereof, ſo as due proofe be firſt made by certificate from the Officers of the due entry and payment of the cuſtome and ſubſidie of all foraign goods and merchandizes inwards, together with the oath of the Merchants importing and exporting the ſame, affirming the truth thereof, and the name of his Majeſties ſearcher or under Searcher in the Port of *London*, and of the Searcher of any other the out Ports, teſtifying the Shipping thereof to be exported. After all which duly performed in manner before expreſſed, the moietie of the Subſidie firſt paid inwards, ſhall without any delay or reward be repaid unto ſuch Merchant or Merchants, who doe export ſuch goods and Merchandizes, within one moneth after demand thereof. As alſo the whole additional duty of ſilk, linnen and Tobacco in manner as before is directed.

7 Geo. 1. c. 20. ſect. 10.

III. And if there be any agreement now in force, which was formerly made by the late Commiſſioners of the Cuſtomes and Subſidies, with the Merchants Strangers or their Factors, or ſhall hereafter be made by any Commiſſioners, or Farmers of the Cuſtomes and Subſidies, or any other power (except by conſent of Parliament) with any Merchant or Merchants Strangers, or their Factors, for any forraign goods and Merchandizes to be brought into the port of *London*, or any other Port or Haven of this Kingdom of *England*, or principality of *Wales*, and to be exported againe by way of compoſition; all other Merchants being his Majeſties ſubjects ſhall be admitted into the ſame compoſition, and not to be excluded from any other priviledge whatſoever, granted to the Stranger by any private agreement or compoſition, under the ſame conditions, and with the ſame reſtriction, as ſhall be made with the Merchant-ſtranger.

IV. Every Merchant as well *Engliſh* as Stranger, that ſhall ſhip and export any kind of Wines, which formerly have paid all the duties of Tonnage inwards, ſhall have repaied or allowed unto them all the duties of Tonnage paid inward, (except to the *Engliſhman* twenty ſhillings the Ton, and except to the ſtranger five and twenty ſhillings the Ton, upon due proofe of the due entry and payment of the tonnage inwards, and of the ſhipping thereof to be exported, to be made in manner as in the ſecond Article is mentioned and expreſſed.

V. If any Merchant Deniſon or Stranger ſhall export any *Spaniſh* or forraign wools, he ſhall have liberty ſo to do, with this further Condition, that ſuch *Spaniſh* or other foreign wools whatſoever be not exported in any other Ship or Veſſel whatſoever, with intent to be arrived beyond the Seas out of the Kingdom of *England* and dominion of *Wales*, than only in *Engliſh* ſhipping, upon pain of Confiſcation.

VI. Every Merchant, as well *Engliſh* as Stranger, which ſhall ſhip and export any Currants which formerly were duly entred and paid the Subſidie and Cuſtome inwards, ſhall have allowed or repaid unto them reſpectively, all the Cuſtome and Subſidie paid inwards for the ſame (except eighteen pence for every hundred weight to the *Engliſh*, and two and twenty pence and halfe peny for every hundred weight to the Stranger,) upon due proof of the due entry and payment of the cuſtome and Subſidie thereof Inwards, and of the ſhipping thereof to be exported, to be made in manner as in the ſecond Article is declared.

VII. If any Merchant having duly paid all duties inwards for forraign goods, and in regard of bad ſales, ſhall be inforced to keep the ſame or any part thereof in his hands, after the ſpace of a year ſhall be elapſed, in this caſe he or any other perſon is to be permitted to ſhip the ſame out for the parts beyond the Seas (if they think fit) without payment of any ſubſidy for the ſame outwards, upon due proof that the ſame was duly entred, and Subſidy paid inwards.

VIII. Every Merchant bringing in any ſort of Wines into this Kingdom by Way of Merchandize, and ſhall make due entries of the ſame in the Cuſtom-houſe, ſhall be allowed twelve per Cent. for Leakage.

IX. Every Hogſhead of Wine which ſhall be run out and not full ſeven inches or above left therein; and every But or Pipe not above nine inches, ſhall be accounted for outs; and the Merchant to pay no Subſidie for the ſame.

Rep. 6 Geo. 1. c. 12.

X. If any wines ſhall prove corrupt and unmerchantable, and fit for nothing but to diſtil into hot waters, or to make Vinegar, then every owner of ſuch wines ſhall be abated in the Subſidie, according to ſuch his damages in thoſe wines, by the diſcretion of the Collectors of the Cuſtomes, and one of the principal Officers.

Repealed, as to Tobacco, 9 Geo. 1. c. 21.

XI. If any Tobacco, or other goods or merchandize brought into this Kingdom, ſhall receive any damage by ſalt water or otherwiſe, ſo that the owner thereof ſhall be prejudiced in the ſale of ſuch goods, the principal Officers of the Cuſtom houſe, or any two of them, whereof the Collector for the time being to be one, ſhall have power to chuſe two indifferent Merchants, experienced in the values of ſuch goods, who upon viſiting the ſaid goods, ſhall certifie and declare upon their corporal oaths firſt adminiſtred by the ſaid Officers, what damage ſuch goods have received, and are leſſened in their true value; and according to ſuch damage in relation to the Rates ſet on them in this book, the ſaid officers are to make a proportionable abatement unto the Merchant or Owner, of the Subſidie due for the ſame.

XII. The Merchant ſtranger, who according to the Rates and Values in this book contained do pay double ſubſidie for Lead, Tynn, Woollen-cloth, ſhall alſo pay double cuſtome for Native manufactures of wool or part wool, and the ſaid ſtrangers are to pay for all other goods as well Inwards as Outwards, rated to pay the ſubſidie of poundage, three pence in the pound, or any other duty payable by *Cbarta Mercatoria*, beſides the Subſidie.

XIII.

XIII. That the Merchants trading into the Port of *London* have free liberty to lade and unlade their goods at any the lawful Keyes and places of ſhipping and landing of goods between the Tower of *London* and *London bridge*, and between Sun-riſing and Sun-ſetting from the tenth day of *September* to the tenth day of *March*, and between the hours of ſix of the clock in the morning and ſix of the clock in the evening from the tenth day of *March* to the tenth day of *September*, giving notice thereof to the reſpective Officers appointed to attend the lading and unlading of goods. And ſuch Officer as ſhall refuſe upon due calling to be preſent, he ſhall forfeit for every default five pounds, the one moiety unto the King, and the other moiety to the party agrieved, and ſuing for the ſame.

XIV. The Merchants of *York*, *Kingſton ſuper Hull*, and *Newcaſtle upon Tyne*, and the members thereof, ſhall be allowed free of Cuſtome and Subſidie, two of the Northen Cloths and Kerſies in ten to be ſhipped in thoſe Ports in the names of double wrappers, as formerly hath been there allowed them.

XV. The Merchants of *Exeter*, and other Weſtern parts ſhall be allowed free of Subſidie, one Perpetuanoe in ten for a wrapper, and three Devons dozens in twenty for wrappers, the ſame to be ſhipped out of the Ports of *Exeter*, *Plymouth*, *Dartmouth*, *Barnſtable*, *Lyme Regis*, or the members thereof.

XVI. All Merchants tranſporting any ſort of Woollen, whether new or old Drapery, as alſo Bayes and Cottons, ſhall be allowed one in ten for a wrapper, free of Cuſtome and Subſidie.

XVII. Every Merchant ſhall be allowed upon all other goods and merchandize appointed to pay to any the Subſidie of Poundage, according to the rule of this book, to be imported, five in the hundred of all the ſaid Subſidies of Poundage ſo appointed to be paid.

XVIII. The Officers who ſit above in the Cuſtom-houſe of the Port of *London*, ſhall attend the ſervice of their ſeveral places from nine to twelve of the clock in the forenoon; and one Officer, or one able Clerk, ſhall attend with the book in the afternoon, during ſuch time as the Officers are appointed to wait at the waters ſide, for the better deciding of all controverſies that may happen concerning Merchants warrants. All other the Officers of the out Ports ſhall attend every day in the Cuſtom-houſe of every reſpective Port for diſpatch of Merchants and Shippers, between the hours of nine of the clock and twelve in the morning, and two and four of the clock in the afternoon.

XIX. Every Merchant making an entry of goods, either inwards or outwards, ſhall be diſpatched in ſuch order as he cometh; and if any Officer or his Clerk ſhall either for favour or reward put any Merchant or his Servant, duly attending, by his turn, or other ways delay any Perſon ſo duly attending, and making his entries aforeſaid, to draw any other reward or gratuity from him than is limited in the Act for Tonnage and Poundage and this Book; if the Maſter Officer be found faulty herein, he ſhall, upon complaint to the chief Officers of the Cuſtom-houſe, be ſtrictly admoniſhed of his duty; but if the Clerk be found faulty therein, he ſhall, upon complaint to the ſaid chief Officers, be preſently diſcharged of his ſervice, and not permitted to ſit any more in the Cuſtom-houſe.

XX. The Lord Major Communalty and Citizens of the City of *London*, their Officers or Deputies, for and touching the Offices of Package, Scavage, Baleage or Portage of any Goods or Merchandize of Aliens, or their Sons born within this Kingdome, or Unfreemen, imported or exported into or out of the City of *London*, or the Liberties or Ports thereof, unto or from the Parts beyond the Seas, for or concerning the receiving or taking of any fees or rates heretofore uſually taken, for or in reſpect of the ſaid Offices, or any of them, might and may receive and take the ſame; any thing in the Act for Tonnage and Poundage, or this Book, or any former Act, to the contrary notwithſtanding.

XXI. All ancient duties, heretofore lawfully taken by any City, or Town Corporate, their Farmours, Deputies or Officers, under the name of Town Cuſtom or the like, for the maintenance of Bridges, Keys, Harbours, Wharfs, or the like, ſhall and may be received and enjoyed as formerly; any thing in the ſaid Act, or any other Act or Book to the contrary notwithſtanding.

XXII. The under Searcher or other Officers of *Graveſend*, having power to viſit and ſearch any Ship outward bound, ſhall not without juſt and reaſonable cauſe detain any ſuch ſhip under color of ſearching the goods therein laden, above three tydes after her arrival at *Graveſend*, under pain of loſs of their office, and rendring damage to the Merchant and Owner of the Ship; and the Searcher or other Officer of the Cuſtom-houſe in any of the outports having power to ſearch and viſit any ſhip outward bound, ſhall not without juſt and reaſonable cauſe detain any ſuch ſhip under Color of Searching the goods therein laden, above one tide after the ſaid Ship is fully laden and ready to ſet ſayle; under pain of loſs of the office of ſuch offender, and rendring damage to the Merchant and Owner of the Ship.

XXIII. Note, That all Timber in Balks, which ſhall be of eight inches ſquare or upwards, that ſhall be imported or brought from any part beyond the Seas into the Realm of *England*, Dominion of *Wales*, Port and Town of *Berwick*, or any of them, ſhall be rated according to the meaſure of Timber, the foot ſquare three pence for the Value thereof, and according to that Rule ſhall pay for Subſidy twelve pence in the pound according to poundage, and all under eight inches ſquare, and above five inches ſquare, ſhall pay for Subſidy according to the Rates mentioned in this Book of Rates for middle Balks, and all of five inches ſquare or under ſhall pay according to the Rate of ſmall Balks.

XXIV. For avoiding all oppreſſions by any of the Officers of the Cuſtoms in any Port of this Kingdom, in exacting unreaſonable fees from the Merchant by reaſon of any entries, or otherwiſe touching the ſhipping or unſhipping of any Goods, Wares or Merchandize: It is ordered that no Officer, Clerk or other, belonging to any Cuſtom-houſe whatſoever, ſhall exact, require or receive any other or greater fee of any Merchant or other whatſoever, than ſuch as are or ſhall be eſtabliſhed by the Commons in Parliament aſſembled: If any Officer or other ſhall offend contrary to this order, he ſhall forfeit his Office and Place, and be for ever after uncapable of any office in the Cuſtom-houſe.

XXV. All Fees appointed to be paid unto the Cuſtomer, Comptroller, Surveyor, or Surveyor General in the Port of *London* for any Cockquet or Certificate outwards, ſhall be paid altogether in one ſum, to that Officer from whom the Merchant is to have his Cockquet or Certificate above in the Cuſtom-houſe; and after the Merchant hath duly paid his Cuſtom and Subſidy, and other duties above in the Cuſtom-houſe, as is appointed by this book of Rates, he is to be Maſter of, and keep his own Cockquet or Certificate, until he ſhall ſhip out his goods ſo entred, when as he is to deliver the ſame to the head Searcher, or his Majeſties under ſearcher in the Port of *London* or other Ports, together with the mark and number of his goods.

XXVI. The Officers of the Cuſtom-houſe for the time being, ſhall allow and make good unto all Perſons, all ſuch monies as are or ſhall be due unto them for the half ſubſidie; and alſo the *Algier* duty of Foreign Goods formerly exported, now due and unpaid.

XXVII. The duties and ſums of money appointed to be paid by the Act of Subſidie of Tonnage and Poundage paſſed this Parliament, and by the Book of Rates therein mentioned, and no other, ſhall be paid to his Majeſties Officers, during the continuance of the ſaid Act, upon Goods imported or exported; any Law, Statute or Uſage to the contrary notwithſtanding. Nevertheleſs, it is declared, That prizage of Wines, the duty called Butlerage, and the duty of Twelve-pence of every Chalder of Sea Coale exported from *Newcaſtle upon Tyne* to any other Port or Ports of this Realm, ſhall be continued. *Farther Proviſions concerning Cuſtoms*, 13 & 14 *Car.* 2. *c.* 11. 25 *Car.* 2. *c.* 6. 2 *W.* & *M.* *ſtat.* 2. *c.* 4. & 10. 4 & 5 *W.* & *M.* *c.* 5. & 15. 6 *W.* & *M.* *c.* 1. 6 & 7 *W.* 3. *c.* 7. 7 & 8 *W.* 3. *c.* 10. & 20. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 23. 1 *Ann.* *ſtat.* 1. *c.* 26. 2 *Ann.* *c.* 9. 3 & 4 *Ann.* *c.* 5. 4 *Ann.* *c.* 6. 8 *Ann.* *c.* 7. & 13. 12 *Ann.* *ſtat.* 2. *c.* 8. 3 *Geo.* 1. *c.* 7. 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 7 *Geo.* 1. *ſtat.* 1. *c.* 21. 8 *Geo.* 1. *c.* 15, 18, & 31. 9 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 7 & 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *ſtat.* 2. *c.* 17. 15 *Geo.* 2. *c.* 31. 18 *Geo.* 2. *c.* 28. 19 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 28. 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. *c.* 18 & 19, *and* 32 *Geo.* 2. *c.* 10.

*Memorandum*, Ginger of the *Engliſh* Plantations, the hundred weight, containing 112 pound, to be rated at one pound.

CAP.

## CAP. V.

EXP. An Act for continuing the Exciſe until the twentieth of *Auguſt* one thouſand ſix hundred and ſixty. Confirmed by 13 Car. 2. Stat. 1. c. 7.

## CAP. VI.

An Act for the preſent nominating of Commiſſioners of Sewers. EXP. and the ſaid Statute of *Henry* the Eighth to continue in Force.

## CAP. VII.

Marquefs of Ormond. An Act for reſtoring unto *James* Marqueſs of *Ormond* all his Honours, Manors, Lands and Tenements in *Ireland*, whereof he was in Poſſeſſion on the twenty-third Day of *October* one thouſand ſix hundred forty-one, or at any Time ſince. PR.

## CAP. VIII.

EXP. For continuing the Exciſe till the twenty-fifth Day of *December* one thouſand ſix hundred ſixty. Confirmed by 13 Car. 2. Stat. 1. c. 7.

## CAP. IX.

EXP. For the ſpeedy Proviſion of Money for Diſbanding and Paying off the Forces of this Kingdom both by Land and Sea. Confirmed by 13 Car. 2. Stat. 1. c. 7.

## CAP. X.

EXP. Explanations of certain Defaults in an Act, intituled, *An Act for the ſpeedy Proviſion of Money for Diſbanding and Paying off the Forces of this Kingdom both by Land and Sea.* Confirmed by 13 Car. 2. c. 7.

## CAP. XI.

### An Act of Free and General Pardon, Indemnity and Oblivion.

The Cauſes and Ends of this Pardon and Indemnity.

The General Pardon.

THE King's moſt excellent Majeſty taking into his gracious and ſerious Conſideration the long and great Troubles, Diſcords and Wars that have for many Years paſt been in this Kingdom, and that divers of his Subjects are by Occaſion thereof, and otherwiſe fallen into and be obnoxious to great Pains and Penalties;' (2) Out of a hearty and pious Deſire to put an End to all Suits and Controverſies that by Occaſion of the late Diſtractions have ariſen or may ariſe between all his Subjects; (3) and to the Intent that no Crime whatſoever committed againſt his Majeſty or his Royal Father, ſhall hereafter riſe in Judgment, or be brought in Queſtion, againſt any of them to the leaſt Endamagement of them, Either in their Lives, Liberties, Eſtates, or to the Prejudice of their Reputations, by any Reproach or Term of Diſtinction; (4) and to bury all Seeds of future Diſcords and Remembrance of the former, as well in his own Breaſt as in the Breaſts of his Subjects one towards another: (5) And in Performance of his Royal and Gracious Word ſignified by his Letters to the ſeveral Houſes of Parliament now aſſembled, and his Declarations in that Behalf publiſhed, is pleaſed that it may be enacted; (6) and be it enacted by the King's moſt excellent Majeſty, with the Advice and Conſent of the Lords and Commons, in this preſent Parliament aſſembled, Firſt, That all and all Manner of Treaſons, Miſpriſions of Treaſons, Murthers, Felonies, Offences, Crimes, Contempts and Miſdemeanors, counſelled, commanded, acted or done ſince the firſt Day of *January* in the Year of our Lord one thouſand ſix hundred thirty-ſeven, by any Perſon or Perſons before the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſix hundred and ſixty, other than the Perſons hereafter by Name excepted, in ſuch Manner as they are hereafter excepted, by Virtue or Colour of any Command, Power, Authority, Commiſſion, Warrant or Inſtructions from his late Majeſty King *Charles*, or his Majeſty that now is, or from any other Perſon or Perſons deriving or pretending to derive Authority, mediately or immediately, from both or either of their Majeſties, or by Virtue or Colour of any Authority derived mediately or immediately of or from both Houſes or either Houſe of Parliament, or of or from any Convention or Aſſembly, called or reputed, or taking on them the Name of a Parliament, or by, from or under any Authority ſtiled or known by the Name of the Keepers of Liberty of *England* by Authority of Parliament, or by Virtue or Colour of any Writ, Commiſſion, Letters Patents, Inſtruction or Inſtructions of or from any Perſon or Perſons, tituled, reputed or taken to be Lord Protector of the Commonwealth of *England*, *Scotland* and *Ireland*, and the Dominions thereunto belonging, or Lord Protector of the Commonwealth of *England*, *Scotland* and *Ireland*, and the Dominions and Territories thereto belonging, or aſſuming the Authority, or reputed to be Chief Magiſtrate of the Commonwealth or Commander in Chief of the Forces or Armies of this Nation, by Sea or Land, or by any Pretence, Warrant or Command whatſoever, from them or any of them, or their or either of their reſpective Council or Councils, or any Member of ſuch Council or Councils, or from any Perſon or Perſons whatſoever deriving or pretending to derive Authority from them or any of them, be pardoned, releaſed, indemnified, diſcharged and put in utter Oblivion.

II. And

II. And that all and every the Perſon and Perſons acting, adviſing, aſſiſting, abetting and counſelling the ſame, they, their Heirs, Executors and Adminiſtrators, (except as before is excepted) be and are hereby pardoned, releaſed, acquitted, indemnified and diſcharged from the ſame; (2) And of and from all Pains of Death, and other Pains, Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Eſcheats and Forfeitures, therefore had or given, or that might accrue for the ſame: (3) And that all ſuch Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Eſcheats and Forfeitures, and every of them, and all Grants thereupon made, and all Eſtates derived under the ſame, be and are hereby declared and enacted to be from henceforth null and void: (4) And that all mean Profits not yet received by ſuch Grantees, ſhall be and are hereby diſcharged: (5) And that all and every Perſon and Perſons, Bodies Politick and Corporate, their and every of their Heirs, Executors, Adminiſtrators and Succeſſors, ſhall be and are hereby reſtored to all and every their Lands, Tenements and Hereditaments, Goods, Chattels and other Things forfeited, which to his Majeſty do or ſhall appertain by Reaſon of any Offence herein beforementioned, and not hereafter in this preſent Act excepted and foreprized.

III. And be it further enacted, That all Appeals, and all perſonal Actions, Suits, Moleſtations and Proſecutions whatſoever, for or by Reaſon of any Act of Hoſtility, Treſpaſs, Aſſault, Impriſonment or Breach of the Peace, adviſed, counſelled, commanded, appointed, happened, acted or done by Reaſon of the late Troubles, or the late Wars, in his Majeſty's Dominions, or relating thereunto, and all Judgments and Executions thereupon had before the firſt Day of *May* in the Year of our Lord one thouſand ſix hundred fifty and eight, ſtand and be from henceforth diſcharged; (2) but not to reſtore to any Perſon or Perſons any Sums of Money, mean Profits or Goods, already received or taken upon ſuch Execution, or to give any Account for the ſame.

IV. And be it likewiſe enacted, That all Appeals, and all Perſonal Actions and Cauſes of ſuch Actions, Suits, Moleſtations and Proſecutions whatſoever, for or by Reaſon of any Act or Thing adviſed, counſelled, commanded, acted or done, by Virtue or Colour of any Authority or Commiſſion granted by his late Majeſty, or his Majeſty that now is, or by Virtue or Colour of any Order or Ordinance of one or both Houſes of Parliament ſitting at *Weſtminſter*; or by any Act or Order made by any Perſons aſſuming the Name of a Parliament, and ſitting as a Parliament at *Weſtminſter*, after the Death of the late King *Charles* the Firſt; or by the Authority of the ſaid Keepers of the Liberties of *England*; or by any Ordinance of either of the late Protectors and Council; or by or upon any Commiſſion, Writ, Proceſs or Warrant, by them or any of them, or by Authority derived from them or any of them: (2) And all Demands of Arrearages of Rents, and mean Profits of Lands, Tenements or Hereditaments heretofore incurred or grown due, which have been paid, received or diſpoſed by Virtue or Colour of any the Authorities or pretended Authorities aforeſaid, other than ſuch Arrearages or mean Profits as are or ſhall be otherwiſe diſpoſed by any Act or Acts of this preſent Seſſion of Parliament, be from henceforth diſcharged.

All Appeals, Perſonal Actions and Suits, pardoned.

V. And it is further by the Authority aforeſaid enacted in the ſecond Place, That all and every the Subjects of theſe his Majeſty's Realms of *England* and *Ireland*, the Dominion of *Wales*, the Iſles of *Jerſey* and *Guernſey*, and the Town of *Berwick* upon *Tweed*, and other his Majeſty's Dominions, the Heirs, Executors and Adminiſtrators of them, and every of them, and all and ſingular Bodies in any Manner of wiſe corporated, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets and Tithings, and every of them, and the Succeſſor and Succeſſors of every of them, ſhall be and are by the Authority of this preſent Parliament acquitted, pardoned, releaſed, indemnified and diſcharged againſt the King's Majeſty, his Heirs and Succeſſors, and every of them, of and from all Manner of Treaſons, Miſpriſions of Treaſon, Felonies, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits, Miſdemeanors, Forfeitures, Penalties and Sums of Money, Intruſions, mean Profits, Wardſhips, Marriages, Reliefs, Liveries, *Ouſter le mains*, mean Rates, Reſpites of Homage, Fines and Seizures for Alienation without Licence, Arrearages of Rents (other than the Arrearages of Rents due from the late Farmers, or pretended Farmers, of the Exciſe or Cuſtoms reſpectively, and other than ſuch Arrearages of Rents or mean Profits, as are or ſhall be otherwiſe diſpoſed by any Act or Acts of this preſent Parliament) and of and from all Arrearages of Tenths and Firſt-fruits, Fines, Poſt-fines, Iſſues and Amerciaments, and all Recognizances, Bonds or other Securities given for Payment of them, or any of them, Concealment of Cuſtoms and Exciſe, Arrearages of Purveyance, and of Compoſitions for the ſame; (2) and of and from all Pains of Death, Pains Corporal and pecuniary, and generally of and from all other Things, Cauſes, Quarrels, Suits, Judgments and Executions in this preſent Act hereafter not excepted nor foreprized which may be or can be by his Majeſty in any wiſe or by any Means pardoned, before and unto the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſix hundred and ſixty, to every or any of his ſaid Subjects, Bodies Corporate, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages and Tithings, or any of them.

VI. And be it further enacted by the Authority aforeſaid, That all Grants and Patents ſince the twenty-fifth of *March* one thouſand ſix hundred forty-one, touching the Wardſhip and Cuſtody of the Body and Lands, or touching the Marriage of any Heir within Age, and all mean Profits yet unreceived and demandable by Reaſon thereof, ſhall be and are hereby from henceforth diſcharged.

Wardſhips and mean Profits unreceived.

VII. And alſo the King's Majeſty is contented, That it be further enacted by Authority of this preſent Parliament, and be it enacted by the Authority aforeſaid, That this his ſaid free Pardon, Indemnity and Oblivion, ſhall be as good and effectual in the Law to every of his ſaid Subjects, Bodies Corporate, and others before rehearſed, in, for and againſt all Things which be not hereafter in this preſent Act excepted and foreprized, as the ſame Pardon, Indemnity and Oblivion ſhould have been, if all Offences, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other Things

All Things not excepted ſhall be pardoned by the general Words of this Act, as well as if particularly named.

Things not hereafter in this preſent Act excepted and foreprized, had been particularly, ſingularly, eſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs Words and Names, in their Kinds, Natures and Qualities, by Words and Terms thereunto requiſite to have been put in and expreſſed in this preſent Act of Free Pardon, Indemity and Oblivion: (2) And that his ſaid Subjects, nor any of them, nor the Heirs, Executors or Adminiſtrators of any of them, nor the ſaid Bodies Corporate, and others before-named and rehearſed, nor any of them, be nor ſhall be ſued, vexed or inquieted, by or on the Behalf of the King's Majeſty, his Heirs or Succeſſors, in their Bodies, Goods, Chattels, Lands, or Tenements, for any Manner of Matter, Cauſe, Contempt, Misdemeanor, Forfeiture, Treſpaſs, Offence, or any other Thing ſuffered, done or committed, before the ſaid twenty-fourth Day of *June* one thouſand ſix hundred and ſixty, againſt his late Majeſty King *Charles*, or his Majeſty that now is, his Crown, Dignity, Prerogative, Laws or Statutes, but only for ſuch Matters, Cauſes and Offences, as be excepted and foreprized by this preſent Act out of the ſame; any Statute or Statutes, Laws, Cuſtoms or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding: (3) And that all and every the King's ſaid Subjects, and all and ſingular Bodies Corporate, and others before-rehearſed, may by him or themſelves, or by his or their Deputy or Deputies, or by his or their Attorney or Attornies, according to the Laws of this Realm, plead and miniſter this preſent Act of Free Pardon for his or their Diſcharge, of or for any Thing that is by Virtue of this preſent Act pardoned, diſcharged, given or granted, without any Fee or other Thing paying to any Perſon or Perſons for Writing or Entry of the Judgments or other Cauſe concerning ſuch Plea, Writing or Entry, but only ſixteen-pence to be paid to the Officer or Clerk that ſhall enter ſuch Plea, Matter or Judgment for the Party's Diſcharge in that Behalf; any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding.

This Pardon, &c. to be expounded in all Courts moſt beneficial for the Subject.

VIII. And furthermore, the King's Majeſty is contented and pleaſed, that it be enacted, and be it enacted by the Authority aforeſaid, That this his ſaid Free Pardon, Indemnity and Oblivion, by the general Words, Clauſes and Sentences before-rehearſed, ſhall be reputed, deemed, adjudged expounded allowed and taken, in all Manner of Courts of his Highneſs and elſewhere, moſt beneficial and available to all and ſingular the ſaid Subjects, Bodies Corporate and others before-rehearſed, and to every or them, in all Things not in this preſent Act excepted or foreprized, without any Ambignity, Queſtion or other Delay whatſoever it ſhall be, to be made, pleaded, objected or alledged by the King our Sovereign Lord, his Heirs or Succeſſors, or by his or any of their General Attorney or Attornies, or by any Perſon or Perſons for his Highneſs, or any of his Heirs or Succeſſors.

The Penalty of any officer, &c. that ſhall go about to diſquiet or trouble any Perſon pardoned by this Act.

IX. And furthermore, be it enacted by the King our Sovereign Lord and the Authority aforeſaid, That if any Officer or Clerk of any of his Highneſs Courts, commonly called the Chancery, King's Bench and Common Pleas, or of his Exchequer, or any other Officer or Clerk of any other of his Highneſs Courts within this Realm, at any Time after the Paſſing of this preſent Act, make out or write out any Manner of Writs, Proceſs, Summons or other Precepts, whereby any of the ſaid Subjects, or of the ſaid Bodies Corporate, or others before-rehearſed or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned or otherwiſe vexed, inquieted or grieved, in his or their Bodies, Lands, Tenements, Goods or Chattels, or in any of them, for or becauſe of any Manner of Thing pardoned or diſcharged by Virtue of this Act of Free Pardon: (2) Or if any Sheriff or Eſcheator, or any of their Deputy or Deputies, or any Bailiff or other Officer whatſoever, by Colour of his or their Office or otherwiſe, after the Paſſing of this preſent Act, do levy, receive, take or withhold of or from any Perſon or Perſons, any Thing pardoned or diſcharged by this Act: (3) That then every ſuch Perſon ſo offending, and thereof lawfully convicted or condemned by any ſufficient Teſtimony, Witneſs or Proof, ſhall yield and pay for Recompence thereof to the Party ſo grieved or offended thereby, his or their treble Damages, beſides all Coſts of the Suit; (4) and ſhall alſo forfeit and loſe to the King's Majeſty for every ſuch Default, ten Pounds: (5) And nevertheleſs, all and ſingular ſuch Writs, Proceſs and Precepts ſo to be made for or upon any Manner of Thing pardoned or diſcharged by this preſent Act of Free Pardon, Indemnity and Oblivion, ſhall be utterly void and of none Effect.

All Murders not comprized in the firſt Clauſe of this Pardon excepted.

Piracy excepted.

Buggery.

Rapes and wilful taking away any Maid excepted.

Double Marriages excepted.

Witchcraft excepted. 1 Jac. 1. c. 11.

Accounts of certain Treaſurers and Receivers. 13 Car. 2. Stat. 1. c. 3.

X. Except and always foreprized out of this Free and General Pardon, all Murders done or committed by any Perſon or Perſons, other than ſuch which are pardoned and diſcharged in the firſt Clauſe of Pardon above-mentioned; (2) and alſo excepted and always foreprized out of this General and Free Pardon, all and every Offences of Piracy and Robbery upon the Seas, not done in Relation to the Differences and Wars aforeſaid, and every Procuring or Abetting of any ſuch Offenders, and the Comforting and Receiving of them or any of them, or any Goods taken by Way of ſuch Piracy or Robbery upon the Seas as aforeſaid, (3) And alſo excepted the deteſtable and abominable Vice of Buggery committed with Mankind or Beaſt: (4) And alſo excepted all Rapes and carnal Raviſhments of Women: (5) And alſo excepted all Raviſhments and wilful taking away or marrying of any Maid, Widow or Damſel againſt her Will, or without the Aſſent or Agreement of her Parents or ſuch as then had her in Cuſtody; and alſo all Offences of Aiding, Comforting, Procuring and Abetting of any ſuch Raviſhment, wilful Taking or Marrying, had, committed or done: (6) And alſo excepted all Offences made Felony by a certain Act made and ordained, intituled, *An Act to reſtrain all Perſons from Marriages until their former Wives and former Huſbands be dead:* (7) And alſo except all Offences of Invocations, Conjurations, Witchcrafts, Sorceries, Inchantments and Charms; and all Offences of Procuring, Abetting or Comforting of the ſame; (8) and all Perſons now attainted or convicted of any of the ſaid excepted Offences: (9) And alſo excepted all and ſingular the Accounts of all and every Perſon and Perſons appointed by any of the Authorities or pretended Authorities aforeſaid, to be Treaſurer, Receiver, Farmer or Collector, (other than the Sub-collectors of the ſeveral Pariſhes, Towns and Hamlets reſpectively, for and concerning their Receipts before the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix

hundred fifty-nine) who have received or collected any Subſidy, Cuſtom, Subſidy of Tonnage and Poundage, Prize-Goods, Aſſeſſments, Sequeſtration, New Impoſt or Exciſe, or of any the Rents and Revenues of any Lands or Hereditaments, of or belonging unto the late King, Queen or Prince, or King that now is, or belonging unto the late Archbiſhopricks, Biſhopricks, Deans, or Deans and Chapters, Canons, Prehends, and other Officers belonging to any Cathedral or Collegiate Church, or Popiſh Recuſants convict, or of Perſons ſequeſtred for their Recuſancy, or other ſequeſtred Eſtates received or collected by or paid unto them ſince the thirtieth of *January* in the Year of our Lord one thouſand ſix hundred forty-two; and of all Monies and other Duties grown due or contracted upon the Sale or Diſpoſition of them or any of them.

Proviſo for the Heirs, &c. of Lands of Accountants excepted.

XI. Provided, That the Heirs, Executors, Adminiſtrators or Tertenants of the Lands of any Accountant within this Exception now deceaſed, ſhall not be charged with, nor liable unto any Account for the Matters in this Exception mentioned, except for ſuch Sum or Sums of Money as remain due upon any of their Accounts already ſtated and determined, and are not yet paid in: (2) And that no Accountant as aboveſaid, now living, ſhall be liable to make Account of any Sum or Sums of Money paid or diſburſed, or otherwiſe allowed or diſcharged, by Virtue or Colour of any Order or Ordinance of both or either Houſe or Houſes of Parliament, or any Convention or Aſſembly called or reputed, or taking on them the Name of a Parliament, or of *Oliver Cromwel*, pretended Protector, or of *Richard* his Son, while he continued or was ſtiled or obeyed as Protector, or by any Perſons acting as a Committee appointed by the ſaid two Houſes or either of them, or by any ſuch Convention or Aſſembly, or any Order or Direction of ſuch Committee or Committees, or any Perſon or Perſons acting as a publick Counſel, though having no legal Authority ſo to do, or by their or any their Order or Orders, or Direction.

Fees and Salaries, &c. not to be accounted for.

XII. It being further declared and enacted, and it is enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be charged for any Monies by him received for the Fees, Salaries and Wages then allowed, or for Monies by him diſburſed upon any publick Uſe or Pretence, though the Direction or Authority whereby the ſame Money was iſſued, was not or be not legal and warrantable in Law.

Military Payments not to be accounted for.

XIII. And be it further provided, That no Military or commiſſioned Officer of the Armies or Navies, or Soldier or Mariner, who before the twenty-fifth of *March* one thouſand ſix hundred fifty-nine hath received any Monies for his own Pay or the Pay of other Soldiers, or for any other Contingencies of the Soldiers or Garriſons under his Command, or by Way of Reward, ſhall be called to account therefore.

No Perſon to be called to an Account after the 24th of June 1662.

XIV. And that no Perſon whatſoever ſhall be called to an Account for any the Matters in this Exception mentioned, after the four and twentieth Day of *June* which ſhall be in the Year of our Lord God one thouſand ſix hundred ſixty and two now next enſuing; (2) and that in Caſe any Perſon who ſtands accountable for any Monies received ſince the firſt of *January* one thouſand ſix hundred forty-two, and before the thirtieth of *January* one thouſand ſix hundred forty-eight, have been robbed or plundered by Soldiers or others, of the Monies in their Hands, or of any Notes or Books of Receipts or Acquittances touching their Payments or Diſcharge, then the Oath or Oaths of ſuch Party or Parties of the ſame reſpectively, ſhall be a good Diſcharge for ſo much of their Account: (3) And that the Oath of every Accountant in or between the Years one thouſand ſix hundred forty-two and one thouſand ſix hundred forty-eight, of what they have paid to any publick Uſe, by or according to any publick or pretended Order or Authority whatſoever, ſhall be a good Diſcharge, as to ſo much of the Account of ſuch Perſon or Perſons: And except all Firſt-fruits and Tenths in the Hands of any Receiver not having diſburſed as in the laſt Exception is expreſſed.

Diſcharges and Quietuſes given in the Exchequer.

Accounts of the Revenues of Churches in Wales.

Bribery, Subornation, Forging Debentures, &c. Witneſſes.

XV. Provided, That all and every Judgment of Diſcharge, or *Quietus eſt*, had or given at any Time upon any Account in the Publick Exchequer, ſince the Year one thouſand ſix hundred forty-eight, be allowed and ſhall not be avoided; (2) except all Accounts of the Revenues of Churches and Vicarages in *Wales* and the County of *Monmouth*, and all Judgments of Diſcharge or *Quietus* thereupon obtained: And alſo excepted out of this Pardon all Offences of Bribery, Perjury and the Subornation of Perjury or Witneſſes, and Offences of Forging or Counterfeiting any Deeds, Debentures, Bills of publick Faith, Eſcripts, Wills or other Writings whatſoever, or of any Examinations or Teſtimonies of any Witneſs or Witneſſes, tending to bring any Perſon or Perſons in danger of his Life, Liberty or Eſtate, and the giving the ſame in Evidence, and the Counſelling or Procuring of any ſuch Counterfeiting or Forging to be had or made:

Imbezilling and purloining the King's Goods.

XVI. And alſo excepted all Offences in detaining, imbezilling or purloining any the Goods, Money, Chattels or Jewels of the late King, Queen or Prince, or any of the Children of the late King and Queen, other than Shipping, Stores and Ammunitions of War, and other than ſuch Goods and Chattels as have been ſold or diſpoſed of to any of the Servants or Creditors of his late Majeſty, in or toward Satisfaction of their Debts or Wages.

Iſſues, Fines and Amerciamen received by Sheriffs.

XVII. And alſo excepted out of this Pardon, all Iſſues, Fines and Amerciaments, Rents and other publick Duties, being levied, received or collected by any Sheriff, Under-ſheriff, Bailiff, Miniſter or other Officer, to or for the Uſe of the late King, the Parliament or the ſaid Keepers of the Liberty of *England*, or any other Perſon ſtiling himſelf *Protector*, or for his Majeſty that now is, and not accounted for and diſcharged.

Jeſuits, Seminaries and Romiſh Prieſts excepted. 27 Eliz. c. 2.

XVIII. And alſo excepted out of this Pardon, all and every Offence and Offences committed or done by any Jeſuit, Seminary or *Romiſh* Prieſt whatſoever, contrary to the Tenor or Effect of the Statute made in the ſeven and twentieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act againſt Jeſuits, Seminary Prieſts and other diſobedient Perſons* or of any Part thereof, and all Outlawries, Proceedings, Judgments and Executions for the ſame Offences, or any of them.

Writs of Capias Utlagarum may be directed against any Person.

XIX. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for all and every Clerk and other Officer of the Courts at *Westminster* to award and make Writs of *Capias Utlagatum*, at the Suit of the Party Plaintiff, against such Persons outlawed as be pardoned by this Act, to the Intent to compel the Defendant or Defendants to make answer to the Plaintiff or Plaintiffs at whose Suit he or they were outlawed; and that every Person so outlawed shall sue out a Writ of *Scire facias* against the Party or Parties at whose Suit he or they were so outlawed, before this Pardon in that Behalf shall be allowed to him or them so outlawed.

The Party outlawed may sue out a Scire facias against the Plaintiff.

Persons outlawed upon Capias ad satisfaciendum, &c.

XX. Provided, and be it enacted by the Authority aforesaid, That this Act of General Pardon shall not in any wise extend to pardon any Outlawries upon any Writ of *Capias ad satisfaciendum*, until such Time as the Party so outlawed shall satisfy or otherwise agree with the Party at whose Suit the same Person was so outlawed or condemned.

Informations and Proceedings concerning Highways, &c. excepted. 25 Car. 2. c. 5. §. 19.

XXI. And also excepted out of this Pardon all Informations and other Proceedings depending, concerning any common Highways or Bridges, and all Issues returned upon any Process concerning the same, since the thirtieth Day of *January* one thousand six hundred forty-eight, (2) except also all Recognizances, Obligations and other Securities given or entered into since the five and twentieth of *March* one thousand six hundred and forty, by any Receiver, Reeve, Bailiff, Collector or other Accountant in the Court of the publick Exchequer, and their Sureties, and their Accounts respectively.

Obligation and Recognizance not yet forfeited.

XXII. Provided always, and be it enacted, That this Act, or any Thing therein contained, shall not extend or be construed to pardon or discharge any Recognizance, Obligation or Bond, which is not yet forfeited.

All Acts of Hostility, Injuries, &c. between the King and his Parliament to be put in perpetual Oblivion.

XXIII. And be it further enacted by the Authority aforesaid, That all Acts of Hostility and Injuries, whether between the late King and the Lords and Commons then in Parliament assembled, or between any of the People of this Nation, which did arise upon any Action, Attempt, Assistance, Counsel or Advice, having Relation unto, or falling out by Reason of the late Troubles, or in the late Wars or publick Differences between the late King and Parliament, or between his now Majesty, or any of his Subjects, and which are not in this Act excepted; that the same and whatsoever hath ensued thereupon, whether trenching upon the Laws and Liberties of this Nation, or upon the Honour of his Majesty, or upon the Honour or Authority of the Parliament, or to the Prejudice of any particular or private Person, shall in no Time from and after the four and twentieth Day of *June* in the Year of our Lord one thousand six hundred and sixty, be called in Question, whatsoever be the Quality of the Person, or of whatsoever Kind or Degree, Civil or Criminal, the Injury is supposed to be; and that no Mention be made thereof in Time to come, in Judgment or Judicial Proceedings.

The Penalty upon any Person that shall within three Years use any Words of Reproach or Disgrace, tending to revive the Memory of the late Differences.

XXIV. And to the Intent and Purpose that all Names and Terms of Distinction may be likewise put into utter Oblivion, be it further enacted by the Authority aforesaid, That if any Person or Persons, within the Space of three Years next ensuing, shall presume maliciously to call or alledge of, or object against any other Person or Persons, any Name or Names, or other Words of Reproach, any Way tending to revive the Memory of the late Differences, or the Occasions thereof, that then every such Person so as aforesaid offending, shall forfeit and pay unto the Party grieved, in Case such Party offending shall be of the Degree of a Gentleman or above, ten Pounds; and if under that Degree, the Sum of forty Shillings; (2) to be recovered by the Party grieved, by Action of Debt to be therefore brought in any of his Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be allowed, or any more than one Imparlance, so as the same Action be commenced or prosecuted within six Months next after the Offence committed; (3) and if the Jury sworn to try any Issue or Issues that shall be joined in such Action, shall find for the Plaintiff, they shall likewise give to every such Plaintiff forty Shillings Damages over and above the Penalty aforesaid.

Persons plotting or designing the Irish Rebellion excepted. 16 Car. 1. c. 33.

XXV. Provided always, That this Act, or any Thing therein contained, shall not extend to give any Benefit unto any Person or Persons who have had any Hand in the plotting, contriving or designing the great and heinous Rebellion of *Ireland*, mentioned in one Act passed in the Parliament begun at *Westminster* the third Day of *November* in the sixteenth Year of King *Charles*, intituled, *An Act for the speedy and effectual Reducing of the Rebels in his Majesty's Kingdom of* Ireland *to their due Obedience to his Majesty and Crown of* England, or in aiding, assisting or abetting the same; (other than such as by another Act intended hereafter to be passed shall be therein named, mentioned or expressed to be pardoned); (2) nor to enure to restore to any Person or Persons, Bodies Politick or Corporate, (other than the Marques of *Ormond*, Lord Steward of his Majesty's Household, and other the Protestants of *Ireland*, and their Heirs, and such other Person and Persons, as in and by an Act intended hereafter to be passed shall be therein named, mentioned or expressed in that Behalf) any Estate, Liberties, Franchises or Hereditaments in *England* or *Ireland*, sold or disposed of by both or either Houses of Parliament, or any Convention assuming the Stile or Name of a Parliament, or any Person or Persons deriving Authority from them or any of them, or which was approved or confirmed by them or any of them; nor to the mean Profits, Rents or Contingencies of Advantage of the same.

Every Person pardoned may plead the General Issue.

XXVI. And it is further provided and enacted, That every Person or Persons hereby pardoned, may plead the General Issue without special Pleading of this Pardon, and give this Act of Pardon in Evidence for his Discharge, and that the same shall be thereupon allowed, and the Advantage thereof had as fully to all Intents and Purposes, as if the same had been fully and well pleaded, and in such Manner as any Justice of the Peace, Constable or other Officer, questioned for Matters acted by them as Officers, or in Execution of their Offices, may have advantage of the Matter of their Justification upon the General Issue by them pleaded, by the Laws and Statutes of this Kingdom.

Thefts and Felonies since the

XXVII. Provided also, That this Act, nor any Thing therein contained, shall extend or be interpreted to extend to pardon any Person or Persons whatsoever for any Theft, or stealing of any Goods,

or other Felonies, ſince the fourth Day of *March* in the Year of our Lord one thouſand ſix hundred fifty and nine; any Thing in this Act contained to the contrary thereof in any wiſe notwithſtanding. 4th of March 1659. excepted.

XXVIII. Provided alſo, That neither this Act, nor any Thing therein contained, ſhall extend to acquit or diſcharge any Perſon or Perſons from making Reſtitution of all ſuch Rents, Sums of Money, Horſes, Cattle or other Goods, which by a certain Act, or pretended Act lately made, intituled, *An Act for Repeal of two Acts for Sequeſtrations*, are required to be reſtored to thoſe from whom they were taken; (2) nor ſhall this preſent Act be conſtrued to diſable or bar the reſpective Owners or Proprietors of and from their ſeveral and reſpective Actions or Suits at Law or in Equity, for or by Reaſon of the ſaid or any other Rents, Monies, Horſes, Cattle or Goods, which ſince the five and twentieth Day of *July* one thouſand ſix hundred fifty and nine have been by any Perſon or Perſons wrongfully received or taken away, and for which the ſaid wrong Doers are not in any wiſe indemnified by the ſaid or any other Act of Repeal. This Act not to extend to Goods to be reſtored upon an Act for Repeal of two Acts for Sequeſtrations.

XXIX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons who by Virtue of any Order or Warrant, mediately or immediately derived from his late Majeſty, or his Majeſty that now is, or by Virtue of any Act, Ordinance or Order of any or both Houſes of Parliament, or any of the Authorities aforeſaid, or any Committee or Committees acting under them or any of them, have ſeized, ſequeſtred, levied, advanced or paid to any publick Uſe, or into any publick Treaſury within this Kingdom, any Goods, Chattels, Debts, Rents, Sum or Sums of Money, belonging to any Perſon or Perſons whatſoever, ſhall hereafter be ſued, moleſted or drawn into Queſtion for the ſame, but that they and every of them ſhall be diſcharged againſt all Perſons, for ſo much and no more of the ſaid Goods, Chattels, Debts, Rents, Sum or Sums of Money, as their ſeveral and reſpective Orders of Diſcharge or Acquittances extend unto. Goods, &c. ſequeſtred and actually paid into any publick Treaſury.

XXX. Provided alſo, That nothing herein contained ſhall extend to diſcharge any Perſon or Perſons who have been by private Order or Inſtructions employed and intruſted, or have undertaken the Employment, to receive any Sum or Sums of Money for the King's Majeſty's Service or Supply, ſince the Year one thouſand ſix hundred forty and eight, from making their Accounts for the ſame. Perſons who have received Money privately for his Majeſty's Supply, to account.

XXXI. Provided alſo, That this Act ſhall not extend to pardon or diſcharge from Account to the King's Majeſty any Perſon or Perſons, for any Sum or Sums of Money received for that illegal Tax of Decimation, or upon the Account of any Militia ſettled or acted in, ſince one thouſand ſix hundred forty and eight, and not accounted for or paid over, or diſcharged to or by any that had Authority or pretended Authority to diſcharge the reſpective Receivers of the ſame. Monies received upon Decimation not pardoned.

XXXII. Provided alſo, That if any Perſon or Perſons, being his Majeſty's menial Servant or Servants, or having or pretending to have received particular Inſtructions or Directions from his Majeſty, have, during the Time of ſuch his or their Relation unto his Majeſty, or whilſt he or they were acting or pretending to act for his Majeſty's Intereſt, in Purſuance of the ſaid Inſtructions or Directions, wilfully, maliciouſly and traiterouſly held Intelligence with any foreign Prince or Princes, State or States, or with any Perſon or Perſons uſurping Supreme Authority in this kingdom or other his Majeſty's Dominions, or with their or either of their Miniſters or Agents, and without his Majeſty's Licence, and to the Intent to betray his Majeſty's Perſon or Councils, or have received any Sum or Sums of Money, or Penſion for ſuch Treachery; that then ſuch Perſon or Perſons, as to the Offence in this Proviſo mentioned, ſhall be and and is hereby excepted out of this Act; any Thing herein contained to the contrary notwithſtanding; ſo as ſuch Perſon or Perſons be outlawed, or otherwiſe legally convicted of ſuch Offence or Offences, within the Space of two Years from the five and twentieth Day of *April* one thouſand ſix hundred and ſixty. Perſons that have had Directions or Inſtructions from his Majeſty, and have betrayed their Truſt, or his Majeſty's Councils, excepted.

XXXIII. Provided, That this Act of General Pardon, or any Thing therein contained, ſhall not extend to the pardoning or diſcharging of any Debts or Sums of Money due to or for the Exciſe of any Goods or Merchandize, whereof any Entries have been made in the Cuſtom-houſe, which have grown due ſince the twenty-fifth Day of *March* one thouſand ſix hundred fifty and eight, or to the pardoning or diſcharging of any Debts or Sums of Money due to the Farmers or pretended Farmers of Exciſe, ſince the twenty-fifth Day of *March* one thouſand ſix hundred and fifty-ſeven. Duties of Exciſe, and from Farmers thereof, excepted.

XXXIV. Provided alſo, That this Act, nor any Thing therein contained, ſhall extend to Pardon, Diſcharge, or give any other Benefit whatſoever unto *John Liſle*, *William Say*, Sir *Hardreſs Waller*, *Valentine Walton*, *Thomas Harriſon*, *Edward Whalley*, *William Heveningham*, *Iſaac Penington*, *Henry Martin*, *John Barkſtead*, *Gilbert Millington*, *Edmond Ludlow*, Sir *Michael Livеſey*, *Robert Tichbourn*, *Owen Row*, *Robert Lilbourn*, *Adrian Scroop*, *John Okey*, *John Hewſon*, *William Goffe*, *Cornelius Holland*, *Thomas Challoner*, *John Carew*, *John Jones*, *Miles Corbet*, *Henry Smith*, *Gregory Clement*, *Thomas Wogan*, *Edmond Harvey*, *Thomas Scot*, *William Cawley*, *John Downs*, *Nicholas Love*, *Vincent Potter*, *Auguſtine Garland*, *John Dixwel*, *George Fleetwood*, *Simon Meyn*, *James Temple*, *Peter Temple*, *Daniel Blagrave*, *Thomae Wait*, *John Cook*, *Andrew Broughton*, *Edward Dendy*, *William Hewlet Hugh Peters*, *Francis Hacker*, *Daniel Axtel*, nor any of them, nor to thoſe two Perſons, or either of them, who being diſguiſed by Frocks and Vizors, did appear upon the Scaffold erected before *Whitehall* upon the thirtieth of *January* one thouſand ſix hundred forty and eight: (2) All which Perſons for their execrable Treaſon in ſentencing to Death, or ſigning the Inſtrument for the horrid Murder, or being inſtrumental in taking away the precious Life of our late Sovereign Lord *Charles* the Firſt, of glorious Memory, are left to be proceeded againſt as Traitors to his late Majeſty according to the Laws of *England*, and are out of this preſent Act wholly excepted and foreprized. Perſons excepted by Name.

'XXXV. But in regard the ſaid *Owen Row*, *Auguſtine Garland*, *Edmond Harvey*, *Henry Smith*, *Henry* '*Martin*, Sir *Hardreſs Waller*, *Robert Titchbourn*, *George Fleetwood*, *James Temple*, *Thomas Wait*, *Simon* '*Meyn*, Perſons that appeared and rendred themſelves,

'*Meyn*, *William Heveningham*, *Iſaac Pennington*, *Peter Temple*, *Robert Lilburn*, *Gilbert Millington*, *Vincent* '*Potter*, *Thomas Wogan* and *John Downs*, have perſonally appeared and rendred themſelves, (according 'to the Proclamation bearing Date the ſixth Day of *June* one thouſand ſix hundred and ſixty, to ſummon 'the Perſons therein named, who gave Judgment and aſſiſted in the ſaid horrid and deteſtable Murder of 'our ſaid late Sovereign, to appear and render themſelves) and do pretend thereby to ſome Favour, upon 'ſome conceived doubtful Words in the ſaid Proclamation;

XXXVI. Be it enacted by this preſent Parliament, and the Authority of the ſame, (upon the humble Deſires of the Lords and Commons in Parliament aſſembled) That if the ſaid *Owen Rowe*, *Auguſtine Garland*, *Edmond Harvey*, *Henry Smith*, *Henry Martin*, Sir *Hardreſs Waller*, *Robert Titchbourn*, *George Fleetwood*, *James Temple*, *Thomas Wait*, *Simon Meyn*, *William Heveningham*, *Iſaac Pennington*, *Peter Temple*, *Robert Lilburn*, *Gilbert Millington*, *Vincent Potter*, *Thomas Wogan*, and *John Downs*, or any of them, ſhall be legally attainted for the Horrid Treaſon and Murther aforeſaid; that then nevertheleſs the Execution of the ſaid Perſon and Perſons ſo attained ſhall be ſuſpended, until his Majeſty by the Advice and Aſſent of the Lords and Commons in Parliament ſhall order the Execution, by Act of Parliament to be paſſed for that Purpoſe.

XXXVII. Except alſo out of this preſent Act *Oliver Cromwell* deceaſed, *Henry Ireton* deceaſed, *John Bradſhaw* deceaſed, and *Thomas Pride* deceaſed.

The Lands and Goods of the Perſons rendring themſelves not excepted.

XXXVIII. Provided, That nothing in this Act contained ſhall extend to diſcharge the Lands, Tenements, Goods, Chattels, Rights, Truſts, and other the Hereditaments late of the ſaid *Oliver Cromwell*, *Henry Ireton*, *John Bradſhaw*, and *Thomas Pride*, or of *Iſaac Ewer* deceaſed, Sir *John Danvers* deceaſed, Sir *Thomas Maleverer*, Baronet deceaſed, *William Purefoy* deceaſed, *John Blakiſton* deceaſed, Sir *William Conſtable*, Baronet deceaſed, *Richard Dean* deceaſed, *Francis Allen* deceaſed, *Peregrine Pelham* deceaſed, *John Moor* deceaſed, *John Aldred*, *alias Alured*, deceaſed, *Humphry Edwards* deceaſed, Sir *Gregory Norton*, Baronet, deceaſed, *John Venn* deceaſed, *Thomas Andrews*, Alderman, deceaſed, *Anthony Stapely* deceaſed, *Thomas Horton* deceaſed, *John Fry* deceaſed, *Thomas Hamond* deceaſed, Sir *John Bourchier* deceaſed, of and from ſuch Pains, Penalties and Forfeitures, as by one other Act of Parliament intended to be hereafter paſſed for that Purpoſe, ſhall be expreſſed and declared.

Perſons excepted for other Penalties, not extending to Life. 13 Car. 2. Stat. 1. c. 15.

XXXIX. And alſo excepted out of this preſent Act, *William* Lord *Monſon*, *James Challoner*, Sir *Henry Mildmay*, Sir *James Harrington*, *John Phelps* and *Robert Wallop*: All which Perſons did act and ſit in that traiterous Aſſembly, which in the Month of *January* one thouſand ſix hundred forty-eight acted and proceeded againſt the Life of our late Sovereign King *Charles* the Firſt of bleſſed Memory, and are therefore reſerved to ſuch Pains, Penalties and Forfeitures, not extending to Life, as by another Act intended to be paſſed for that Purpoſe ſhall be impoſed on them.

XL. And alſo except Sir *Arthur Haſilrig*, for and in Reſpect only of ſuch Pains, Penalties and Forfeitures, not extending to Life, as by one Act intended to be hereafter paſſed for that Purpoſe ſhall be inflicted and impoſed.

Perſons made incapable of any Office.

XLI. Provided always, That *John Hutchiſon*, Eſq; and *Francis Laſſels*, ſhall be and are hereby made for ever uncapable to execute any Place or Office of Truſt Civil or Military within this Kingdom: And that the ſaid *Francis Laſſels* ſhall pay unto our Sovereign Lord the King one full Year's Value of his Eſtate; any Thing herein before contained to the contrary notwithſtanding.

Sir Henry Vane, John Lambert, excepted.

XLII. Provided always, That this Act or any Thing therein contained ſhall not extend to the pardoning, or to give any other Benefit whatſoever, unto Sir *Henry Vane*, *John Lambert*, or either of them, but that they, and either of them, are and ſhall be out of this preſent Act wholly excepted and foreprized.

Penalty of certain Perſons, if they ſhall after the firſt of Sept. 1660. accept any Office.

XLIII. Provided, That if *William Lenthal*, *William Burton*, *Oliver Saint-John*, *John Ireton*, Alderman, Colonel *William Sydenham*, Colonel *John Deſborow*, *John Blackwell* of *Moreclack*, *Chriſtopher Pack*, Alderman, *Richard Keeble*, *Charles Fleetwood*, *John Pyne*, *Richard Dean*, Major *Richard Creed*, *Philip Nye*, Clerk, *John Goodwin*, Clerk, Sir *Gilbert Pickering*, Colonel *Thomas Lyſter*, and Colonel *Ralph Cobbet*, ſhall after the firſt Day of *September* one thouſand ſix hundred and ſixty, accept or exerciſe any Office Eccleſiaſtical, Civil or Military, or any other publick Imployment, within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*; That then ſuch Perſon or Perſons as do ſo accept or execute, as aforeſaid, ſhall to all Intents and Purpoſes in Law ſtand as if he or they had been totally excepted by Name in this Act. 25 Car. 2. c. 5.

Perſons that gave Sentence upon any in the Illegal High-Courts of Juſtice.

XLIV. Provided likewiſe, That all thoſe who ſince the fifth of *December* one thouſand ſix hundred forty-eight, did give Sentence of Death upon any Perſon or Perſons in any of the late illegal and tyrannical High Courts of Juſtice in *England* or *Wales*, or ſigned the Warrant for Execution of any Perſon there condemned, (except Colonel *Richard Ingoldſby* and Colonel *Matthew Tomlinſon*) ſhall be and are hereby made incapable of bearing any Office, Eccleſiaſtical, Civil or Military, within the Kingdom of *England* or Dominion of *Wales*, or of ſerving as a Member in any Parliament, after the firſt Day of *September* one thouſand ſix hundred and ſixty.

Perſons intruſted by Ordinance 1649. about Tithes, ſhall be accountable.

XLV. Provided alſo, and it is enacted, That all and every the Perſons appointed Truſtees in a late pretended Act or Ordinance made in the Year of our Lord one thouſand ſix hundred forty-nine, for and concerning Tithes appropriate, Oblations, Obventions, Penſions, Portions of Tithes appropriate, Offerings, Fee-farm Rents iſſuing out of the Tithes therein mentioned, Firſt-fruits and other Things, and enacted, or mentioned to be enacted, to be veſted, ſettled, adjudged or deemed to be in the actual Seiſin or Poſſeſſion of ſuch Perſon and Perſons in the ſaid pretended Act or Ordinance mentioned, and their Heirs, ſhall account for and be reſponſible for all Rents and Profits of the Premiſſes which came to their Hands, and have not been by the ſaid Truſtees or their Order diſburſed, diſpoſed or employed for the Maintenance of Miniſters or other Uſes, according to the ſaid pretended Act or Ordinance, or ſome

other Act, Order or Ordinance made in the Years of our Lord one thouſand ſix hundred fifty, one thouſand ſix hundred fifty-four, and one thouſand ſix hundred fifty-ſix, by any Aſſembly called or reputed a Parliament, or aſſuming the Power of a Parliament, according to the Intention of ſuch Act, Acts or Ordinances: (2) And the Agents and Receivers under the Order of the ſaid Truſtees, and the Occupiers and Tenants of the Premiſſes, who have taken the Premiſſes or Profits thereof into their Hands without Agreement to pay Rent therefore, and have made no Account or Satisfaction to the Truſtees aforeſaid, or to ſome other by their Order; (3) and alſo the Perſons who have held the ſame, or taken the Profits thereof, under any Agreement to pay Rent or Money for the ſame, and have not paid the ſame, ſhall reſpectively account, pay and make Satisfaction for ſo much of the Premiſſes, and Profits of the Premiſſes, as are unſatisfied or unaccounted for, as aforeſaid, and pay ſuch Arrearages of Rents or Money, as by ſuch Agreement remaineth unpaid by them; (4) all which Payments and Accounts ſhall be made to ſuch Perſons, and in ſuch Manner as in Parliament ſhall be directed: (5) Nevertheleſs, it is not hereby intended that any Miniſter, School-maſter or other Perſon, for whoſe Benefit and Maintenance the ſaid pretended Acts or Ordinances were made, ſhall be accountable or liable to make Satisfaction for any Profits, Rents or Sums of Money paid to or taken by them reſpectively, by Virtue or Colour of any Order or Appointment of the ſaid Truſtees, or any of them, or otherwiſe.

Bonds taken in his Majeſty's Name before May 1642. for Securities of any his Majeſty's Receivers not pardoned, &c.

XLVI. Provided alſo, That this Act do not extend to pardon any Bond taken in his late Majeſty's Name before the Month of *May* one thouſand ſix hundred forty-two, for ſecuring the proper Debt of any Servant or Receiver of the Revenue of his ſaid late Majeſty, that hath not been paid to, or by Order of, ſome lawful or pretended Authority. 'And whereas by an Order of the ſix and twentieth Day of *May* 'in the Year one thouſand ſix hundred forty-one, the then Houſe of Commons in Parliament did accept 'the Sum of one hundred and fifty thouſand Pounds, as a Compoſition from the Farmers of ſeveral 'Cuſtoms voted to be illegally taken, and ſome of the ſaid Farmers did procure and pay the ſaid whole 'Sum of one hundred and fifty thouſand Pounds at the Deſire of the ſaid Houſe of Commons, and upon 'their Declaration, That ſuch of the ſaid Farmers as did not pay their Proportions, ſhould not be par-'doned, but proceeded againſt, and out of their Fines Satisfaction ſhould be made to thoſe who had 'paid the ſaid one hundred and fifty thouſand Pounds; and in Purſuance thereof did on the firſt of '*June* then next following, reſolve, That the Eſtates of ſuch Perſons, living or dead, as have by Colour 'of any Patent received Monies from the Subject, under Pretence of ſuch Cuſtoms, or have been Un-'der-ſharers with the Patentees, ought to be made liable to Reſtitution:'

Payments upon Proportions of 150000 l. upon the Cuſtoms.

XLVII. It is therefore provided, That this Act ſhall not extend, nor be conſtrued to extend to pardon or indemnify any Perſon or Perſons, their Heirs, Executors, Adminiſtrators or Aſſigns, who have not paid their Proportions of the ſaid one hundred and fifty thouſand Pounds, or ought to have been contributory thereunto, from or againſt Miſdemeanors or Offences relating to the ſaid Cuſtoms, or from Payment of their Proportions: But that the Eſtates of the Dead, as well as of the Living, of ſuch who ought to have been contributory, in whoſe Poſſeſſion ſoever (Purchaſers *bona fide*, and upon valuable Conſiderations only excepted) ſhall continue and be charged and chargeable with the Payment of their Proportions, to all Intents and Purpoſes as if this Act had not been made; any Thing herein contained to the contrary notwithſtanding.

Arrears of Exciſe upon Beer and Ale.

XLVIII. Provided alſo, That this Act, or any Thing therein contained, ſhall not extend or be conſtrued to pardon or diſcharge any Sum or Sums of Money due and arrear for Exciſe of Beer, Ale, or other native or inland Commodity, ſince the twenty-fourth Day of *June* one thouſand ſix hundred fifty and nine.

Monies due for Free Quarters.

XLIX. Provided alſo, That nothing in this Act contained ſhall extend to the pardoning or diſcharging of any Sum or Sums of Money due from any Officers or Soldiers to any of the Subjects of this Kingdom for Free Quarter, ſince the ſecond Day of *July* one thouſand ſix hundred fifty and nine, or to diſcharge any Monies borrowed by any Officers for preventing of Free Quarter.

Purchaſers bona fide of Lands, other than the King's, &c. to enjoy their Purchaſes.

L. Provided always, and be it enacted by the Authority aforeſaid, That no Conveyance, Aſſurance, Grant, Bargain, Sale, Charge, Leaſe, Aſſignment of Leaſe, Grants and Surrenders by Copy of Court-Roll, Eſtate, Intereſt, Truſt, or Limitation of any Uſe or Uſes of any Manors, Lands, Tenements or Hereditaments, not being the Lands nor Hereditaments of the late King, Queen, Prince, or of any Archbiſhops, Biſhops, Deans, Deans or Chapters, nor being Lands or Hereditaments ſold or given, or appointed to be ſold or given, for the Delinquency, or pretended Delinquency of any Perſon or Perſons whatſoever, by Virtue or Pretext of any Act, Order or Ordinance, or reputed Act, Order or Ordinance, ſince the firſt Day of *January* one thouſand ſix hundred forty and one; (2) Nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any Perſon or Perſons, Bodies Politick or Corporate, before the nine and twentieth Day of *September* one thouſand ſix hundred fifty and nine, by any of the Perſons before in this Act by Name excepted, or their Heirs, or by any other Perſon or Perſons claiming by, from or under them or any of them, other than the Wife or Wives, Child, Children, Heir or Heirs of ſuch Perſon and Perſons, or any of them, for Money *bona fide* to them or any of them paid or lent, nor any Conveyance, Aſſurance, Grant or Eſtate made before the five and twentieth Day of *April* one thouſand ſix hundred and ſixty, by any Perſon or Perſons to any ſuch Perſon or Perſons excepted by Name, as aforeſaid, in Truſt and for the Benefit of any other Perſon or Perſons, Bodies Politick or Corporate, not excepted by Name, as aforeſaid, ſhall be impeached, defeated, made void, or fruſtrated hereby, or by the Attainder or Conviction of any ſuch excepted Perſon or Perſons; (3) but that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſigns, *Ceſtuy que uſe*, *Ceſtuy que truſt*, and every of them, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, as if this Act had not been made, and as if the ſaid Perſon or Perſons had not been excepted, attainted or convicted; any Law, Statute, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

LI. Pro-

Fabrick Lands, Church Goods and Utenſils.

LI. Provided always, That this Act, nor any Thing therein contained, ſhall not extend to indemnify any Perſon or Perſons whatſoever, who have entred into any Meſſuages, Lands, Tenements and Hereditaments, called Fabrick Lands, or poſſeſs themſelves of any Rent or Revenues given for the Repair of any Cathedral or other Church, or who have ſacrilegiouſly enriched themſelves by converting the Plate, or Utenſils and Materials, of or belonging to any ſuch Churches, to their own private Uſe and Advantage, for or in reſpect of the ſaid Crimes only. 13 Car. 2. Stat. 1. c. 7.

## CAP. XII.

### An Act for Confirmation of Judicial Proceedings.

What Acts and Proceedings ſhall not be avoided.

BE it enacted, and it is enacted by his Majeſty, and the Lords and Commons in Parliament aſſembled, and by the Authority of the ſame, That no Fines, nor final Concords, Chirographs, nor Proclamations of Fines, nor any Recoveries, Verdicts, Judgments, Statutes, Recognizances, nor Inrolments of any Deeds or Wills, or of any ſuch Fines, Proclamations, Recoveries, Verdicts, Judgments, Statutes or Recognizances, nor any Exemplifications of them nor any of them, nor any Inquiſitions, Indictments, Preſentments, Informations, Decrees, Sentences, Probats of Wills, nor Letters of Adminiſtration, nor any Writs, or Actings on or Returns of Writs, Orders or other Proceedings in Law or Equity, had, made, given, taken or done, or depending, in the Courts of Chancery, King's Bench, Upper Bench, Common Pleas and Court of Exchequer, and Court of Exchequer-Chamber, or any of them, ſitting at *Weſtminſter*, or in the Courts of the Great Seſſions in *Wales*, the Courts of any Counties Palatine or Duchy of *Lancaſter*, or Town of *Berwick* upon *Tweed*, or in any other inferior Courts of Law or Equity, or by any the Judges, Clerks, Officers, Sheriffs, Coroners or Miniſters, or others acting in Obedience to them or any of them, or by any the Courts of Admiralty, Delegates, Juſtices of Aſſiſe, *Niſi prius*, *Oyer* and *Terminer*, Gaol-delivery, Juſtices of the Peace, Commiſſioners of Sewers, Bankrupts, or Charitable Uſes, nor any Actings, Proceſs, Proceedings nor Executions thereupon had, made, given, done or ſuffered in the Kingdom of *England* ſince the firſt of *May* one thouſand ſix hundred forty-two, ſhall be avoided for Want or Defect of any legal Power in the ſaid Courts, Judges, Commiſſioners, Juſtices or any of them; (2) or for or by Reaſon that the Premiſſes or any of them were commenced, proſecuted, had, made, held or uſed in the Name, Stile or Title of the late King, or in the Name, Stile, Title or Teſt of *Cuſtodes Libertatis Angliæ Authoritate Parliamenti*, or in the Name, Stile, Title or Teſt of 'The Keepers of the 'Liberty of *England* by Authority of Parliament,' or in the Name, Stile, Title or Teſt of 'Oliver Lord 'Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereunto be-'longing,' or of 'Oliver Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and 'the Dominions and Territories thereunto belonging,' or the Name, Stile, Title or Teſt of 'Richard 'Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions and Ter-'ritories thereunto belonging,' or for or by Reaſon of any Alteration of the ſaid Names, Stiles or Titles: (3) Or for that the ſaid Fines, Recoveries, Proceſs, Pleadings, Proceedings and other Things before-mentioned, or the Entry and Inrolment of them or any of them, were in the *Latin* or *Engliſh* Tongue; (4) but that all and every ſuch Fines, Recoveries and other Things above-mentioned, and the Actings, Doings and Proceedings thereupon, ſhall be of ſuch and of no other Force, Effect and Virtue, than as if ſuch Courts, Judges, Juſtices, Commiſſioners, Officers and Miniſters, had acted by Virtue of a true, juſt and legal Authority, and as if the ſame and the Entry and Inrolment thereof were in *Latin*, and as if the ſeveral Acts and Ordinances or pretended Acts or Ordinances made by both or either Houſes of Parliament, or any Convention aſſembled under the Name of a Parliament, or by *Oliver Cromwell* late ſtiled Protector of the Commonwealth of *England*, *Scotland* and *Ireland*, and the Dominions thereto belonging, and his Council warranting or directing ſuch Proceedings, had been good, true and effectual Acts of Parliament.

Fines levied without Entry of Licentia concordandi. 1 Geo. 2 Stat. 1. c. 1. ſect. 4.

'II. And whereas, ſince the Death of the late King, ſeveral Fines have been levied, without any Entry 'or due Entring of any Sum paid *pro licentia concordandi*, commonly called the King's Silver, and without 'Entry or due Entry of any Sum given to the Party for the Concord; (2) And alſo whereas in the Term 'of St. *Michael* laſt paſt, ſeveral Fines were levied and recorded in the Court of Common Pleas before 'one Judge only of the ſaid Court:'

III. Be it enacted, That the ſaid Fines and Proclamations thereupon, and every of them, ſhall be good and effectual, notwithſtanding the Defects aforeſaid.

Fines and Recoveries of Lands in Co. Palatin. Durham.

IV. And be it alſo further enacted, That all Fines, Proclamations of Fines, Recoveries, and other Judicial Proceedings in the Court of Common Pleas at *Weſtminſter*, ſince the Death of his late Majeſty King *Charles* the Firſt, had, levied or ſuffered, of any Lands lying in the County Palatine of *Durham*, ſhall be good and effectual, notwithſtanding the ſaid Lands were lying in the ſaid County Palatine.

The illegal Acts and Proceedings of the High Court of Juſtice not allowed.

V. Provided, That this Act or any Thing therein contained ſhall not be conſtrued, deemed or adjudged to make good, allow, confirm or countenance any the Proceedings in the late illegal and unwarranted High Courts of Juſtice, or ſo called, or any of them: (2) 'And whereas ſince the firſt Day of *May* in the Year 'of our Lord one thouſand ſix hundred forty-one, and before the five and twentieth Day of *April* in the 'Year of our Lord one thouſand ſix hundred and ſixty, there were divers Perſons that adhered to both 'Houſes of Parliament, who, for or in reſpect of ſuch their Adherence, were indicted, charged or im-'peached of Treaſon: (3) And whereas ſince the ſaid firſt Day of *May* in the Year of our Lord one 'thouſand ſix hundred forty-one, and before the ſaid five and twentieth Day of *April* in the Year of our 'Lord

Lord one thouſand ſix hundred and ſixty, divers Perſons who adhered to his Majeſty, or to the late King, were for ſuch their Adherence, charged, impeached or indicted of High Treaſon:'

Indictments, &c. and all Grants thereupon made void.

VI. Be it further provided and enacted, That the ſaid Charges, Impeachments, Indictments, and all Exigents, Outlawries, Convictions and Attainders thereupon, and all Letters Patents and Grants thereupon made, of any Manors, Lands, Tenements or Hereditaments, eſcheated or forfeited by Reaſon of ſuch Attainder, and all Title to any Meſne Profits by Reaſon of ſuch Conviction, Outlawry, Attainder or Grant, be from henceforth repealed and diſcharged: (2) And that all Eſcheats, Forfeitures and Conſications, by Reaſon of ſuch Outlawries, Conviction or Attainder, be and are hereby reſtored unto ſuch Perſons ſo outlawed, convicted or attainted, their Heirs, Executors and Adminiſtrators reſpectively, as if no ſuch Attainder had been.

Sales made by Ordinance of Parliament.

VII. Provided nevertheleſs, and be it enacted, That this Act or any Thing herein contained ſhall not extend to avoid or confirm any Sales or Eſtates made by Virtue or Pretence of any Act, Order or Ordinance, or reputed Act, Order or Ordinance of Parliament, ſince the firſt Day of *May* in the Year of our Lord one thouſand ſix hundred forty-two, nor any Confirmation thereof made or to be made thereof in this preſent Parliament, but that ſuch Sales ſtand and be in the ſame Plight and Condition as they ſhould or might have done, if this Act had not been made.

Recognizances, Obligations &c. in the Names of the late Protectors.

VIII. And be it further enacted by the Authority aforeſaid, That all Recognizances, Obligations or other Securities, made or given to the Keepers of the Liberty of *England* by Authority of Parliament, or to *Oliver* Lord Protector of the Commonwealth of *England*, *Scotland* and *Ireland*, and the Dominions thereunto belonging, or to *Oliver* Lord Protector of the Commonwealth of *England*, *Scotland* and *Ireland*, and the Dominions and Territories thereunto belonging, or to *Richard* Lord Protector of the Commonwealth of *England*, *Scotland* and *Ireland*, and the Dominions and Territories thereunto belonging, and not pardoned or diſcharged by any Act paſſed or to be paſſed this preſent Parliament or otherwiſe, (other than ſuch Recognizances, Obligations and Securities, as have been made and given to any the pretended Powers or Perſons aforeſaid, or to any deriving or pretending to derive Authority from them, by any Perſon or Perſons, for or by reaſon of their Adherence to his Majeſty or his ſaid late Royal Father, or related to or ariſing only upon or in reſpect of the late Troubles; all which are hereby declared to be void, and to be delivered up to be cancelled;) (2) and all Judgments, Extents, Inquiſitions, Executions and Seizures had for the ſaid Keepers or Protectors, or any of them, and not likewiſe pardoned or diſcharged, other than as aforeſaid, ſhall and may be had and proſecuted in the Name and to the Uſe of his Majeſty, his Heirs or Succeſſors; (3) And alſo excepting all Obligations, Bonds or Recognizances entred into to the ſaid Keepers or Protectors or any of them, by any Perſon or Perſons, by Order or Direction of any Council of State, Committee of Safety, Major Generals, Decimators or any Officer or other Perſon under them, or any other Military Power; all which Obligations, Bonds and Recognizances are hereby diſcharged and declared to be null and void to all Intents and Purpoſes.

Juſtices, Serjeants, &c. Commiſſioners of Sewers.

IX. Provided alſo, and be it enacted, That this Act or any Thing therein contained ſhall not extend to continue, after the eighth Day of *May* in the Year of our Lord one thouſand ſix hundred and ſixty, any Juſtice or Juſtices of one Bench or the other, or Barons of the Exchequer, Serjeants at Law, Commiſſions of Sewers, Commiſſions of Bankrupts or of Charitable Uſes, made or conſtituted by or in the Name or Stile of any the late pretended Powers or Authorities.

Writs of Error may be brought.

X. Provided always, That it ſhall and may be lawful to and for every Perſon or Perſons who ſhall find themſelves grieved or damnified by any Judgment, Fine, Recovery, Decree or Sentence given, made, revied, granted or pronounced, in any of the ſaid Courts, to proceed in due Form of Law, either by Writ of Error, Bill of Review, Appeal or other lawful Remedy, for the reverſing, annulling or revoking of the ſame, in ſuch Manner as they might at any Time heretofore have done, if the ſaid Courts had been eſtabliſhed by lawful Authority, other than for thoſe Errors and Defects which are remedied or provided for by this Act.

Non-claim upon Fines of Lands ſold by Ordinance of Parliament.

XI. Provided always, and be it further enacted by the Authority aforeſaid, That no Nonclaim upon or after any Fine or Fines hereby made good or confirmed, ſhall extend or be conſtrued to bar or prejudice any Perſon or Perſons, their Heirs or Succeſſors, or their Feoffees or Truſtees (other than the Parties to the ſaid Fines and their Heirs general and ſpecial, and his and their Truſtees) as concerning ſuch Right, Claim and Intereſt, as they had in or to any Lands, Tenements or other Hereditaments, which by Colour of any Act, Order or Ordinance of both or either Houſes of Parliament, or any Convention ſitting at *Weſtminſter* under the Name or Stile, or aſſuming the Name or Stile, of a Parliament, ſince the firſt Day of *May* in the Year of our Lord one thouſand ſix hundred forty and two, and before the five and twentieth Day of *April* in the Year of our Lord one thouſand ſix hundred and ſixty, were ſold, conveyed or diſpoſed, as then or late the Lands, Tenements and Hereditaments of the King, Queen or Prince, or of Archbiſhops, Biſhops, Deans, Deans and Chapters, or other Eccleſiaſtical Perſons, or as the Lands, Tenements and Hereditaments of any other Perſons for their Adherency to the late King or his Majeſty that now is, or for any their Actings relating to or in reſpect of the late Troubles; (2) ſo always that the ſaid Perſon or Perſons aforeſaid, their Heirs or Succeſſors, purſue their Title, Claim or Intereſt, by way of Action or lawful Entry, within five Years next after the nine and twentieth Day of *May* in the Year of our Lord one thouſand ſix hundred and ſixty.

The late Government declared to be uſurped.

'XII. And although in this Confirmation of Judicial Proceedings, it was neceſſary to mention divers 'pretenced Acts and Ordinances, by the Names and Stiles which thoſe Perſons then uſurped who took 'upon them to paſs the ſame, namely, ſome by the Stile and Name of the Keepers of the Liberty of *Eng-* '*land* by Authority of Parliament; and others by the Name and Stile of Protectors of the Commonwealth 'of *England*, *Scotland* and *Ireland*, and the Dominions and Territories thereunto belonging:' (2) Yet this preſent

Recognition of his Majesty's just Title.

preſent Parliament doth declare, and it is further enacted by Authority of the ſame, That the Names and Stiles aforeſaid, and every of them, are moſt rebellious, wicked, traiterous and abominable Uſurpations, deteſted by this preſent Parliament, as oppoſite in the higheſt Degree to his Sacred Majeſty's moſt juſt and undoubted Right, to whom and to his Heirs and lawful Succeſſors, the Imperial Crowns of the Realms of *England*, *Scotland* and *Ireland*, with their and every of their Dominions and Territories do of Right appertain, and as violating and infringing the juſt Rights and Privileges of Parliament and both Houſes thereof now aſſembled, or that hereafter ſhall be called and aſſembled.

Indictments of Treaſon, &c. for levying War againſt Oliver Cromwell, &c. made void.

XIII. Provided always, and be it enacted, That all and every pretended Indictment or Indictments, Outlawries, Inquiſitions, and all Proceedings thereon, of High Treaſon, againſt any Perſon or Perſons whatſoever, for levying War againſt the late Tyrant *Oliver Cromwell*, the pretended Keepers of the Liberty of *England*, or any other uſurped Power, ſhall be from henceforth void and of none Effect in Law: (2) And that all Grants, Conveyances, Leaſes, Devices, Aſſurances, Statutes, Recognizances and Judgments for Debt, Damages heretofore had, made or ſuffered by any Perſon, or his Heirs, whoſe Conviction, Utlagary or Attainder is by this Act diſcharged or made void, ſhall be of the ſame Force and Effect as if no ſuch Conviction, Outlawry or Attainder had been. [Confirmed by 13 Car. 2 Stat. 1. c. 7.]

## CAP. XIII.

### An Act for the reſtraining the taking of exceſſive Uſury.

37 *H.* 8. *c.* 9. None ſhall take above ſix Pounds for the Loan of an hundred Pounds for a Year. 12 Ann. Stat. 2. c. 16. *reduces Intereſt to 5 per Cent.*

'FOraſmuch as the Abatement of Intereſt from Ten in the Hundred in former Times hath been found by notable Experience beneficial to the Advancement of Trade and Improvement of Lands by good Huſbandry, with many other conſiderable Advantages to this Nation, eſpecially the reducing of it to a nearer Proportion with Foreign States with whom we Traffick: (2) And whereas in freſh Memory the like Fall from Eight to Six in the Hundred, by a late conſtant Practice hath found the like Succeſs, to the general Contentment of this Nation, as is viſible by ſeveral Improvements: (3) And whereas it is the Endeavour of ſome at preſent to reduce it back again in Practice to the Allowance of the Statute ſtill in Force, to Eight in the Hundred, to the great Diſcouragement of Ingenuity and Induſtry in the Huſbandry, Trade and Commerce of this Nation:'

The Penalty. 1 *Haw. P. C. c.* 82. *Vin. V.* 22--291.

II. Be it, for the Reaſons aforeſaid, enacted by the King's moſt Excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, That no Perſon or Perſons whatſoever, from and after the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſix hundred and ſixty, upon any Contract, ſhall from and after the ſaid twenty-ninth of *September* take directly or indirectly for Loan of any Monies, Wares, Merchandize or other Commodities whatſoever, above the Value of ſix Pounds for the Forbearance of one hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time: (2) And that all Bonds, Contracts and Aſſurances whatſoever, made after the Time aforeſaid for Payment of any Principal or Money to be lent, or covenanted to be performed, upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the Rate of ſix Pounds in the Hundred, as aforeſaid, ſhall be utterly void: (3) And that all and every Perſon or Perſons whatſoever, which ſhall after the Time aforeſaid, upon any Contract to be made after the ſaid twenty-ninth Day of *September*, take, accept and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Cheviſance, Shift, or Intereſt of any Wares, Merchandize, or other Thing or Things whatſoever, or by any deceitful Way or Means, or by any Covin, Engine or deceitful Conveyance, for the forbearing or giving Day of Payment for one whole Year, of and for their Money or other Thing, above the Sum of ſix Pounds for the forbearing of one hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Term, ſhall forfeit and loſe for every ſuch Offence the treble Value of the Monies, Wares, Merchandize and other Things ſo lent, bargained, ſold, exchanged or ſhifted.

The Forfeiture of a Scrivener that ſhall take above five Shillings for the Forbearance of an hundred Pounds for a Year, and above twelve-pence for making a Bond.

III. And be it further enacted by the Authority aforeſaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who ſhall after the ſaid twenty-ninth Day of *September* take or receive directly or indirectly any Sum or Sums of Money, or other Reward or Thing, for Brokage, Soliciting, Driving or procuring the Loan, or forbearing of any Sum or Sums of Money, over and above the Rate or Value of five Shillings for the Loan or Forbearing of one hundred Pounds for a Year, and ſo rateably, or above twelve-pence for the making or renewing of the Bond or Bill for Loan, or for forbearing thereof, or for any Counterbond or Bill concerning the ſame, ſhall forfeit for every ſuch Offence twenty Pounds, and have Impriſonment for half a Year; (2) the one Moiety of all which Forfeitures to be to the King our Sovereign Lord, his Heirs and Succeſſors; and the other Moiety to him or them that will ſue for the ſame in the ſame County where the ſeveral Offences are committed, and not elſewhere, by Action of Debt, Bill, Plaint or Information; in which no Eſſoin, Wager of Law or Protection to be allowed. [Confirmed by 13 Car. 2. Stat. 1. c. 14.]

## CAP. XIV.

### An Act for a perpetual Anniverſary Thankſgiving on the Nine and twentieth Day of *May*.

The wonderful Power and Goodneſs of God in the Reſtauration of his Majeſty.

'FOraſmuch as Almighty God the King of Kings, and ſole Diſpoſer of all earthly Crowns and Kingdoms, hath by his All-ſwaying Providence and Power miraculouſly demonſtrated in the View of all the World his tranſcendent Mercy, Love and Graciouſneſs, towards his moſt Excellent Majeſty

'*Charles*

'*Charles* the Second, by his eſpecial Grace, of *England*, *Scotland*, *France* and *Ireland*, King, Defender 'of the true Faith, and all his Majeſty's Loyal Subjects of this his Kingdom of *England*, and the Do- 'minions thereunto annexed, by his Majeſty's late moſt wonderful, glorious, peaceable and joyful 'Reſtauration to the actual Poſſeſſion and Exerciſe of his undoubted Hereditary Sovereign and Regal Au- 'thority over them, (after ſundry Years forced Extermination into Foreign Parts, by the moſt traiter- 'ous Conſpiracies and Armed Power of uſurping Tyrants and execrable perfidious Traitors) and that 'without the leaſt Oppoſition or Effuſion of Blood, through the unanimous, cordial, loyal Votes of the 'Lords and Commons in this preſent Parliament aſſembled, and paſſionate Deſires of all other his Ma- 'jeſty's Subjects; (2) which unexpreſſible Bleſſing (by God's own moſt wonderful Diſpenſation) was 'compleated on the twenty-ninth Day of *May* laſt paſt, being the moſt memorable Birth-day, not only 'of his Majeſty, both as a Man and Prince, but likewiſe as an actual King, and of this and other his 'Majeſty's Kingdoms, all in a great Meaſure new-born and raiſed from the Dead on this moſt joyful 'Day, wherein many Thouſands of the Nobility, Gentry, Citizens, and other his Lieges of this Realm, 'conducted his Majeſty unto his Royal Cities of *London* and *Weſtminſter*, with all poſſible Expreſſions 'of their publick Joy and loyal Affections, in far greater Triumph than any of his moſt victorious Pre- 'deceſſors Kings of *England* returned thither from their foreign Conqueſts; (3) and both his Majeſty's 'Houſes of Parliament, with all dutiful and joyful Demonſtrations of their Allegiance, publickly received 'and cordially congratulated his Majeſty's moſt happy Arrival, and Inveſtiture in his Royal Throne, at 'his Palace at *Whitehall:* Upon all which Conſiderations, this being the Day which the Lord himſelf 'hath made and crowned with ſo many publick Bleſſings and ſignal Deliverances, both of his Majeſty 'and his People, from all their late moſt deplorable Confuſions, Diviſions, Wars, Devaſtations and Op- 'preſſions: To the End that it may be kept in perpetual Remembrance in all Ages to come, and that his 'ſacred Majeſty with all his Subjects of this Realm, and the Dominions thereof, and their Poſterities 'after them, might annually celebrate the perpetual Memory thereof, by ſacrificing their unfeigned hearty 'publick Thanks thereon to Almighty God, with one Heart and Voice, in a moſt devout and Chriſtian 'Manner, for all theſe publick Benefits received and conferred on them upon this moſt joyful Day;' (5) Be it therefore enacted by the King's moſt Excellent Majeſty, the Lords and Commons in this pre- ſent parliament aſſembled, and by the Authority of the ſame, That all and ſingular Miniſters of God's Word and Sacraments, in every Church, Chapel, and other uſual Place of Divine Service and Publick Prayer, which now are or hereafter ſhall be within this Realm of *England*, and the reſpective Dominions thereof, and their Succeſſors, ſhall in all ſucceeding Ages annually celebrate the twenty-ninth Day of *May*, by rendring their hearty publick Praiſes and Thankſgivings unto Almighty God for all the fore-men- tioned extraordinary Mercies, Bleſſings and Deliverances received, and mighty Acts done thereon, and declare the ſame to all the People there aſſembled, and the Generations yet to come, that ſo they may for ever praiſe the Lord for the ſame, whoſe Name alone is Excellent, and his Glory above the Earth and Heavens: (6) And be it further enacted, That all and every Perſon and Perſons inhabiting within this Kingdom, and the Dominions thereunto belonging, ſhall upon the ſaid Day annually reſort with Dili- gence and Devotion to ſome uſual Church, Chapel or Place where ſuch publick Thankſgivings and Praiſes to God's moſt Divine Majeſty ſhall be rendred, and there orderly and devoutly abide during the ſaid publick Thankſgivings, Prayers, Preaching, Singing of Pſalms, and other Service of God there to be uſed and miniſtred:

The unanimous and cordial Affection of the Lords and Commons in Parliament, and People in general.

The Intent of keeping the ſaid Day.

The 29th of May to be annually celebrated.

All Perſons to reſort to ſome Church, Chapel, or publick Place of Thankſgiving on the ſaid Day.

II. And to the End that all Perſons may be put in Mind of their Duty thereon, and be the better prepared to diſcharge the ſame with that Piety and Devotion as becomes them: (2) Be it further enacted, That every Miniſter ſhall give Notice to his Pariſhioners publickly in the Church at Morning Prayer the Lord's Day next before every ſuch twenty-ninth Day of *May*, for the due Obſervation of the ſaid Day, and ſhall then likewiſe publickly and diſtinctly read this preſent Act to the People. 13 Car. 2. Stat. 1. c. 11.

Notice to be given the next Lord's Day before.

## CAP. XV.

An Act for the ſpeedy Diſbanding of the Army and Garriſons of this Kingdom, with Inſtructions for the ſame. EXP.

## CAP. XVI.

An Act for enabling the Soldiers of the Army now to be diſbanded to exerciſe Trades.

'WHEREAS there are divers Officers and Soldiers now in the King's Majeſty's Service, under the 'Command of his Excellency *George* Duke of *Albemarle*, Captain General of his Majeſty's Ar- 'mies, who have been inſtrumental, by the Bleſſing of Almighty God, to the happy Reſtitution and Re- 'ſtoration of his ſacred Majeſty unto his Kingdoms and People, and to his juſt Right of Government in 'the Kingdom of *England*, and the Dominions and Territories thereunto belonging; ſome of which are 'Men that uſed Trades, others that were Apprentices to Trades, who had not ſerved out their Times, 'and others who are apt and fit for Trades, &c.

Soldiers Inſtrumental in his Majeſty's Reſtauration.

5 Eliz. c. 4. Such as were in Service under General Monk 25 April 1660. and inſtrumental in his Majeſty's Reſtitution, may exerciſe Trades.

## CAP. XVII.

### An Act for the Confirming and Reſtoring of Miniſters.

'FOraſmuch as the Confirming of ſome Eccleſiaſtical Perſons and Miniſters in Poſſeſſion, and reſtoring of others who have been ſequeſtred or ejected, and are fit to be reſtored in and to their ſeveral Eccleſiaſtical Benefices, Livings and Promotions, without Force or Suit of Law, will much conduce to the Peace and Welfare of this Church and Kingdom;' (2) Be it enacted by the King's moſt Excellent Majeſty, with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That every Eccleſiaſtical Perſon or Miniſter, being ordained by any Eccleſiaſtical Perſons before the five and twentieth Day of *December* laſt paſt, being of the Age of four and twenty Years, and having not renounced his Ordination, who hath been formerly ſince the firſt Day of *January* in the Year of our Lord one thouſand ſix hundred forty-two, preſented, nominated to, or placed in, and in actual Poſſeſſion, and taking the Profits of any Eccleſiaſtical Benefice, Rectory, Parſonage, Vicarage, Church, Chapel, Cure, or other Eccleſiaſtical Promotion with Cure of Souls, within this Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, which hath become void, either by Death, voluntary Reſignation or Surrender, or other Avoidance, to the Patron, or any other Perſon pretending to have Title to accept of Reſignations, ſince the ſaid firſt Day of *January*, and before the ſaid five and twentieth Day of *December* laſt paſt, and was on the ſaid five and twentieth Day of *December* in Poſſeſſion, and received the Profits thereof, being in the Gift, Donation, Preſentation, Collation or Nomination of the King's Majeſty that now is, or of his late Royal Father King *Charles* the Firſt, in Right of the Crown, or by Reaſon of Wardſhip or any other Title, or of any Archbiſhop, Biſhop, Dean, Dean and Chapter, Prebend, Archdeacon, Body Politick or Corporate, or of any other Perſon or Perſons whatſoever, other than ſuch as are hereby reſtored, ſhall be and is hereby declared, adjudged and enacted to have been, be and continue the real and lawful Incumbent, Parſon, Rector, Vicar and Poſſeſſor of the ſaid Eccleſiaſtical Benefices, Livings and Promotions reſpectively, to all Intents and Purpoſes whatſoever, as if he or they had been nominated, preſented, collated, admitted, inſtituted and inducted thereunto, or placed therein, in due Form of Law, and had read and ſubſcribed the Articles according to the Statute in that Caſe made and provided, and notwithſtanding any other Matter or Thing by him or them done or omitted to be done; (3) and that as well againſt the King's Majeſty, and againſt his Heirs and Succeſſors, as againſt all and every other Perſon and Perſons, Bodies Politick and Corporate whatſoever, and their reſpective Succeſſors, Heirs, Executors, Adminiſtrators and Aſſigns; (4) ſaving to the Patrons and every of them their juſt Right of Patronage, Donation, Preſentation, Collation or Nomination, upon the next Avoidance of every ſuch Eccleſiaſtical Perſon, Miniſter or Incumbent hereby confirmed as is aforeſaid, in as full and ample Manner as if this Act had not been made.

Certain ordained Miniſters having been in actual Poſſeſſion, reſtored. 2 *Vent.* 15.

13 Eliz. c. 12. §. 3.

The King bound.

The next Avoidance to be in the rightful Patrons.

II. And be it enacted by the Authority aforeſaid, That every voluntary Surrender or Reſignation made by any Incumbent to the Patron of any Benefice, or to any late pretended Powers ſince the ſaid firſt Day of *January*, of any Eccleſiaſtical Benefice or Promotion, ſhall be adjudged as an effectual Avoidance of ſuch Benfice or Promotion, as if the ſame had been made to the competent Ordinary, and accepted by him.

Voluntary Reſignations confirmed

III. And be it further enacted, That no Preſentation, Collation or Diſpoſition aforeſaid, nor Confirmation by this Act, of any Parſon or Miniſter, in or to any Eccleſiaſtical Benefices, Livings or Promotions aforeſaid, ſhall be conſtrued or adjudged to amount to any Uſurpation in Law, to the Prejudice of any Perſon or Perſons, Bodies Politick or Corporate, who have or ſhall have Right to preſent thereunto upon the ſaid Avoidance.

The former Preſentations, &c. ſhall make no Uſurpation.

IV. And be it further enacted, That every Eccleſiaſtical Perſon or Miniſter, formerly ſequeſtred or ejected, diſpoſſeſſed and kept out after lawful Preſentation and Perception of the Profits of any of the ſaid Eccleſiaſtical Benefices, Livings or Promotions, which hath not ſubſcribed any Petition to bring the late King *Charles* of Bleſſed Memory to Trial, or which hath not by Writing, Preaching, Printing, or any other open Act procured, endeavoured, or juſtified the Murther of the ſaid late King, or which hath not by Preaching, Printing, Writing, or conſtant Refuſal to Baptize, declared his Judgment to be againſt Infant-Baptiſm, ſhall be reſtored to the ſame, and to the Poſſeſſion thereof, at or before the five and twentieth Day of *December* next enſuing; (2) and that every Eccleſiaſtical Perſon aforeſaid, who ſhall be removed, ſhall or may enjoy the Tithes, Profits, Duties, Glebes and Houſes thereunto belonging, until the ſaid five and twentieth Day of *December* next enſuing, and ſhall then upon ſuch Removal peaceably leave or yield up the Poſſeſſion thereof, and ſhall alſo give his Penal Bond to the Parſon or Miniſter ſo to be reſtored, to render to him, his Executors, Adminiſtrators and Aſſigns, the full Moiety of the clear Profits and Tithes, or the Value thereof, (to be aſcertained by the Commiſſioners hereafter appointed under their Hands) from *Michaelmas* laſt paſt to *Michaelmas* next enſuing, (all Taxes and other requiſite Charges and Expences firſt deducted and allowed) before the Removal of the Goods of the Parſon or Miniſter ſo to be removed, or the Tithes or other Profits from the ſame, at or upon the ſaid five and twentieth Day of *December*; (3) and the ſaid Parſon or Miniſter ſo to be removed, upon his quitting the Poſſeſſion at the Time aforeſaid, ſhall be and is hereby abſolutely diſcharged and acquitted from all Tithes and Profits received, and all and every Arrears thereof, other than the Moiety of the Profits and Tithes ſecured by Bonds aforeſaid, before and until the ſaid Feaſt of Saint *Michael* next enſuing, againſt the Parſon or Miniſter ſo reſtored, his Executors, Adminiſtrators and Aſſigns, and againſt all other Perſon or Perſons whatſoever.

How the Perſons to be reſtored are to be qualified.

The Time how long the preſent Incumbent ſhall ſtay in.

The Moiety of the Profits of the Living to be paid to the reſtored Miniſters.

V. Pro-

V. Provided always, That every Miniſter, not ſcandalous, ignorant or inſufficient, as aforeſaid, being proved, as aforeſaid, heretofore ſequeſtred or ejected out of two or more Eccleſiaſtical Benefices or Livings with Cure of Souls, ſhall be reſtored to one of them and no more, at his Election, except where he hath formerly reſigned or ſurrendred any of the ſaid Benefices or Livings, and thereupon the right Patron, or any other in his Right, hath preſented, collated, nominated, placed or put into the ſame any other Incumbent or Miniſter, as aforeſaid, in which Caſe the ſaid ſequeſtred or ejected Miniſter ſhall not be reſtored to ſuch Benefice or Living ſo reſigned or ſurrendred, as aforeſaid. No Miniſter be reſtored to above one Benefice.

VI. Provided alſo by the Authority aforeſaid, That every Miniſter who by Virtue of this Act is confirmed in any Eccleſiaſtical Benefice or Living with Cure of Souls, which ſhall have more than one Eccleſiaſtical Benefice or Living with Cure of Souls, ſhall hold and enjoy only one of them, and no more, at his Election; except where he hath formerly reſigned or ſurrendred any of the ſaid Benefices or Livings, and thereupon the right Patron, or any other in his Right, hath preſented, collated, nominated, placed, or put into the ſame any other Incumbent or Miniſter, as aforeſaid, in which Caſe the Miniſter ſo to be confirmed ſhall and may retain and keep the Benefice or Living which he hath not ſo reſigned or ſurrendred, as aforeſaid.

VII. And be it likewiſe enacted, That where the Parſon or Miniſter formerly ſequeſtred or ejected, ſhall declare his Conſent in Writing before the Commiſſioners appointed by this Act, that the preſent Poſſeſſor, being not ſcandalous, ignorant or inſufficient, ſhall be and continue in ſuch ſequeſtred Benefice, Living or Promotion, that in ſuch Caſe the preſent Poſſeſſor ſhall be hereby ſettled and confirmed therein, as the ſole and rightful Incumbent and Poſſeſſor thereof to all Intents and Purpoſes; any former Statute or Law to the contrary notwithſtanding: (2) And that every Parſon or Miniſter who ſhall be removed by this Act, ſhall pay all Tenths not pardoned, and repair or make Satisfaction for all wilful or negligent Dilapidations made or ſuffered by him, of, in or upon the Premiſſes or any of them, ſince the twenty-ninth of *September* laſt; (3) and ſhall likewiſe pay or ſatisfy all Fifths, or any other Sum in Lieu of Fifths, which were in arrear or unpaid at the Feaſt of Saint *Michael* the Archangel laſt paſt, due or payable by him, by any Order or Orders not reverſed, of any Committees or Commiſſioners formerly appointed and authorized by any pretended Authority or Authorities whatſoever, to grant or ſet out the ſame, or otherwiſe pay or ſatisfy all Arrears then due of any Sum or Sums of Money payable by Agreement of the Parties, and not ſince quitted by like Agreement, the ſame to be aſcertained by the ſaid Commiſſioners: (4) For Payment whereof the Miniſter ſo to be removed, before his Removal ſhall alſo give his penal Bond or Bonds unto the Miniſter to be reſtored, to pay the ſame before the five and twentieth of *December* next; and if he ſhall refuſe to give ſuch Bond or Bonds as aforeſaid for the Payment thereof, that then the Miniſter ſo to be reſtored, ſhall be and is hereby enabled to bring an Action of Debt at the Common Law for the ſaid Arrears, and ſhall recover over and above the ſaid Debt the full Value in Damages, beſides Coſts of Suit. The Party to be reſtored may confirm the preſent Poſſeſſor's Right. Party removed to pay Tenths, and anſwer for Dilapidations. And pay Fifths. Bond for them. Action for them.

VIII. And it is further enacted by the Authority aforeſaid, That every Eccleſiaſtical Perſon or Miniſter now in Poſſeſſion of any Eccleſiaſtical Benefice, Living or Promotion, which ſhall continue and be ſettled therein by Virtue of this Act, ſhall pay all ſuch Arrears of Fifths or other Sums of Money in Lieu thereof, due or payable by him by any ſuch Order or Orders, or Agreement as aforeſaid: Or to Mr. *Honywood*, Parſon of *Kegworth* in *Leiceſterſhire*, who hath been beyond Sea ſince the ſaid firſt of *January* one thouſand ſix hundred forty-two, who hath therefore had no Order nor Agreement for his Fifths as have accrued due or payable out of ſuch Eccleſiaſtical Benefice, Living or Promotion, during ſuch Time as he hath been poſſeſſed thereof, to ſuch Parſon or Miniſter as hath been formerly ejected or ſequeſtred out of the ſame. Fifths. Raym. 57. 1 Keb. 344. 1 Sid. 88. Mr. Honeywood.

'IX. And whereas divers Fifths, or Sums of Money in Lieu thereof, are in Arrear and unpaid by ſuch 'as have been formerly poſſeſſed of ſequeſtred Livings;' (2) It is further enacted by Authority aforeſaid, That every Eccleſiaſtical Perſon or Miniſter now living, or the Executors or Adminiſtrators of every Eccleſiaſtical Perſon or Miniſter deceaſed, to whom any Fifths, or Sums of Money in Lieu thereof, are or were due or payable by any ſuch Order and Agreement, or to the ſaid Mr. *Honeywood* as aforeſaid, and are yet in Arrear, ſhall have the ſaid Fifths or Sums of Money in Arrear as aforeſaid, paid unto them reſpectively; (3) and they are hereby reſpectively enabled to recover the ſame by Action of Debt at the Common Law, to be brought againſt every ſuch Parſon or Miniſter who ought to have paid the ſame by Virtue of any ſuch Order and Agreement or to the ſaid Mr. *Honywood* as aforeſaid, during the reſpective Poſſeſſion of ſuch Eccleſiaſtical Benefice, Living or Promotion, of or for which the ſaid Fifths, or Sums of Money in Lieu thereof, were or ought to have been or to be paid; in all which Actions, no Eſſoin, Wager of Law or Protection ſhall be allowed: (4) And that no Perſon to whom Fifths have been formerly paid ſhall be hereafter queſtioned for the ſame. Arrears of Fifths.

X. And be it alſo enacted, That every ſuch Eccleſiaſtical Perſon or Miniſter, that is or ſhall be by Virtue of this Act removed out of or confirmed in any ſuch Benefice, Living or Promotion, which now is or hath been poſſeſſed as aforeſaid, his or their Executors, Adminiſtrators and Aſſigns, ſhall be and is reſpectively enabled to have, hold and enjoy all the mean Profits already received, and to receive, recover, collect or compound for and enjoy all and every the Arrears of Tithes, Profits or Duties thereunto belonging or which ſhall belong thereunto, incurred during ſuch Time as he was ſo Poſſeſſor thereof, and before or until the Feaſt of St. *Michael* the Archangel now next enſuing, and to ſue for the ſame in any Court of Common Law or Equity, as if he or they had been and were the true and lawful Incumbent or Poſſeſſor of ſuch aforeſaid Eccleſiaſtical Benefice, Living or Promotion. Arrears of Tithes.

XI. Provided alſo, and be it enacted by the Authority aforeſaid, That if any Miniſter or other ſuch Eccleſiaſtical Perſon as aforeſaid, having any Eccleſiaſtical Benefice or Living with Cure of Souls, who is before in and by this Act declared, adjudged and enacted to continue the real and lawful Incumbent thereof, which hath petitioned to bring the late King *Charles* of Bleſſed Memory to Trial, or which hath Perſons reſtored how to be qualified.

by Writing, Preaching, Printing or any other open Act, procured, endeavoured or justified the Murder of the late King, or which hath by Preaching, Printing, Writing or constant Refusal to baptize, declared his Judgment to be against Infant-baptism, that then such Minister or other Ecclesiastical Person shall not remain, continue and be or be taken to be the real and lawful Incumbent of the Ecclesiastical Benefice or Living, but the same shall become, and is hereby declared to be void to all Intents and Purposes, as if the said Minister or other Ecclesiastical Person were dead, and that the Patron who hath the next and immediate Right to present unto the same, shall and may present unto the said Ecclesiastical Benefice or Living, as in Case of Vacancy or Avoidance by Death of the Incumbent; any Thing in this Act contained to the contrary thereof notwithstanding.

Justices of Peace, Commissioners to execute this Act, without further Suit.

XII. And it is further enacted, That the Persons in Commission of the Peace in the several Counties of this Realm, the Dominion of *Wales* and the Town of *Berwick* upon *Tweed*, on the first Day of *September* one thousand six hundred and sixty, within their respective Counties, Limits and Precincts, or any Five or more of them, living or dwelling next to the Church or Living to which any such Parson or Minister is to be restored, or from which any such Parson or Minister is to be removed, and who are no Ways interested as Patrons or Parties in the Patronage or Tithes of the said Church or Living or any Part thereof, shall be and are hereby constituted, appointed and authorized to be Commissioners to execute all and singular the Powers and Authorities hereby granted within their respective Counties and Precincts, for and concerning the Removing and Restoring of such Parsons and Ministers as aforesaid, and all other the Premisses, and finally to determine all Differences touching the same, until the five and twentieth of *December* next; and that all Suits and Actions in Law or Equity, and all Proceedings and Verdicts thereupon had or to be had, for, touching or concerning the Premisses or any of them, shall be and are hereby stayed, barred, annulled and avoided.

All former Suits made void.

Certain Leases made by Ministers confirmed.

XIII. Provided always, and be it enacted, That all Grants and Leases made for a valuable Consideration paid or given, of any Copyhold or Freehold Lands belonging to any sequestred Living or Rectory (except the Glebe and Tithes) for three Lives, or twenty-one Years, according to former Usage, wherein the ancient Rent is reserved, made by any Minister or Ecclesiastical Person possessed of the said Rectory or Living by any real or pretended Authority, before the five and twentieth of *December* one thousand six hundred fifty-nine, shall continue as good and effectual in Law to all Intents against the ejected and sequestred Incumbent to be restored, and all others, as if they had been made by the proper Incumbent.

Ministers refused to be approved by the pretended Approvers, settled in their Churches.

XIV. Provided always, and be it further enacted, That if any rightful Patron hath heretofore presented his Clerk to any Benefice with Cure of Souls, being then void, unto those Persons who were stiled Commissioners for Approbation of publick Preachers sitting at *Whitehall*, or the Committee for plundered Ministers, who sat in the Year one thousand six hundred fifty and nine, and the same Clerk so presented was refused to be admitted without any lawful Cause, that then such Clerk shall be taken, and is hereby enacted to be the perfect Incumbent of such Benefice, to all Intents and Purposes; any Thing in this Act to the contrary notwithstanding; unless such Patron have since presented another Clerk to such Benefice who now is possessed thereof, or unless such Clerk so presented and refused, as aforesaid, be since presented to and settled in some other Benefice.

None to be restored who deserted their Livings.

XV. Provided that this Act, nor any Thing therein contained, shall not extend or be construed to confirm or continue any Person in any Benefice or Ecclesiastical Living or Preferment, which hath since the said five and twentieth Day of *December* last voluntarily yielded up and left the Possession of the said Benefice or Ecclesiastical Living or Preferment, and is still out of Possession thereof, or which by any Writing executed under his Hand and Seal, hath agreed to yield up and leave the Possession thereof.

Agreement made for Fifths confirmed.

XVI. Provided also, and it is hereby declared, That where there hath been any Agreement between the Persons concerned in this Act for the Acquittal of the Minister who ought to have paid Fifths of and from the same, or any Part thereof, that in such Case no Fifths or Satisfaction for Fifths shall be claimed or paid contrary to the said Agreement.

Payments of Tithes, &c. to the present Possessors, a good Discharge.

XVII. Provided always, and be it enacted, That all and every Person and Persons who have paid or satisfied by Composition or otherwise, any Tithes, Pensions, Oblations, Obventions, Rents, or other Ecclesiastical Duties belonging to any Rectory, Vicarage, or other Ecclesiastical Benefice or Promotion, to any Person or Persons being in Possession, or receiving the Profits thereof by Colour or Pretence of any Authority, or to their Assigns, or any others claiming from, by or under them, shall be and are hereby discharged of and from the same Tithes, Pensions, Oblations, Obventions, Rents and other Ecclesiastical Duties, against all and every Person and Persons whatsoever.

These Rectories not within this Act. Ewelme Rectory.

XVIII. Provided always, That neither this Act, nor any Thing therein contained, shall extend to confirm or establish the Possession of the Rectory of *Ewelme* in the County of *Oxon*, with *Thomas Cole*, or any other Person or Persons who have lately by Virtue of any pretended Title entred into the same; but that the said Rectory be restored to *Robert Saunderson*, Doctor in Divinity, and *Regius Professor* in the University of *Oxon*, to be enjoyed by him and his Successors, according to a Grant made thereof by the late King *James* unto the *Regius Professor* of Divinity for the Time being, and his Successors for ever.

Somersham Rectory.

XIX. Provided also, That nothing herein contained shall confirm or establish the Possession of the Rectory of *Somersham* in the County of *Huntington*, with any Person who hath by Virtue of any pretended Title entred into the same; but that the said Rectory be restored to Doctor *Anthony Tuckney*, the present *Regius Professor* of Divinity in the University of *Cambridge*, to be enjoyed by him and his Successors, according to a former Grant thereof made unto the *Regius Professor* of Divinity for the Time being, and his Successors for ever; any Thing herein contained to the contrary notwithstanding.

Oath to be taken by Persons restored.

XX. Provided also, That this Act, or any Thing therein contained, shall not extend to confirm or restore any Ecclesiastical Person or Minister in or to any Benefice, Living or Ecclesiastical Promotion, that

shall

ſhall refuſe to take the Oaths of Allegiance and Supremacy, being tendred unto ſuch Eccleſiaſtical Perſon or Miniſter, by the ſaid Commiſſioners, or any three of them, which ſaid Commiſſioners, and every three of them, are hereby enabled and enjoined to adminiſter the ſaid Oaths accordingly.

Preſentations under the Great Seal.

XXI. Provided always, and be it enacted, That this Act, or any Thing herein contained, ſhall not prejudice the Title of any Perſon or Perſons to any Eccleſiaſtical Living, Benefice or Promotion with Cure of Souls in this Act mentioned, who have been and ſhall be preſented to ſuch Benefice or Promotion by his Majeſty under the Great Seal of *England*, between the firſt Day of *May* in the Year of our Lord one thouſand ſix hundred and ſixty, and the ninth of *September* in the ſame Year; but that ſuch Preſentees ſo preſented by his Majeſty as aforeſaid, ſhall and may from and after the ſaid twentieth-ninth Day of *September* enjoy the ſame Benefices and Promotions reſpectively, as if this Act had not been made.

XXII. Nevertheleſs, it is declared and enacted, That ſuch Perſons, as upon the twenty-fifth Day of *December* one thouſand ſix hundred fifty-nine were the Poſſeſſors of ſuch Benefices or Promotions, ſhall not be charged by ſuch Preſentees of his Majeſty with or for any Profits by them or any of them received before the ſaid twenty-ninth Day of *September*, but ſhall hold and enjoy the Profits of ſuch Benefices and Promotions reſpectively, until the ſaid twenty-ninth Day of *September*.

Kidlington Vicarage.

XXIII. Provided alſo, That this Act, or any Thing therein contained, ſhall not extend to confirm any Perſon in the Vicarage of *Kidlington* in the County of *Oxford*; but that the ſaid Vicarage ſhall remain as formerly annexed to the Rectorſhip of *Exeter-College* in *Oxford*; any Thing in this Act to the contrary notwithſtanding.

Garſington Rectory.

XXIV. Provided alſo, That this Act, or any Thing herein contained, ſhall not extend to confirm any Perſon in the Rectory of *Garſington* in the County of *Oxford*, but that the ſaid Rectory ſhall remain as formerly annexed to the Preſidentſhip of *Trinity-College* in *Oxford*; any Thing in this Act to the contrary notwithſtanding.

Caſtor Rectory.

XXV. Provided alſo, That this Act, or any Thing therein contained, ſhall not extend to confirm any Perſon in the Rectory of *Caſtor* in the County of *Northampton*, but that the ſaid Rectory ſhall remain as formerly annexed to the Biſhoprick of *Peterborough*; any Thing in this Act to the contrary notwithſtanding.

Cudſden Vicarage.

XXVI. Provided alſo, That this Act, or any Thing therein contained, ſhall not extend to confirm any Perſon in the Vicarage of *Cudſden* in the County of *Oxford*, but that the ſaid Vicarage ſhall remain as formerly annexed to the Biſhoprick of *Oxford*; any Thing in this Act to the contrary notwithſtanding.

Perſons preaching againſt the King's Right to the Crown, not to be reſtored.

XXVII. Provided always, That this Act, nor any Thing therein contained, ſhall extend to the Confirming or Settling any Perſon in a Living, that hath maliciouſly printed any Treatiſe or preached againſt his Majeſty that now is, his Right or Succeſſion to the Crowns of the e Realms; ſo as the ſame be proved by the Oaths of two credible Witneſſes before the Commiſſioners appointed by this Act (who have hereby Power to adminiſter the ſame) and ſo adjudged by the ſaid Commiſſioners, before the five and twentieth Day of *December* one thouſand ſix hundred and ſixty.

Execution to reſtore the Parſon.

XXVIII. Provided alſo, That if any Miniſter who ſhall by this Act be adjudged to be removed, ſhall not give up the Poſſeſſion according to the Order of the ſaid Commiſſioners, then the ſaid Commiſſioners, or any five of them, ſhall grant their Warrant to the Sheriff of the County to put ſuch Perſon adjudged to be reſtored into Poſſeſſion, according to the true Intent and Meaning of this Act; which ſaid Sheriff ſhall execute the ſame accordingly; and in Default of ſuch Warrant, the Sheriff of the County for the Time being ſhall be and is hereby enabled and required to give Poſſeſſion accordingly.

None to be reſtored who with Arms oppoſed a free Parliament.

XXIX. Provided, That this Act ſhall not extend or be conſtrued to confirm any Eccleſiaſtical Perſon that did appear in Arms and march in a Troop in Oppoſition to the intended reſtoring of his Majeſty and a free Parliament, ſince the firſt Day of *Auguſt* in the Year of our Lord one thouſand ſix hundred fifty and nine, ſo as the ſame be proved by the Oaths of two credible Witneſſes before the Commiſſioners appointed by this Act (who have hereby Power to adminiſter the ſame) and ſo adjudged by the ſaid Commiſſioners before the five and twentieth Day of *December* one thouſand ſix hundred and ſixty.

Acton Rectory.

XXX. Provided alſo, That this Act, or any Thing therein contained, ſhall not extend to confirm any Perſon in the Rectory of *Acton* in the County of *Middleſex*, which Rectory his Majeſty before the ſix and twentieth Day of *Auguſt* hath granted under his Sign Manual to one of his Chaplains.

Peers Patrons Titles ſaved.

XXXI. And laſtly, it is declared and enacted by the Authority aforeſaid, That all and every the Peers of this Realm, according to their ſeveral and reſpective Titles and Intereſts, may at any Time or Times within the Space of ſix Kalendar Months from the firſt Day of *September* in this preſent Year one thouſand ſix hundred and ſixty, preſent and nominate their reſpective Clerk or Clerks unto any Eccleſiaſtical Benefices, Livings or Promotions of their reſpective Patronages, or whereunto they had Right or Title to preſent or nominate at any Time ſince the firſt Day of *January* one thouſand ſix hundred forty-two; (2) and that the ſaid Preſentees ſhall be thereupon admitted, inſtituted and inducted, and after have and enjoy, and ſue for and recover the Poſſeſſion, and from thenceforth take the whole and entire Profits of the ſaid Benefices, Livings and Promotions, and ſhall be accounted and ſhall be full and perfect Incumbents of the ſame to all Intents and Purpoſes, as fully and amply as if they had been preſented and placed therein within ſix Months next after the firſt Avoidances, notwithſtanding any Lapſe, or other Title by reaſon of Lapſe, incurred or devolved to his late Majeſty or to the King's Majeſty that now is, or to any other Perſon or Perſons, Bodies Politick or Corporate; any Thing in this preſent Act or otherwiſe to the contrary hereof in any wiſe notwithſtanding.

XXXII. Provided, That ſuch Preſentees as have been or ſhall be preſented by his Majeſty as aforeſaid, before the ſaid ninth Day of *September* in this preſent Year one thouſand ſix hundred and ſixty, by Title of Lapſe or otherwiſe as aforeſaid, ſhall or may enjoy the ſame Benefices and Promotions reſpectively; the laſt mentioned Clauſe or any other Thing in this Act contained to the contrary notwithſtanding.

C A P.

## CAP. XVIII.

### An Act for the Encouraging and Increasing of Shipping and Navigation.

No Goods shall be imported from the Plantations, but in Engliſh Ships. 5 *El.* c. 5.

'FOR the Increaſe of Shipping and Encouragement of the Navigation of this Nation, wherein, under the good Providence and Protection of God, the Wealth, Safety and Strength of this Kingdom is ſo much concerned;' (2) Be it enacted by the King's moſt Excellent Majeſty, and by the Lords and Commons in this preſent Parliament aſſembled, and by the Authority thereof, That from and after the firſt Day of *December* one thouſand ſix hundred and ſixty, and from thenceforward, no Goods or Commodities whatſoever ſhall be imported into or exported out of any Lands, Iſlands, Plantations or Territories to his Majeſty belonging or in his Poſſeſſion, or which may hereafter belong unto or be in the Poſſeſſion of his Majeſty, his Heirs and Succeſſors, in *Aſia*, *Africa*, or *America*, in any other Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch Ships or Veſſels as do truly and without Fraud belong only to the People of *England* or *Ireland*, Dominion of *Wales* or Town of *Berwick* upon *Tweed*, or are of the Built of and belonging to any the ſaid Lands, Iſlands, Plantations or Territories, as the Proprietors and right Owners thereof, and whereof the Maſter and three fourths of the Mariners at leaſt are *Engliſh*; (3) under the Penalty of the Forfeiture and Loſs of all the Goods and Commodities which ſhall be imported into or exported out of any the aforeſaid Places in any other Ship or Veſſel, as alſo of the Ship or Veſſel, with all its Guns, Furniture, Tackle, Ammunition and Apparel; one third Part thereof to his Majeſty, his Heirs and Succeſſors; one third Part to the Governor of ſuch Land, Plantation, Iſland or Territory where ſuch Default ſhall be committed, in Caſe the ſaid Ship or Goods be there ſeized, or otherwiſe that third Part alſo to his Majeſty, his Heirs and Succeſſors; and the other third Part to him or them who ſhall ſeize, inform or ſue for the ſame in any Court of Record, by Bill, Information, Plaint or other Action, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; (4) and all Admirals and other Commanders at Sea of any the Ships of War or other Ship having Commiſſion from his Majeſty or from his Heirs or Succeſſors, are hereby authorized and ſtrictly required to ſeize and bring in as Prize all ſuch Ships or Veſſels as ſhall have offended contrary hereunto, and deliver them to the Court of Admiralty, there to be proceeded againſt; and in Caſe of Condemnation, one Moiety of ſuch Forfeitures ſhall be to the Uſe of ſuch Admirals or Commanders and their Companies, to be divided and proportioned amongſt them according to the Rules and Orders of the Sea in Caſe of Ships taken Prize; and the other Moiety to the Uſe of his Majeſty, his Heirs and Succeſſors.

Penalty. Explained by 13 & 14 Car. 2. c. 11. ſect. 6.

Aliens ſhall not exerciſe the Occupation of Merchants or Factors in the Plantations.

II. And be it enacted, That no Alien or Perſon not born within the Allegiance of our Sovereign Lord the King, his Heirs and Succeſſors, or Naturalized, or made a Free Denizen, ſhall from and after the firſt Day of *February*, which will be in the Year of our Lord one thouſand ſix hundred ſixty-one, exerciſe the Trade or Occupation of a Merchant or Factor in any the ſaid Places; (2) upon Pain of the Forfeiture and Loſs of all his Goods and Chattels, or which are in his Poſſeſſion; one third to his Majeſty, his Heirs and Succeſſors; one third to the Governor of the Plantation where ſuch Perſon ſhall ſo offend; and the other third to him or them that ſhall inform or ſue for the ſame in any of his Majeſty's Courts in the Plantation where ſuch Offence ſhall be committed: (3) And all Governors of the ſaid Lands, Iſlands, Plantations or Territories, and every of them, are hereby ſtrictly required and commanded, and all who hereafter ſhall be made Governors of any ſuch Iſlands, Plantations or Territories, by his Majeſty, his Heirs or Succeſſors, ſhall before their Entrance into their Government take a ſolemn Oath, to do their utmoſt, that every the afore-mentioned Clauſes, and all the Matters and Things therein contained, ſhall be punctually and *bona fide* obſerved according to the true Intent and Meaning thereof: (4) And upon Complaint and Proof made before his Majeſty, his Heirs or Succeſſors, or ſuch as ſhall be by him or them thereunto authorized and appointed, that any the ſaid Governors have been willingly and wittingly negligent in doing their Duty accordingly, that the ſaid Governor ſo offending ſhall be removed from his Government.

Governors, &c. of Plantations to take an Oath for the Obſervation of the aforementioned Clauſes. Explained and enforced by 7 & 8 W. 3. c. 22. ſect. 4.

For the Importation of Thrown Silk, ſee 2 W. & M. Seſſ. 1. c. 5.

III. And it is further enacted by the Authority aforeſaid, That no Goods or Commodities whatſoever, of the Growth, Production or Manufacture of *Africa*, *Aſia* or *America*, or of any Part thereof, or which are deſcribed or laid down in the uſual Maps or Cards of thoſe Places, be imported into *England*, *Ireland* or *Wales*, Iſlands of *Guernſey* and *Jerſey*, or Town of *Berwick* upon *Tweed*, in any other Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly and without Fraud belong only to the People of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or of the Lands, Iſlands, Plantations or Territories in *Aſia*, *Africa* or *America*, to his Majeſty belonging, as the Proprietors and right Owners thereof, and whereof the Maſter, and three fourths at leaſt of the Mariners are *Engliſh*; (2) under the Penalty of the Forfeiture of all ſuch Goods and Commodities, and of the Ship or Veſſel in which they were imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel; one Moiety to his Majeſty, his Heirs and Succeſſors; and the other Moiety to him or them who ſhall ſeize, inform or ſue for the ſame in any Court of Record, by Bill, Information, Plaint or other Action, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

No Goods of Foreign Growth or Manufactures ſhall be brought into England, &c. in Engliſh Ships, but only from the Places of their ſaid Growth,

IV. And it is further enacted by the Authority aforeſaid, That no Goods or Commodities that are of Foreign Growth, Production or Manufacture, and which are to be brought into *England*, *Ireland*, *Wales*, the Iſlands of *Guernſey* and *Jerſey*, or Town of *Berwick* upon *Tweed*, in *Engliſh*-built Shipping, or other Shipping belonging to ſome of the aforeſaid Places, and navigated by *Engliſh* Mariners, as aforeſaid, ſhall be ſhipped or brought from any other Place or Places, Country or Countries, but only from thoſe of the ſaid Growth, Production or Manufacture, or from thoſe Ports where the ſaid Goods and Commodities can only, or are, or uſually have been, firſt ſhipped for Tranſportation, and from none other Places or Countries

tries; (2) under the Penalty of the Forfeiture of all such of the aforesaid Goods as shall be imported from any other Place or Country contrary to the true Intent and Meaning hereof, as also of the Ship in which they were imported, with all her Guns, Furniture, Ammunition, Tackle and Apparel; one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall seize, inform or sue for the same in any Court of Record, to be recovered as is before expreſt.

Altered by 7 Ann. c. 8. sect. 12. as to American Drugs.

V. And it is further enacted by the Authority aforesaid, That any sort of Ling, Stock-fish, Pilchard, or any other kind of dried or salted Fish, usually fished for and caught by the People of *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*; or any sort of Cod-fish or Herring, or any Oil or Blubber made or that shall be made of any kind of Fish whatsoever, or any Whale-fins or Whale-bones, which shall be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, not having been caught in Vessels truly and properly belonging thereunto as Proprietors and right Owners thereof, and the said Fish cured, saved and dried, and the Oil and Blubber aforesaid (which shall be accounted and pay as Oil) not made by the People thereof, and shall be imported into *England*, *Ireland*, or *Wales*, or Town of *Berwick* upon *Tweed*, shall pay double Aliens Custom.

All Ling, Stock-fish, &c. Oil, &c. Whale-fins, &c. imported, not caught in Vessels by the Proprietors themselves, &c. shall pay double Aliens Custom. Protestant Strangers are excepted by 10 & 11 W. 3. c. 24. sect. 13. and the Importation of Anchovies, &c. provided for by sect. 14.

VI. And be it further enacted by the Authority aforesaid, That from henceforth it shall not be lawful to any Person or Persons whatsoever, to load or cause to be loaden and carried in any Bottom or Bottoms, Ship or Ships, Vessel or Vessels whatsoever, whereof any Stranger or Strangers-born (unless such as shall be Denizens or Naturalized) be Owners, Part-Owners or Master, and whereof three fourths of the Mariners at least shall not be *English*, any Fish, Victual, Wares, Goods, Commodities or Things, of what Kind or Nature soever the same shall be, from one Port or Creek of *England*, *Ireland*, *Wales*, Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, to another Port or Creek of the same, or of any of them; under Penalty for every one that shall offend contrary to the true Meaning of this Branch of this present Act, to forfeit all such Goods as shall be loaden and carried in any such Ship or Vessel, together with the Ship or Vessel, and all her Guns, Ammunition, Tackle, Furniture and Apparel; one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall inform, seize or sue for the same in any Court of Record, to be recovered in Manner aforesaid.

No Goods to be laded or carried from one Part of England to another in the Vessel of any Alien not Denizened, &c. The Penalty. 1 Salk. 223.

VII. And it is further enacted by the Authority aforesaid, That where any Ease, Abatement or Privilege is given in the Book of Rates to Goods or Commodities imported or exported in *English*-built Shipping, that is to say, Shipping built in *England*, *Ireland*, *Wales*, Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, or in any the Lands, Islands, Dominions and Territories to his Majesty in *Africa*, *Asia* or *America*, belonging, or in his Possession, that it is always to be understood and provided, that the Master and three fourths of the Mariners of the said Ships at least be also *English*; (2) and that where it is required that the Master and three fourths of the Mariners be *English*, that the true Intent and Meaning thereof is, that they should be such during the whole Voyage, unless in Case of Sickness, Death, or being taken Prisoners in the Voyage, to be proved by the Oath of the Master or other Chief Officer of such Ships.

Ease and Abatement in the Book of Rates to extend only where three Parts of the Mariners be English.

VIII. And it is further enacted by the Authority aforesaid, That no Goods or Commodities of the Growth, Production or Manufacture of *Muscovy*, or of any the Countries, Dominions or Territories to the Great Duke or Emperor of *Muscovy* or *Russia* belonging, as also that no Sort of Masts, Timber or Boards, no foreign Salt, Pitch, Tar, Rosin, Hemp or Flax, Raisins, Figs, Prunes, Olive-Oils, no Sorts of Corn or Grain, Sugar, Pot-Ashes, Wines, Vinegar, or Spirits called *Aqua-vitæ*, or Brandy-Wine, shall from and after the first Day of *April*, which shall be in the Year of our Lord one thousand six hundred sixty-one, be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, in any Ship or Ships, Vessel or Vessels whatsoever, but in such as do truly and without Fraud belong to the People thereof, or some of them, as the true Owners and Proprietors thereof, and whereof the Master and three fourths of the Mariners at least are *English*: And that no Currans nor Commodities of the Growth, Production or Manufacture of any the Countries, Islands, Dominions or Territories to the *Othoman* or *Turkish* Empire belonging, shall from and after the first Day of *September*, which shall be in the Year of our Lord one thousand six hundred sixty-one, be imported into any the afore-mentioned Places in any Ship or Vessel, but which is of *English*-built, and navigated, as aforesaid, and in no other, except only such foreign Ships and Vessels as are of the Built of that Country or Place of which the said Goods are the Growth, Production or Manufacture respectively, or of such Port where the said Goods can only be, or most usually are, first shipped for Transportation, and whereof the Master and three fourths of the Mariners at least are of the said Country or Place, under the Penalty and Forfeiture of Ship and Goods, to be disposed and recovered as in the foregoing Clause.

Goods of the Growth or Manufacture of Muscovy or Russia. Explained by 13 & 14 Car. 2. c. 11. sect. 23. 5 Mod. 193.

Othoman or Turkish Empire

IX. Provided always, and be it hereby enacted by the Authority aforesaid, That for the Prevention of the great Frauds daily used in colouring and concealing of Aliens Goods, all Wines of the Growth of *France* or *Germany*, which from and after the twentieth Day of *October* one thousand six hundred and sixty shall be imported into any the Ports or Places aforesaid, in any other Ship or Vessel than which doth truly and without Fraud belong to *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, and navigated with the Mariners thereof, as aforesaid, shall be deemed Aliens Goods, and pay all Strangers Customs and Duties to his Majesty, his Heirs and Successors, as also to the Town or Port into which they shall be imported; (2) and that all Sorts of Masts, Timber or Boards, as also all foreign Salt, Pitch, Tar, Rosin, Hemp, Flax, Raisins, Figs, Prunes, Olive-Oils, all Sorts of Corn or Grain, Sugar, Pot-ashes, Spirits commonly called Brandy-Wine, or Aqua-vitæ, Wines of the Growth of *Spain*, the Islands of the *Canaries* or *Portugal*, *Madera*, or Western Islands; (3) and all the Goods of the Growth, Production or Manufacture of *Muscovy* or *Russia*, which from and after the first Day of *April*, which shall be in the Year of our Lord one thousand six hundred sixty-one, shall be imported into any the aforesaid Places in any other than

Frauds in concealing Aliens Goods, how to be prevented.

than such Shipping, and so navigated; (4) and all Currans and *Turky* Commodities which from and after the first Day of *September* one thousand six hundred sixty-one shall be imported into any the Places aforesaid, in any other than *English*-built Shipping, and navigated as aforesaid, (5) shall be deemed Aliens Goods, and pay accordingly to his Majesty, his Heirs and Successors, and to the Town or Port into which they shall be imported.

How to prevent Frauds in colouring and buying foreign Ships. 1 Xp. See 13 & 14 Car. 2. c. 11. sect. 6.

X. And for Prevention of all Frauds which may be used in colouring or buying of foreign Ships, be it enacted by the Authority aforesaid, and it is hereby enacted, That from and and after the first Day of *April*, which shall be in the Year of our Lord one thousand six hundred sixty-one, no foreign-built Ship or Vessel whatsoever shall be deemed or pass as a Ship to *England*, *Ireland*, *Wales*, or Town of *Berwick*, or any of them belonging, or enjoy the Benefit or Privilege of such a Ship or Vessel, until such Time that he or they claiming the said Ship or Vessel to be theirs, shall make appear to the Chief Officer or Officers of the Customs in the Port next to the Place of his or their Abode, that he or they are not Aliens, and shall have taken an Oath before such Chief Officer or Officers, who are hereby authorized to administer the same, that such Ship or Vessel was *bona fide* and without Fraud by him or them bought for a valuable Consideration, expressing the Sum, as also the Time, Place and Persons from whom it was bought, and who are his Part-Owners (if he have any); (2) all which Part-Owners shall be liable to take the said Oath before the Chief Officer or Officers of the Custom-house of the Port next to the Place of their Abode, and that no Foreigner directly or indirectly hath any Part, Interest or Share therein; and that upon such Oath he or they shall receive a Certificate under the Hand and Seal of the said Chief Officer or Officers of the Port where such Person or Persons so making Oath do reside, whereby such Ship or Vessel may for the future pass and be deemed as a Ship belonging to the said Port, and enjoy the Privilege of such a Ship or Vessel; and the said Officer or Officers shall keep a Register of all such Certificates as he or they shall so give, and return a Duplicate thereof to the Chief Officers of the Customs at *London*, for such as shall be granted in *England*, *Wales*, and *Berwick*, and to the Chief Officers of the Customs at *Dublin*, for such as shall be given in *Ireland*, together with the Names of the Person or Persons from whom such Ship was bought, and the Sum of Money which was paid for her, as also the Names of all such Persons who are Part-Owners of her, if any such be.

The Oath to be administred.

Officers of the Customs not to allow any Privilege to any foreign-built Ship, until Certificate or Proof, &c. Altered by 6 Annæ, c. 37. sect. 21.

XI. And be it further enacted by the Authority aforesaid, That if any Officers of the Customs shall from and after the said first Day of *April* allow the Privilege of being a Ship or Vessel to *England*, *Ireland*, *Wales*, or Town of *Berwick*, or any of them belonging, to any foreign-built Ship or Vessel, until such Certificate be before them produced, or such Proof and Oath taken before them; (2) or if any Officer of the Customs shall allow the Privilege of an *English*-built Ship, or other Ship to any the aforesaid Places belonging, to any *English* or foreign-built Ship coming into any Port, and making Entry of any Goods, until Examination whether the Master and three Fourths of the Mariners be *English*; (3) or shall allow to any foreign-built Ship bringing in the Commodities of the Growth of the Country where it was built, the Privilege by this Act to such Ship given, until Examination and Proof whether it be a Ship of the Built of that Country, and that the Master and three Fourths of the Mariners are of that Country; (4) or if any Person who is or shall be made Governor of any Lands, Islands, Plantations or Territories in *Africa*, *Asia* or *America*, by his Majesty, his Heirs or Successors, shall suffer any foreign-built Ship or Vessel to load or unload any Goods or Commodities within the Precincts of their Governments, until such Certificate be produced before them, or such as shall be by them appointed to view the same, and Examination whether the Master and three Fourths of the Mariners at least be *English*; (5) that for the first Offence such Officer of the Customs and Governors shall be put out of their Places, Offices or Governments.

Proviso for Goods of the Streights or Levant. In Part repealed by 6 Geo. 1. c. 14.

XII. Provided always, That this Act, or any Thing therein contained, extend not, or be meant, to restrain and prohibit the Importation of any the Commodities of the *Streights* or *Levant-Seas*, loaden in *English*-built Shipping, and whereof the Master and three Fourths of the Mariners at least are *English*, from the usual Ports or Places for lading of them heretofore within the said *Streights* or *Levant-Seas*, though the said Commodities be not of the very Growth of the said Places.

East-India Commodities.

XIII. Provided also, That this Act, or any Thing therein contained, extend not, or be meant, to restrain the importing of any *East-India* Commodities loaden in *English*-built Shipping, and whereof the Master and three Fourths of the Mariners at least are *English*, from the usual Place or Places for lading of them in any Part of those Seas, to the Southward and Eastward of *Cabo bona Esperanza*, although the said Ports be not the very Places of their Growth.

Proviso for Goods imported from Spain, Portugal, Azores, Madera or Canary Islands.

XIV. Provided also, That it shall and may be lawful to and for any of the People of *England*, *Ireland*, *Wales*, Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, in Vessels or Ships to them belonging, and whereof the Master and three Fourths of the Mariners at least are *English*, to load and bring in from any of the Ports of *Spain* or *Portugal*, or Western Islands, commonly called *Azores* or *Madera* or *Canary* Islands, all Sorts of Goods or Commodities of the Growth, Production or Manufacture of the Plantations or Dominions of either of them respectively.

Proviso for Bullion, and Goods taken by Way of Reprisal.

XV. Provided, That this Act, or any Thing therein contained, extend not to Bullion, nor yet to any Goods taken, or that shall be *bona fide* taken, by way of Reprisal by any Ship or Ships belonging to *England*, *Ireland* or *Wales*, Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, and whereof the Master and three Fourths of the Mariners at least are *English*, having Commission from his Majesty, his Heirs or Successors.

Proviso concerning Goods of Scotland.

XVI. Provided always, That this Act, or any Thing therein contained, shall not extend, or be construed to extend, to lay Aliens Duties upon any Corn of the Growth of *Scotland*, or to any Salt made in *Scotland*, nor to any Fish caught, saved and cured by the People of *Scotland*, and imported directly from *Scotland* in *Scotch* built Ships, and whereof the Master and three Fourths of the Mariners are of his Majesty's Subjects; (2) nor to any Seal-Oil of *Russia*, imported from thence into *England*, *Ireland*, *Wales*, or

Goods of Russia.

or Town of *Berwick* upon *Tweed*, in Shipping *bona fide* to ſome of the ſaid Places belonging, and whereof the Maſter and three Fourths of the Mariners at leaſt are *Engliſh*.

The Duty payable upon Goods in French Ships. Enforced by 13 & 14 Car. 2. c. 11. §. 24.

XVII. Provided alſo, and it is hereby enacted, That every Ship or Veſſel belonging to any the Subjects of the *French* King, which from and after the twentieth Day of *October* in the Year of our Lord one thouſand ſix hundred and ſixty ſhall come into any Port, Creek, Harbour or Road of *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, and ſhall there lade or unlade any Goods or Commodities, or take in or ſet on ſhore any Paſſengers, ſhall pay to the Collector of his Majeſty's Cuſtoms in ſuch Port, Creek, Harbour or Road, for every Ton of which the ſaid Ship or Veſſel is of Burthen, to be computed by ſuch Officer of the Cuſtoms as ſhall be thereunto appointed, the Sum of five Shillings current Money of *England*: (2) And that no ſuch Ship or Veſſel be ſuffered to depart out of ſuch Port, Creek, Harbour or Road, until the ſaid Duty be fully paid: (3) And that this Duty ſhall continue to be collected, levied and paid, for ſuch Time as a certain Duty of fifty Solls *per* Ton, lately impoſed by the *French* King, or any Part thereof, ſhall continue to be collected upon the Shipping of *England* lading in *France*, and three Months after and no longer.

How long to continue.

Sugars, Tobacco, &c. of the Growth of the Plantations. Enlarged as to Rice and Meloſſes by 3 & 4 Annæ, c. 5. §. 12. and as to Copper Oar by 8 Geo. 1. c. 18. §. 22.

XVIII. And it is further enacted by the Authority aforeſaid, That from and after the firſt Day of *April*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty-one, no Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, Fuſtick, or other dying Wood, of the Growth, Production or Manufacture of any *Engliſh* Plantations in *America*, *Aſia* or *Africa*, ſhall be ſhipped, carried, conveyed or tranſported from any of the ſaid *Engliſh* Plantations to any Land, Iſland, Territory, Dominion, Port or Place whatſoever, other than to ſuch other *Engliſh* Plantations as do belong to his Majeſty, his Heirs and Succeſſors, or to the Kingdom of *England* or *Ireland*, or Principality of *Wales*, or Town of *Berwick* upon *Tweed*, there to be laid on Shore, (2) under the Penalty of the Forfeiture of the ſaid Goods, or the full Value thereof, as alſo of the Ship, with all her Guns, Tackle, Apparel, Ammunition and Furniture; the one Moiety to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſeize, inform or ſue for the ſame in any Court of Record, by Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Ships of England, Ireland, or Wales, ſailing to any Engliſh Plantations of America, Aſia, or Africa, ſhall be bound with Sureties to bring Goods there loaded into England, &c. Farther Proviſions relating to ſuch Bonds, 7 & 8 W. 3. c. 22. §. 13. 8 Annæ c. 13. §. 23. Repealed as to Ireland by 22 & 23 Car. 2. c. 26. §. 11.

XIX. And be it further enacted by the Authority aforeſaid, That for every Ship or Veſſel, which from and after the five and twentieth Day of *December* in the Year of our Lord one thouſand ſix hundred and ſixty ſhall ſet ſail out or from *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, for any *Engliſh* Plantation in *America*, *Aſia* or *Africa*, ſufficient Bond ſhall be given with one Surety to the Chief Officers of the Cuſtom-houſe of ſuch Port or Place from whence the ſaid Ship ſhall ſet ſail, to the Value of one thouſand Pounds, if the Ship be of leſs Burthen than one hundred Tuns; and of the Sum of two thouſand Pounds, if the Ship ſhall be of greater Burthen: That in Caſe the ſaid Ship or Veſſel ſhall load any of the ſaid Commodities at any of the ſaid *Engliſh* Plantations, that the ſame Commodities ſhall be by the ſaid Ship brought to ſome Port of *England*, *Ireland*, *Wales*, or to the Port or Town of *Berwick* upon *Tweed*, and ſhall there unload and put on Shore the ſame, the Danger of the Seas only excepted: (2) And for all Ships coming from any other Port or Place to any of the aforeſaid Plantations, who by this Act are permitted to trade there, that the Governor of ſuch *Engliſh* Plantations ſhall before the ſaid Ship or Veſſel be permitted to load on Board any of the ſaid Commodities, take Bond in manner and to the Value aforeſaid, for each reſpective Ship or Veſſel, that ſuch Ship or Veſſel ſhall carry all the aforeſaid Goods that ſhall be laden on Board in the ſaid Ship to ſome other of his Majeſty's *Engliſh* Plantations, or to *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*: (3) And that every Ship or Veſſel which ſhall load or take on Board any of the aforeſaid Goods, until ſuch Bond given to the ſaid Governor, or Certificate produced from the Officers of any Cuſtom-houſe of *England*, *Ireland*, *Wales*, or of the Town of *Berwick*, that ſuch Bonds have been there duly given, ſhall be forfeited with all her Guns, Tackle, Apparel and Furniture, to be imployed and recovered in Manner, as aforeſaid; and the ſaid Governors and every of them ſhall twice in every Year after the firſt Day of *January* one thouſand ſix hundred and ſixty, return true Copies of all ſuch Bonds by him ſo taken, to the Chief Officers of the Cuſtom in *London*. [Confirmed by 13 Car. 2. Stat. 1. c. 14.]

Farther Proviſions relating to ſuch Bonds, &c.

Ships coming from other Places to any of thoſe Plantations.

The reſpective Governors to return the Bonds taken twice yearly to the chief Officers of the Cuſtoms in London. This Return to be made once a Year, &c.

22 & 23 Car. 2. c. 16. §. 12. *Farther Proviſions concerning Ships and Navigation*, 22 & 23 *Car.* 2. *c.* 11. 1 *Jac.* 2. *c.* 18. 4 & 5 *Ann. c.* 20. 6 *Ann. c.* 37. 8 *Ann. c.* 17. 10 *Ann. c.* 17. 3 *Geo.* 1. *c.* 13. 4 *Geo.* 1. *c.* 12. 7 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 17 & 24. 11 *Geo.* 1. *c.* 29. 3 *Geo.* 2. *c.* 36. 5 *Geo.* 2. *c.* 20. 6 *Geo.* 2. *c.* 29. 7 *Geo.* 2. *c.* 15. 9 *Geo.* 2. *c.* 25. 10 *Geo.* 2. *c.* 14. 14 *Geo.* 2. *c.* 39. 17 *Geo.* 2. *c.* 34 & 36. 18 *Geo.* 2. *c.* 17 & 31. 19 *Geo.* 2. *c.* 30. 20 *Geo.* 2. *c.* 24. & 45. 22 *Geo.* 2. *c.* 3 & 33. 26 *Geo.* 2. *c.* 25. 29 *Geo.* 2. *c.* 27 & 34. 32 *Geo.* 2. *c.* 16 & 25. *and* 33 *Geo.* 2. *c.* 19.

## CAP. XIX.

### An Act to prevent Frauds and Concealments of his Majeſty's Cuſtoms and Subſidies.

Perſons who ſhall convey away any Goods without Entry and Agreement for the Cuſtom. 12 Car. 2. c. 4. *Burn, V.* 1—319.

BE it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, That if any Perſon or Perſons at any Time after the firſt Day of *September* one thouſand ſix hundred and ſixty, ſhall cauſe any Goods for which Cuſtom, Subſidy or other Duties are due or payable by Virtue of the Act paſſed this Parliament, (intituled, *A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported*) to be landed or conveyed away without due Entry thereof firſt made, and the Cuſtomer or Collector, or his Deputy agreed with; That then and in ſuch Caſe, upon Oath thereof made before the Lord Treaſurer, or any of the Barons of the Exchequer, or Chief Magiſtrate of the Port or Place where the Offence ſhall be committed, or the Place next adjoining thereunto, it ſhall be lawful to and for the Lord Treaſurer, or any of the Barons aforeſaid, or Chief Magiſtrate of the Port or Place where the Offence ſhall be committed, or the Place next adjoining thereunto, to iſſue out a War-

The Penalty.

rant to any Person or Persons, thereby enabling him or them with the Assistance of a Sheriff, Justice of Peace or Constable, to enter into any House in the Day-time where such Goods are suspected to be concealed, and in case of Resistance to break open such Houses, and to seize and secure the same Goods so concealed; and all Officers and Ministers of Justice are hereby required to be aiding and assisting thereunto.

13 & 14 Car. 2. c. 11. §. 5. 8 Annæ, c. 7. §. 17.

No Proceeding against any upon this Act, unless within one Month after the Offence committed.

II. Provided always, That no House shall be entered by Virtue of this Act, unless it be within the Space of one Month after the Offence supposed to be committed.

III. Provided also, That this Act shall continue in Force unto the End of the first Session of the next Parliament, and no longer.

The Continuance of this Act.

IV. Provided also, That if the Information whereupon any House shall come to be searched, shall prove to be false, that then and in such Case, the Party injured shall recover his full Damages and Costs against the Informer, by Action of Trespass to be therefore brought against such Informer. [Confirmed by 13 Car. 2. Stat. 1. c. 7. And by 1 Ann. Stat. 1. c. 13. §. 2. and by 9 Ann. c. 6. §. 2. Made perpetual by 3 Geo. 1. c. 7.]

Damages and Costs against false Informers.

*Farther Provisions relating to Customs,* 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 7 *Geo.* 1. *St.* 1. *c.* 21. 8 *Geo.* 1. *c.* 15, 18 & 31. 9 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 7 & 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *St.* 2. *c.* 17. 15 *Geo.* 2. *c.* 31. 18 *Geo.* 2. *c.* 28. 19 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 28. 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. *c.* 18 & 29. *and* 32 *Geo.* 2. *c.* 10.

## CAP. XX.

An Act for the raising of sevenscore thousand Pounds, for the compleat Disbanding of the whole Army, and paying Part of the Navy. EXP.

## CAP. XXI.

An Act for the speedy Raising of Seventy thousand Pounds, for the present Supply of his Majesty. EXP. 13 & 14 *Car.* 2. *c.* 10.

## CAP. XXII.

An Act for the Regulating of the Trade of Bay-making in the *Dutch Bay-Hall* in *Colchester*.

'WHEREAS by the special Favour of Queen *Elizabeth* there was a Congregation of *Dutch* People tolerated to practise the Art and Trade of *Bay* and *Say* making in the Town of *Colchester* in the County of *Essex*; and for the Upholding the Credit of the said Trade, and for the Avoiding and Punishing all unjust and fraudulent Dealings therein, there have been divers good and laudable Orders and Constitutions made, which were confirmed by Letters Patents under the Great Seal of *England* in the tenth Year of King *James*, and by several Orders made by the late King's Privy Council; the strict and exact Execution of which said Orders and Constitutions by the Governors of the *Dutch Bay-Hall* there, hath brought that Kind of Drapery into high Credit, not only at Home, but also in Foreign Parts, and that by Reason of the said Trade, many thousands of poor People, both within the said Town of *Colchester* and Places thereabout, are daily imployed and set to work: (2) Notwithstanding which said Orders, and the Care of the Governors of the said *Dutch Bay-Hall*, many fraudulent and deceitful Commodities, and slight and naughty *Bays*, have been and daily are by the secret and crafty Practices of some Men made in the said Town, and are weekly brought and conveyed to *London* by certain Persons using the Trade of Buying and Selling of *Colchester* Bays, before such Time as the said Bays have been viewed, searched, measured and sealed by the sworn Officers of the said *Dutch Bay-Hall*; which said Bays so deceitfully and fraudulently made, are transported beyond the Seas under the Name, and oftentimes with the Seal of *Colchester* Bays, whereby the Bays there made are not of that Credit and Esteem as formerly:' For the preventing of which said Practices and Deceits, (3) Be it enacted by the King's most Excellent Majesty, with the Assent of the Lords and Commons in this present Parliament assembled, and by Authority of the same, That the Governors of the said *Dutch Bay-Hall* in *Colchester*, and the *Dutch* People there living, shall and may from henceforth peaceably and quietly use and exercise the free Trade of making *Bays*, *Says*, and other Foreign Draperies within the said Town of *Colchester*, and be permitted to govern the said Trade in their Assemblies and Congregations, with all such Liberties, Privileges, Immunities, and in as full and ample Manner, as they have at any Time heretofore enjoyed the same by Virtue of any Order, Grant or Toleration to them made by Queen *Elizabeth*, King *James*, or the late King *Charles* of Blessed Memory, or any of them.

Grievance.'

Confirmation of the Privilege of the Dutch-Bay Hall.

All Bays made at Colchester must be carried to the Bay-Hall and searched.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, from and after the twentieth Day of *September* in the Year of our Lord one thousand six hundred and sixty shall weave or cause to be woven within the said Town of *Colchester*, or the Liberties thereof, any Bay known by the Name of Four and Fifties, Sixties, Sixty-eights, Eighties and Hundred Bays, and shall not within two Days after such Weaving, carry or cause such Bay to be carried to the *Dutch Bay-Hall*, called the *Raw-Hall*, there to be viewed and searched, to the Intent it may appear whether the same Bay be well and substantially wrought, before as the said Bay shall be carried to be scoured and thicked; (2) or if any Fuller or Thicker, or other Person using the Art or Trade of Fulling or Thicking of Bays, shall receive any such Bay to be fulled and thicked before such Time as the said Bay hath been carried to the said *Raw-Hall*, and there stamped and marked, as by the Orders of

No Fuller shall work any Bays not searched and allowed.

the ſaid Hall it ought to be; (3) That every ſuch Weaver that ſhall ſo convey the ſaid Bay, and every ſuch Fuller and Thicker that ſhall receive ſuch Bay, before the ſame be ſtamped and marked as aforeſaid, ſhall forfeit for the firſt Offence the Sum of forty Shillings, to be levied by Diſtreſs and Sale of the Offender's Goods, returning the Overplus, the neceſſary Charges of Diſtraining being firſt deducted; (4) and ſuch Forfeitures, in caſe ſuch Bay be made by an *Engliſh* Maſter-maker, then the ſame to be accounted for to the Mayor and Commonalty of the ſaid Town for the Benefit of the Poor of the ſaid Town; and in caſe ſuch Bay be the Bay of a *Dutch* Maſter-maker, then the ſame to be diſpoſed by the Governors of the ſaid *Dutch Bay-Hall* for the Uſe and Benefit of the Poor of the ſaid *Dutch* Congregation; and for the ſecond Offence ſhall forfeit the Sum of five Pounds, to be levied and diſpoſed in Manner aboveſaid; and for the third Offence, not to be permitted to work any more within the Town of *Colcheſter* or Liberties thereof.

Penalty of Weavers and Fullers offending.

Third Offence.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall buy any of the aforeſaid Bays, or convey or carry, or cauſe ſuch Bay to be conveyed or carried out of the ſaid Town of *Colcheſter*, before ſuch Time as the ſaid Bay hath been viewed, ſearched, ſtamped, ſealed and meaſured as aforeſaid, by the ſworn Officers of the ſaid *Dutch Bay-Hall* thereunto appointed, that in ſuch Caſe the ſaid Bay ſo bought or carried, or offered to be carried or conveyed away, as aforeſaid, ſhall be confiſcated, the one Moiety to him or them that ſeize the ſame, and the other Moiety to the Poor of the Pariſh where the ſaid Bay ſhall be taken and ſeized.

No Bays to be carried out of the Town until ſearched and allowed.

Penalty.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall from and after the ſaid twentieth Day of *September* counterfeit or cauſe to be counterfeited any of the Seals uſed by the Corporation or Congregation of the *Dutch Bay-Hall* in *Colcheſter*, or ſhall, not being the Officer thereunto by the ſaid Corporation appointed, and in the Place by them thereunto appointed, affix any ſuch Seal or Seals to any *Colcheſter* Bays, whether counterfeited or not counterfeited; that every Perſon ſo offending, being thereof lawfully convicted, ſhall for his firſt Offence forfeit and pay to the Uſe of the ſaid Governors of the ſaid *Dutch Bay-Hall* the Sum of twenty Pounds, to be recovered in any of his Majeſty's Courts of Record, or in the Town-Court of *Colcheſter*, by any Action of Debt, Bill, Plaint, Information or otherwiſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; (2) and for the ſecond Offence, being convicted as aforeſaid, ſhall ſtand in the Pillory in the Market or moſt publick Place where ſuch Offence ſhall be committed for the Space of one Hour; (3) and for the third Offence, being as aforeſaid convicted, ſhall ſuffer as a Felon: And if any Bays ſhall be taken carrying or carried out of *Colcheſter* without the Mark of the Maker, that all ſuch Bay ſhall be forfeit.

Penalty for counterfeiting the Corporation Seal.

Third Offence.

V. And for the better Diſcovering, Finding out and Puniſhing of the Frauds and Deceits aforeſaid, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governors of the ſaid *Dutch Bay-Hall*, or their Officers, or any of them, from Time to Time in the Day-time, to ſearch any Cart, Waggon or Pack, wherein they ſhall have Notice or ſuſpect any ſuch deceitful Bays to be; and alſo from Time to Time with a Conſtable, who are hereby required to be aiding and aſſiſting to them, to make Search in any Houſe, Shop or Ware-houſe, where they are informed any ſuch deceitful Bays to be, and to ſecure and ſeize the ſame, and carry the ſame to the *Dutch Bay-Hall*; (2) and that ſuch Bays ſo ſeized and carried to the ſaid Hall, ſhall be confiſcate and forfeit, to be diſpoſed in ſuch Manner as the Forfeitures herein before-mentioned to be paid by the Weavers and Fullers are herein before limited and appointed.

Power to ſearch Carts and Packs.

To ſearch Houſes with a Conſtable.

Search Houſes.

Forfeiture of deceitful Bays.

VI. And be it further enacted by the Authority aforeſaid, That for the better Managing and Regulating of the ſaid Art or Trade of making the Bays aforeſaid, that it ſhall and may be lawful to and for the Governors of the ſaid *Dutch Bay-Hall*, from Time to Time, to make, conſtitute and appoint ſuch Orders, By-Laws and Conſtitutions, as to them ſhall ſeem meet and reaſonable.

Power to make By-Laws.

VII. Provided, That no ſuch Order, By-Law or Conſtitution to be made, either in Diminution of the King's Prerogative, or the Laws of this Kingdom, be uſed or executed, until the ſame Orders, By-Laws and Conſtitutions have been examined and approved by the Lord Chancellor, Lord Treaſurer of *England*, or Chief Juſtices of either Bench, or any three of them, or before both the Juſtices of Aſſize in their Circuit or Progreſs in the ſaid County of *Eſſex*, upon Pain of Forfeiture of twenty Pounds for every Time they ſhall do the contrary. This Act to begin and take Effect from the twentieth Day of *September* one thouſand ſix hundred and ſixty.

Who ſhall approve of them.

## CAP. XXIII.

### A Grant of certain Impoſitions upon Beer, Ale and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life.

'THE Commons aſſembled in Parliament, in Gratitude for an humble Acknowledgment of your 'Majeſty's great Grace and Favour to us your Commons, beyond Example of any your Royal 'Progenitors, expreſſed in many publick Acts and Declarations, to the great Rejoycing and general Sa'tisfaction of all your People, which they deſire to anſwer with Returns ſuitable and exceeding the Ex'amples of any of their Anceſtors, for the Increaſing of your Majeſty's Revenue during your Majeſty's 'Reign, (which God long continue)' Do therefore give and grant unto your moſt Excellent Majeſty the Rates and Duties, Impoſitions, Charges and Sums of Money herein after following; and do beſeech your Majeſty that it may be enacted; (2) and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in Parliament aſſembled, That from and after

The Rates given to his Majeſty for Life.

the twenty-fifth Day of *December* one thouſand ſix hundred and ſixty, there ſhall be throughout your Majeſty's Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected and paid unto your Majeſty during your Life, for Beer, Ale, Cyder and other Liquors herein after mentioned, the ſeveral Rates, Impoſitions, Duties and Charges herein after expreſſed, and in Manner and Form following: That is to ſay,

12 Car. 2. c. 24.

Beer and Ale above 6s. the Barrel.
Beer and Ale of 6s. the Barrel.

II. For every Barrel of Beer or Ale above ſix Shillings the Barrel, brewed by the Common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other Perſon or Perſons reſpectively, and ſo proportionably for a greater or leſſer Quantity, one Shilling three Pence. } xv. d.

III. For every Barrel of ſix Shillings Beer or Ale, or under, brewed by the Common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out ſuch Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other Perſon or Perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer Quantity, three Pence. } iii. d.

Cyder, Perry.

IV. For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſſer Meaſure, one Shilling three Pence. } xv. d.

Metheglin, Mead.

V. For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the Maker thereof, upon every Gallon, one Half peny. } Ob.

Vinegar-Beer.

VI. For every Barrel of Beer, commonly called Vinegar-Beer, brewed by any Common Brewer in any Common Brewhouſe, ſix Pence. } vi. d.

Strong-water.

VII. For every Gallon of Strong Water or *Aqua-vitæ*, made and ſold, to be paid by the Maker thereof, one Peny. — i. d.

Beer and Ale imported.

VIII. For every Barrel of Beer or Ale imported from beyond the Seas, three Shillings. — iii. s.

Cyder and Perry imported.

IX. For every Ton of Cyder or Perry imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, five Shillings. } v. s.

Spirits imported.

X. For every Gallon of Spirits made of any Kind of Wine or Cyder imported, two Pence. — ii. d.

Strong-water imported.

XI. For every Gallon of Strong Water perfectly made, imported from beyond the Seas, four Pence. — iv. d.

Coffee.

XII. For every Gallon of Coffee made and ſold, to be paid by the Maker thereof, four Pence. — iv. d.

Chocolate.

XIII. For every Gallon of Chocolate, Sherbet and Tea, made and ſold, to be paid by the Maker thereof, eight Pence. viii. d.

These Duties are enlarged and continued by 12 Car. 2. c. 24. 22 & 23 Car. 2. c. 5. 1 W. & M. Seſſ. 1. c. 24. 2 W. & M. Seſſ. 2. c. 10. 3 & 4 W. & M. c. 1. 4 & 5 W. & M. c. 3. 5 & 6 W. & M. c. 7. and c. 20. 7 & 8 W. 3. c. 30. 10 & 11 W. 3. c. 21. 4 Annæ, c. 6. 8 Annæ, c. 7. 1 Geo. 1. Stat. 2. c. 12. §. 8. 6 Geo. 1. c. 4.

The Exciſe upon Foreign Liquors imported to be paid by the Importers in Money upon Entries made before landing. *Burn, V.* 1. 329.

XIV. And be it further enacted and ordained by the Authority aforeſaid, That the ſeveral Rates, Duties and Charges of Exciſe or new Impoſts above-mentioned, hereby ſet or impoſed upon all and every the ſaid foreign Liquors which ſhall be imported or brought into all or any the Ports of this Kingdom and Dominions thereof aforeſaid, from and after the five and twentieth Day of *December* next, ſhall be from Time to Time ſatisfied and paid by the Merchant or Merchants, Importer or Importers of the ſame, in Ready Money, upon his or their Entry or Entries made, and before the Landing thereof.

Common Brewers to account weekly, and other Retailers of Beer, Ale, &c. monthly.

XV. And be it further enacted by the Authority aforeſaid, That all Common Brewers of Beer and Ale ſhall once in every Week, and all Inn-keepers, Alehouſe-keepers, Victuallers, and other Retailers of Beer, Ale, Cyder, Perry, Metheglin or Strong Water, Brewing, Making or Retailing the ſame, ſhall once in every Month make true and particular Entries at the Office of Exciſe, within the Limits of which the ſaid Commodities and Manufactures are made, of all Beer, Ale, Perry, Cyder, Metheglin, Strong Water, or other the Liquors aforeſaid, which they or any of them ſhall brew, make or retail in that Week and Month reſpectively, as aforeſaid.

The Penalty for not accounting as aforeſaid.

XVI. And be it further enacted by the Authority aforeſaid, That all ſuch Common Brewers who do not once a Week made due and particular Entries, ſhall forfeit five Pounds: (2) And that every ſuch Inn-keeper who doth not make true and particular Entries once a Month, ſhall forfeit five Pounds: (3) And that every Alehouſe-keeper, Victualler or other Retailer, who doth not once a Month make due and particular Entries, ſhall forfeit twenty Shillings.

XVII. And be it further enacted by the Authority aforeſaid, That every Common Brewer who ſhall not pay and clear off within a Week after he made his Entry, or ought to have made his Entry, as aforeſaid, ſhall pay double the Value of the Duty: (2) And that every Inn-keeper, Alehouſe-keeper, Victualler or other Retailer, who ſhall not pay and clear off within a Month after he made his Entry, or ought to have made his Entry, as aforeſaid, ſhall pay double the Value of the Duty: (3) The ſaid reſpective Forfeitures to be levied upon their Goods and Chattels, in ſuch Manner and Form as hereafter in this Act is ordained and directed.

No Perſon to be compelled by the Commiſſioners of Exciſe to go further for making their Entries than the next Market-Town.

XVIII. Provided, That no ſuch Perſon as aforeſaid ſhall be compelled by the Commiſſioners or Sub-Commiſſioners of Exciſe, to travel for the making of the ſaid Entries or Payment of the ſaid Duties or other Cauſe whatſoever touching or concerning the ſame, if he live in a Market-Town out of the ſaid Town; if he live out of a Market-Town, then to no other Place than to the next Market-Town to his Habitation in the ſame County, on the Market-Day.

Farther Proviſions relating hereto, 15 Car. 2. c. 11. § 9.

XIX. And be it further enacted and ordained by the Authority aforeſaid, That the Commiſſioners who ſhall be appointed by his Majeſty for putting this Act in Execution, and their Sub-Commiſſioners in their reſpective Circuits and Diviſions, ſhall hereby have Power to conſtitute under their Hands and Seals, ſuch and ſo many Gagers as they ſhall find needful: (2) Which Gagers, and every of them, ſhall at all Times, as well by Night as by Day, and if by Night, then in the Preſence of a Conſtable or other lawful Officer, be permitted upon their Requeſt to enter the Houſe, Brew-houſe, Diſtilling-houſe, and all other Houſes and Places whatſoever belonging to or uſed by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the ſame as aforeſaid, or by any Diſtiller of Strong Waters, or Retailer of other the Liquors aforeſaid, and to gage all Coppers, Fats and Veſſels in the ſame, and to take an Account of Beer, Ale, Worts, Perry, Cyder, Strong Waters, *Aqua-vitæ*, Metheglin, or other the Liquors aforeſaid, in the ſaid Houſes, Places and Veſſels, from Time to Time, brewed or made, and

diſtilled; (3) and thereof to make Return or Report in Writing to the ſaid Commiſſioners or Sub-Commiſſioners of Exciſe, under whoſe Office and Limits ſuch Brewer, Retailer, Diſtiller or Maker of the Liquors aforeſaid, doth dwell and inhabit, leaving a true Copy of ſuch Return in Writing under his Hand with ſuch Brewer, Retailer, Diſtiller or Makers of the Liquors aforeſaid; (4) and ſuch Reports or Returns of the ſaid Gagers ſhall be a Charge upon the ſaid Brewers, Makers and Retailers reſpectively; (5) and if any ſuch Common Brewer or Retailer ſhall refuſe to permit any ſuch Gager or Gagers to enter his Brewhouſe, or any other Place afore-mentioned, or to gage or take Account of his Brewing-Veſſels, or of any ſuch Beer, Ale, Worts, Perry, Cyder, Strong Water, *Aqua-vitæ*, Metheglin, or other the Liquors aforeſaid, ſuch Brewer, Retailer or Diſtiller ſhall be forthwith forbidden by the ſaid Gager or Gagers to ſell, carry out or deliver to any of his Cuſtomers any Beer, Ale, Strong Water, *Aqua-vitæ*, or other the Liquors aforeſaid; (6) And if any ſuch Brewer, Retailer or Diſtiller of any the Liquors aforeſaid, after ſuch Warning given, ſhall ſell, carry or deliver out the ſame, or any Part thereof, not having paid and cleared the Duty of Exciſe, ſuch Perſon and Perſons ſhall, beſides the Forfeiture of double the Value, forfeit and loſe the Sum of five Pounds, as aforeſaid, for every Offence, to be levied and recovered upon his or their Goods and Chattels in Manner and Form as hereafter in this Act is provided.

Returns made by the Gagers.

XX. And for the avoiding of all Incertainty and Diſpute touching the Returns made or to be made by the Gagers of any Beer or Ale ſo brewed as aforeſaid; (2) Be it enacted and declared by the Authority aforeſaid, That every ſix and thirty Gallons of Beer taken by the Gage according to the Standard of the Ale Quart, four whereof ſhall make the Gallon, remaining in the Cuſtody of the Chamberlains of his Majeſty's Exchequer, ſhall be reckoned, accounted and returned by the Gager for a Barrel of Beer; and every two and thirty Gallons of Ale taken by the Gage according to the ſame Standard, ſhall be in like Manner reckoned, accounted and returned for a Barrel of Ale; and all other the Liquors aforeſaid according to the Wine Gallon.

What ſhall be reckoned a Barrel of Beer.

The Barrel of Ale.

XXI. Provided always, and be it enacted and ordained by the Authority aforeſaid, That no Brewers or Retailers of Beer and Ale ſhall take any more in the Price thereof, upon Sale of the ſame, than according to the uſual Rates and Prices: Saving that every Common Brewer ſhall and may take and receive of all and every Perſon and Perſons to whom he ſhall ſell and deliver any Ale or Beer, the Exciſe thereupon due as aforeſaid, over and above the uſual Rates and Prices.

XXII. And be it enacted by the Authority aforeſaid, That for the better Encouragement of all Common Brewers and Makers of Beer or Ale to make due Entry and Payment thereof according as by this Act is appointed, the ſaid Common Brewer not ſelling the ſame by Retail, for and in Conſideration of Waſte by Fillings and Leakage of their Beer and Ale, ſhall have and be allowed out of the ſaid Returns made by the Gagers the ſeveral Allowances and Abatements hereafter-mentioned, (that is to ſay) upon every three and twenty Barrels of Beer, whether ſtrong or ſmall, returned by the ſaid Gagers, three Barrels; and upon every two and twenty Barrels of Ale, whether ſtrong or ſmall, returned by the Gagers, two Barrels; which ſaid Allowances and Abatements the ſaid Commiſſioners to be appointed as aforeſaid, and their Sub-Commiſſioners, are hereby authorized to allow and make accordingly.

Abatements and Allowance to be made for Waſte and Leakage.

XXIII. Provided always, That where any Common Brewer ſhall wittingly or willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners to be appointed as aforeſaid, or any two of them, or before ſuch other Perſon or Perſons as are hereafter by this Act appointed, in that Caſe ſuch Brewer or Brewers ſhall forfeit and loſe, over and beſides the Penalties before-mentioned, the ſaid Allowance ſo to be made for ſix Months then next enſuing.

Forfeiture for falſe Entries.

XXIV. And be it enacted and ordained by the Authority aforeſaid, That no Beer or Ale ſhall be delivered in by ſuch Brewer or Maker thereof, to any Victualler or other Retailer thereof, until the Rate, which by ſuch Victualler or Retailer is to be paid, over and above the Price of the ſaid Beer or Ale, for or in Reſpect of this Duty, be firſt paid and ſatisfied by the ſaid Victualler or Retailer to the Brewer or Maker thereof.

No Ale or Beer to be delivered to the Retailer before the Rate be paid.

XXV. Provided always, That if any Perſon or Perſons ſhall brew and ſell by Retail any ſmall Quantities of Beer or Ale in any Fair within this Realm or Dominions aforeſaid, who is not otherwiſe any common or uſual Brewer or Retailer thereof, and ſhall before any ſuch Selling and Retailing thereof, well and truly pay and ſatisfy the Duty due for the ſame to the Commiſſioners or Sub-Commiſſioners within whoſe Limits or Diviſions the ſame Fair ſhall be held, or to their Officers thereunto appointed; That then ſuch Perſon or Perſons ſo brewing or retailing the ſame, and for ſo much and no more, nor otherwiſe, ſhall be freed and diſcharged from all Penalties and Forfeitures in and by this Act beforementioned and impoſed; any Thing therein contained to the contrary notwithſtanding.

Beer and Ale ſold in Fairs.

XXVI. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Sub-Commiſſioners reſpectively, to compound for this Duty with any Inn-Keeper, Victualler, Alehouſe-keeper or Retailer of Beer, Ale and other the Liquors aforeſaid, within their reſpective Diviſions from Time to Time, in ſuch Manner and Form as may be moſt for the Advantage and Improvement of the Receits thereof; any Thing in this Act before contained to the contrary notwithſtanding.

The Commiſſioners may compound with any Inn keeper, Retailer or Victualler.

XXVII. And it is further ordained and enacted by the Authority aforeſaid, That the Lord Treaſurer or Commiſſioners of the Treaſury for the Time being, or ſuch other Perſon or Perſons as his Majeſty ſhall appoint, ſhall have power and are hereby authorized and impowered from Time to Time to treat, contract, conclude and agree with any Perſon or Perſons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned upon Beer, Ale, Perry, Cyder or other the Liquors aforeſaid, in any the reſpective Counties, Cities or Places of this Realm or Dominions thereof, as may be for the greateſt Benefit and Advantage of the ſaid Receipt, ſo as the ſame exceed not the Term of three Years.

Any the Rates in this Act may be farmed for three Years.

XXVIII.

XXVIII. And be it further enacted, That every ſuch Contract, Bargain and Agreement of he Lord Treaſurer or Commiſſioners of the Treaſury, or other Perſons aforeſaid, on behalf of his Majeſty on the one Part, and the Perſon or Perſons farming on the other Part, ſhall be good and effectual in Law to all Intents and Purpoſes.

Perſons contracting that be nominated by the Juſtices of the Peace in every County, ſhall have the Refuſal of any Farm.

XXIX. Provided always, to the End the aforeſaid Duty may be paid with moſt Eaſe to the People, it is hereby further enacted, That the Lord Treaſurer, Commiſſioners of the Treaſury or other Perſons aforeſaid, ſhall not within ſix Months after Commencement of this Act, treat, conclude or agree with any Perſon or Perſons touching the Farming of this Duty upon Beer and Ale in any the reſpective Counties or Places of this Realm or Dominions thereof, other than with ſuch Perſon or Perſons as by the Juſtices of Peace of the ſaid Counties or Places, or the major Part of them at their publick Quarter-Seſſions, ſhall be nominated and appointed in that Behalf, which Perſon or Perſons is to have the firſt Refuſal of any ſuch Farm reſpectively, and may take the ſame; any Thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XXX. Provided, That the ſaid Duty ſhall not be let to any other Perſon or Perſons than to the Perſon or Perſons recommended by the Juſtices, under the Rate that it ſhall be tendred to, and refuſed by, ſuch Perſon or Perſons ſo recommended.

Forfeitures and Offences within this Act, where determined. Hardres 478. 2 Salk. 555. 2 Mod. 283.

XXXI. And be it further enacted and ordained by the Authority aforeſaid, That all Forfeitures and Offences made and committed againſt this Act or any Clauſe or Article therein contained, ſhall be heard, adjudged and determined by ſuch Perſon or Perſons, and in ſuch Manner and Form as hereafter in and by this Act is directed and appointed; that is to ſay, (2) all ſuch Forfeitures and Offences made and committed within the immediate Limits of the Chief Office in *London*, ſhall be heard, adjudged and determined by the ſaid Chief Commiſſioners and Governors of Exciſe (appointed by his Majeſty) or the major Part of them, or by the Commiſſioners for Appeals and regulating of this Duty, or the major Part of them, in Caſe of Appeal, and not otherwiſe: (3) And all ſuch Forfeitures and Offences made and committed within all or any other the Counties, Cities, Towns or Places within this Kingdom or Dominions thereof, ſhall be heard and determined by any Two or more of the Juſtices of the Peace reſiding near to the Place where ſuch Forfeitures ſhall be made or Offence committed: (4) And in Caſe of Neglect or Refuſal of ſuch Juſtices of the Peace, by the Space of fourteen Days next after Complaint made, and Notice thereof given to the Offender, then the Sub-Commiſſioners or the major Part of them appointed for any ſuch City, County, Town or Place, ſhall and are hereby impowered to hear and determine the ſame: (5) And if the Party find himſelf aggrieved by the Judgment given by the ſaid Sub-Commiſſioners, he ſhall and may appeal to the Juſtices of the Peace at the next Quarter-Seſſions, who are hereby impowered and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; (6) which ſaid Commiſſioners for Appeals and regulating of this Duty, and the Chief Commiſſioners for Exciſe, and all Juſtices of Peace and Sub-Commiſſioners aforeſaid reſpectively, are hereby authorized and ſtrictly enjoined and required upon any Complaint or Information exhibited and brought of any ſuch Forfeiture made or Offence committed contrary to this Act, to ſummon the Party accuſed, and upon his Appearance or Contempt to proceed to the Examination of the Matter of Fact, and upon due Proof made thereof, either by the voluntary Confeſſion of the Party or by the Oath of one or more credible Witneſſes (which Oath they or any Two or more of them have hereby Power to adminiſter) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; and to award and iſſue out Warrants under their Hands for the Levying of ſuch Forfeitures, Penalties and Fines as by this Act is impoſed for any ſuch Offence committed, upon the Goods and Chattels of the Offender, and to cauſe Sale to be made of the ſaid Goods and Chattels if they ſhall not be redeemed within fourteen Days, rendring to the Party the Overplus if any be, and for Want of ſufficient Diſtreſs to impriſon the Party offending till Satisfaction be made.

Appeals by Parties grieved.

Fines and Forfeitures may be mitigated.

XXXII. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices of the Peace, Commiſſioners for Exciſe, or any Two of them, or their Sub-Commiſſioners reſpectively, from Time to Time, where they ſhall ſee Cauſe, to mitigate, compound or leſſen ſuch Forfeiture, Penalty or Fine, as in their Diſcretion they ſhall think fit; and that every ſuch Mitigation and Payment thereupon accordingly made, ſhall be a ſufficient Diſcharge of the ſaid Penalties and Forfeitures to the Perſons ſo offending, ſo as by ſuch Mitigation the ſame be not made leſs than double the Value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable Coſts and Charges of ſuch Officer or Officers or others as were imployed therein, to be to them allowed by the ſaid Juſtices; any Thing in this Act to the contrary in any wiſe notwithſtanding: (2) And it is hereby further enacted and ordained, That all Fines, Forfeitures and Penalties mentioned in this Act, all neceſſary Charges for the Recovery thereof being firſt deducted, ſhall be imployed, three fourth Parts thereof to and for the Uſe of the King's Majeſty, and the other fourth Part to the Diſcoverer or Informer of the ſame. (3) And for the better Managing, Collecting, Securing, Levying and recovering of all and every the ſaid Rates and Charges of Exciſe hereby impoſed, and ſet upon all or any of the Commodities before mentioned, to the End the ſame may be paid and diſpoſed of according to the Intent of this preſent Act; (4) be it further enacted and ordained by the Authority aforeſaid, and it is hereby enacted, That one principal Head Office ſhall be erected and continued in the City of *London*, or within ten Miles thereof, from Time to Time, as long as his Majeſty ſhall think fit, for this Duty, unto which all other Offices for the ſame within *England* and *Wales*, and the Town and Port of *Berwick*, ſhall be ſubordinate and accountable; which ſaid Office ſhall be managed by ſuch Officers as ſhall be appointed by the King's Majeſty as aforeſaid, who, or any two of them, are hereby appointed and conſtituted Commiſſioners and Governors for the Management of his Majeſty's Receipt of the Exciſe, and to ſit in ſome convenient Place in the City of *London* or within ten Miles thereof, from Time to Time, as long as his Majeſty ſhall think fit.

How the Fines and Forfeitures ſhall be imployed.

Commiſſioners and Governors for managing the Receipts of Exciſe.

XXXIII. And

XXXIII. And be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be capable of intermeddling with any Office or Imployment relating to the Exciſe, until he or they ſhall before two or more Juſtices of the Peace in the County, where his or their Imployment ſhall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby Power to adminiſter, together with this Oath following, *Mutatis Mutandis*.

The Oath.

(2) YOU ſhall ſwear to execute the Office of truly and faithfully, without Favour or Affection, and ſhall from Time to Time true Account make and deliver to ſuch Perſon and Perſons as his Majeſty ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the Execution of the ſaid Office, from any other Perſon than from his Majeſty, or thoſe whom his Majeſty ſhall appoint in that Behalf.'

Certificates at the next Quarter-Seſſions.

XXXIV. And be it further enacted by the Authority aforeſaid, That every ſuch Juſtice of Peace ſhall certify the Taking of ſuch Oath to the next Quarter-Seſſions, there to be recorded; (2) and it is further enacted, That all Parts of the Cities of *London* and *Weſtminſter*, with the Borough of *Southwark*, and the ſeveral Suburbs thereof, and Pariſhes within the Weekly Bills of Mortality, ſhall be under the immediate Care, Inſpection and Management of the ſaid Head Office; (3) and ſuch, and ſo many ſubordinate Commiſſioners and Sub-Commiſſioners, and other Officers and Miniſters for the Execution of the Premiſſes, ſhall be from Time to Time nominated and appointed by his Majeſty, in all and every other the Counties, Cities, Towns and Places within this Kingdom of *England*, Dominion of *Wales* and Port of *Berwick*, as from Time to Time his Majeſty ſhall think fit. (4) And it is hereby further enacted, That the ſaid Office of Exciſe in all Places where it ſhall be appointed, ſhall be kept open from eight of the Clock in the Morning till twelve of the Clock at Noon, and from two of the Clock in the Afternoon till five of the Clock in the Afternoon, for the due Execution and Performance of all and every the Matters and Things in this Act appointed and required. (5) And it is further hereby enacted, That the ſaid Chief Commiſſioners of Exciſe, or the major Part of them, ſhall from Time to Time iſſue forth and pay ſuch Sum and Sums of Money, as ſhall from Time to Time be received, collected or levied by Virtue of this Act, into his Majeſty's Receipt of Exchequer.

Officers to be appointed by his Majeſty.

The Exciſe-Office to be kept open.

The Monies collected to be paid into the Receipt of the Exchequer.

XXXV. Provided always, and be it enacted, That if any Perſon or Perſons ſhall at any Time be ſued or proſecuted for any Thing by him or them done or executed in Purſuance of this Act, he or they ſhall and may plead the General Iſſue, and give this Act in Evidence for his Defence; (2) and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonſuited, then ſuch the Defendant or Defendants ſhall have double Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Perſons ſued may plead the General Iſſue.

XXXVI. Provided alſo, and be it enacted, That no Writ or Writs of *Certiorari* ſhall ſuperſede Execution or other Proceedings, upon any Order or Orders made by the Juſtices aforeſaid in Purſuance of this Act, but that Execution and other Proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs or Allowance thereof notwithſtanding.

Writs of Certiorari ſhall not ſuperſede any Proceedings.

XXXVII. Provided always, and be it further enacted, That this Act, or any Thing therein contained, ſhall not be prejudicial to *Edward Backwell* Alderman of *London*, as to the Sum of twenty-eight thouſand four hundred and fifty Pounds, or any Part thereof, by him advanced upon the Credit of ſeveral Orders of this preſent Parliament, and by them charged on the Receipt of the Grand-Exciſe; that is to ſay, the Sum of five thouſand Pounds payable to his Majeſty's Surveyor General for the Repair of his Majeſty's Houſes, charged by Virtue of an Order of the ſixth of *September* one thouſand ſix hundred ſixty, with Intereſt for the ſame; the Sum of ten thouſand Pounds advanced to her Highneſs the Princeſs Royal, being charged with Intereſt by an Order of the thirteenth of *September* one thouſand ſix hundred ſixty, the Sum of ten thouſand Pounds payable to her Majeſty the Queen of *Bohemia*, being charged, together with Intereſt, by an Order of the thirteenth of *September* one thouſand ſix hundred ſixty, the Sum of three thouſand four hundred and fifty Pounds payable for Proviſions for *Dunkirk*, by an Order of the twenty-ſixth of *November* one thouſand ſix hundred ſixty; which Sum of twenty-eight thouſand four hundred and fifty Pounds, together with the Intereſt for the ſame, according to the Tenor of the ſaid Orders, after the Rate of ſix *per Cent.* ſhall be paid to the ſaid *Edward Backwell* or his Aſſigns, out of the Grand Exciſe, and the Arrears thereof in Courſe, as is by the ſaid Orders appointed; and in Caſe the ſame ſhall fall ſhort in Payment by the twenty-fifth of *December* one thouſand ſix hundred and ſixty, that then the Remainder ſhall continue ſecured to him out of the whole Exciſe in Courſe as aforeſaid, and that no other Payments be made out of the Exciſe, by what is appointed by this preſent Parliament in Courſe to precede the ſame, until the ſaid Debt due to the ſaid *Edward Backwell* be ſatisfied; and that in Caſe any Part of the Monies due to Alderman *Backwell*, be paid out of that Part of the Exciſe which ſhall grow due to the King's Majeſty, that then his Majeſty ſhall be reimburſed the ſame out of the firſt Monies that ſhall come in of the Arrears of Exciſe that will be due the ſaid twenty-fifth of *December*. [Confirmed by 13 Car. 2. Stat. 1. c. 7.]

Proviſo for Edw. Backwell for Payment of 28450. l.

*For further Proviſions concerning Exciſe, ſee the References to the following Chapter.*

CAP.

## CAP. XXIV.

An Act for Taking away the Court of Wards and Liveries, and Tenures *in Capite*, and by Knights-Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in Lieu thereof.

The Reaſons of this Act.

'WHEREAS it hath been found by former Experience, That the Courts of Wards and Liveries, and Tenures by Knights-Service, either of the King or others, or by Knights-Service *in Capite*, or Socage *in Capite* of the King, and the Conſequents upon the ſame, have been much more burthenſome, grievous and prejudicial to the Kingdom, than they have been beneficial to the King: (2) And whereas ſince the Intermiſſion of the ſaid Court, which hath been from the four and twentieth Day of *February* which was in the Year of our Lord one thouſand ſix hundred forty and five, many Perſons have by Will and otherwiſe made Diſpoſal of their Lands held by Knights-Service, whereupon divers Queſtions might poſſibly ariſe, unleſs ſome ſeaſonable Remedy be taken to prevent the ſame;' (3) Be it therefore enacted by the King our Sovereign Lord, with the Aſſent of the Lords and Commons in Parliament aſſembled, and by the Authority of the ſame, and it is hereby enacted, That the Court of Wards and Liveries, and all Wardſhips, Liveries, Primer Seiſins and Ouſterlemains, Values and Forfeitures of Marriages, by Reaſon of any Tenure of the King's Majeſty, or of any other by Knights-Service, and all mean Rates, and all other Gifts, Grants, Charges incident or ariſing, for or by Reaſon of Wardſhips, Liveries, Primer Seiſins or Ouſterlemains be taken away and diſcharged, and are hereby enacted to be taken away and diſcharged, from the ſaid twenty-fourth Day of *February* one thouſand ſix hundred forty-five; any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding: (4) And that all Fines for Alienations, Seizures and Pardons for Alienations, Tenure by Homage, and all Charges incident or ariſing, for or by Reaſon of Wardſhip, Livery, Primer Seiſin or Ouſterlemain, or Tenure by Knights-Service, Eſcuage, and alſo *Aid pur file marrier*, and *Pur fair fitz Chivalier*, all other Charges incident thereunto, be likewiſe taken away and diſcharged, from the ſaid twenty-fourth Day of *February* one thouſand ſix hundred forty and five; any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding: (5) And that all Tenures by Knights-Service of the King, or of any other Perſon, and by Knights-Service *in Capite*, and by Socage *in Capite* of the King, and the Fruits and Conſequents thereof, happened or which ſhall or may hereafter happen or ariſe thereupon or thereby, be taken away and diſcharged; any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding; (6) and all Tenures of any Honours, Manors, Lands, Tenements or Hereditaments, or any Eſtate of any Inheritance at the Common Law, held either of the King, or of any other Perſon or Perſons, Bodies Politick or Corporate, are hereby enacted to be turned into free and common Socage, to all Intents and Purpoſes, from the ſaid twenty-fourth Day of *February* one thouſand ſix hundred forty-five, and ſhall be ſo conſtrued, adjudged and deemed to be from the ſaid twenty-fourth Day of *February* one thouſand ſix hundred forty-five, and for ever thereafter turned into free and common Socage; any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding;

The Court of Wards and Liveries, Primer Seiſins, &c. taken away.

Fines for Alienations, &c. taken away.

Tenures by Knights-Service taken away. *Mad. Hiſt. Exc.* 432, 433.

Tenures by Homage, Eſcuage, &c. diſcharged.

II. And that the ſame ſhall for ever hereafter ſtand and be diſcharged of all Tenure by Homage, Eſcuage, Voyages Royal and Charges for the ſame, Wardſhips incident to Tenure by Knights-Service, and Values and Forfeitures of Marriage, and all other Charges incident to Tenure by Knights-Service, and of and from *Aide pur file marrier*, and *Aide pur fair fitz Chivalier*; any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding: (2) And that all Conveyances and Deviſes of any Manors, Lands, Tenements and Hereditaments made ſince the ſaid twenty-fourth Day of *February*, ſhall be expounded to be of ſuch Effect, as if the ſame Manors, Lands, Tenements and Hereditaments had been then held and continued to be holden in free and common Socage only; any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding.

The Acts of 32 H. 8. c. 46. & 33 H. 8. c. 22. repealed.

III. And be it further ordained and enacted by the Authority of this preſent Parliament, That one Act made in the Reign of King *Henry* the Eighth, intituled, *An Act for the Eſtabliſhment of the Court of the King' Wards*; and alſo one Act of Parliament made in the thirty-third Year of the Reign of the ſaid King *Henry* the Eighth, concerning the Officers of the Court of Wards and Liveries, and every Clauſe, Article and Matter in the ſaid Acts contained, ſhall from henceforth be repealed and utterly void.

All Tenures to be created by the King hereafter ſhall be free and common Socage. Dyer 44. pl. 28.

IV. And be it further enacted by the Authority aforeſaid, That all Tenures hereafter to be created by the King's Majeſty, his Heirs or Succeſſors, upon any Gifts or Grants of any Manors, Lands, Tenements or Hereditaments, of any Eſtate of Inheritance at the Common Law, ſhall be in free and common Socage, and ſhall be adjudged to be in free and common Socage only, and not by Knights-Service or *in Capite*, and ſhall be diſcharged of all Wardſhip, Value and Forfeiture of Marriage, Livery, Primer Seiſin, *Ouſterlemain*, *Aide pur fair fitz Chivalier* and *pur file marrier*; any Law, Statute or Reſervation to the contrary thereof in any wiſe notwithſtanding.

Proviſo for Rents certain, Heriots, &c.

V. Provided nevertheleſs, and be it enacted, That this Act, or any Thing herein contained, ſhall not take away, nor be conſtrued to take away, any Rents certain, Heriots or Suits of Court belonging or incident to any former Tenure now taken away or altered by Virtue of this Act, or other Services incident or belonging to Tenure in common Socage, due or to grow due to the King's Majeſty, or mean Lords, or other private Perſon, or the Fealty and Diſtreſſes incident thereunto; (2) and that ſuch Relief ſhall be paid in Reſpect of ſuch Rents as is paid in Caſe of a Death of a Tenant in common Socage.

VI. Pro-

VI. Provided always, and be it enacted, That any Thing herein contained shall not take away, nor be construed to take away, any Fines for Alienation due by particular Customs of particular Manors and Places, other than Fines for Alienations of Lands or Tenements holden immediately of the King *in Capite*. Fines for Alienations due by particular Customs of Manors.

VII. Provided also, and be it further enacted, That this Act, or any Thing therein contained, shall not take away, or be construed to take away, Tenures in *Frank-Almoign*, or to subject them to any greater or other Services than they now are; (2) nor to alter or change any Tenure by Copy of Court-Roll, or any Services incident thereunto; (3) nor to take away the honorary Services of Grand Serjeanty, other than of Wardship, Marriage and Value of Forfeiture of Marriage, Escuage, Voyages Royal and other Charges incident to Tenure by Knights-Service; and other than *Aide pur faier fitz Chevalier*, and *Aide pur file marier*. Tenures in Frank Almoign. Copy of Court-Roll. Honorary Services.

VIII. And be it further enacted by the Authority aforesaid, That where any Person hath or shall have any Child or Children under the Age of one and twenty Years, and not married at the Time of his Death, That it shall and may be lawful to and for the Father of such Child or Children, whether born at the Time of the Decease of the Father, or at that Time in *ventre sa mere*, or whether such Father be within the Age of one and twenty Years, or of full Age, by his Deed executed in his Life-time, or by his last Will and Testament in Writing, in the Presence of two or more credible Witnesses, in such Manner, and from Time to Time as he shall respectively think fit, to dispose of the Custody and Tuition of such Child or Children, for and during such Time as he or they shall respectively remain under the Age of one and twenty Years, or any lesser Time, to any Person or Persons in Possession or Remainder, other than Popish Recusants; (2) and that such Disposition of the Custody of such Child or Children made since the twenty-fourth of *February* one thousand six hundred forty-five, or hereafter to be made, shall be good and effectual against all and every Person or Persons claiming the Custody or Tuition of such Child or Children as Guardian in Socage or otherwise: (3) And that such Person or Persons, to whom the Custody of such Child or Children hath been or shall be so disposed or devised as aforesaid, shall and may maintain an Action of Ravishment of Ward or Trespass, against any Person or Persons which shall wrongfully take away or detain such Child or Children, for the Recovery of such Child or Children; (4) and shall and may recover Damages for the same in the said Action, for the Use and Benefit of such Child or Children. Parents may dispose of the Custody of Children during their Minority. Vaughan 177. 3 Mod. 24. Actions of Ravishment of Wards.

IX. And be it further enacted, That such Person or Persons, to whom the Custody of such Child or Children hath been or shall be so disposed or devised, shall and may take into his or their Custody to the Use of such Child or Children, the Profits of all Lands, Tenements and Hereditaments of such Child or Children; and also the Custody, Tuition and Management of the Goods, Chattels and Personal Estate of such Child or Children, till their respective Age of one and twenty Years, or any lesser Time, according to such Disposition aforesaid; (2) and may bring such Action or Actions in relation thereunto, as by Law a Guardian in common Socage might do. The Lands of Children and the Management of their Personal Estate by their Guardians.

X. Provided also, That this Act, or any Thing therein contained, shall not extend to alter or prejudice the Custom of the City of *London*, nor of any other City or Town Corporate, or of the Town of *Berwick* upon *Tweed*, concerning Orphans; nor to discharge any Apprentice from his Apprenticeship.

XI. Provided also, That neither this Act, nor any Thing therein contained, shall infringe or hurt any Title of Honour, Feodal or other, by which any Person hath or may have Right to sit in the Lords house of Parliament, as to his or their Title of Honour, or sitting in Parliament, and the Privilege belonging to them as Peers; this Act, or any Thing therein contained to the contrary in any wise notwithstanding. Proviso touching Titles of Honour Feodal.

'XII. And whereas by like Experience it hath been found, That though divers good, strict, and wholesom Laws have been made in the Times of sundry his Majesty's most noble Progenitors, some extending so far as to Life, for Redress of the Grievances and Oppressions committed by the Persons employed for making Provisions for the King's Houshold, Carriages and other Purveyance for his Majesty and his Occasions; yet divers Oppressions have been still continued, and several Counties have submitted themselves to sundry Rates and Taxes and Compositions, to redeem themselves from such Vexations and Oppressions: (2) And forasmuch as the Lords and Commons assembled in Parliament do find that the said Remedies are not fully effectual, and that no other Remedy will be so effectual and just, as to take away the Occasion thereof, especially if Satisfaction and Recompence shall be therefore made to his Majesty, his Heirs and Successors, which is hereby provided to his Majesty's Good-liking and Content;' His Majesty is therefore graciously pleased, That it may be enacted; (3) and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament assembled, That from henceforth no Sum or Sums of Money or other Thing shall be taken, raised, taxed, rated, imposed, paid or levied, for or in regard of any Provision, Carriages or Purveyance for his Majesty, his Heirs or Successors. Purveyances and Provisions for the King's Houshold taken away.

XIII. And that henceforth no Person or Persons by any Warrant, Commission or Authority under the Great Seal or otherwise, by Colour of buying or making Provision or Purveyance for his Majesty or any Queen of *England* for the Time being, or of any the Children of any King or Queen of *England* for the Time being or that shall be, or for his, their or any of their Houshold, shall take any Timber, Fewel, Cattle, Corn, Grain, Malt, Hay, Straw, Victual, Cart, Carriage or other Thing whatsoever, of any the Subjects of his Majesty, his Heirs or Successors, without the free and full Consent of the Owner or Owners thereof had and obtained without Menace or Inforcement; (2) nor shall summon, warn, take, use or require any of the said Subjects, to furnish or find any Horses, Oxen or other Cattle, Carts, Ploughs, Wains or other Carriages, for the Use of his Majesty, his Heirs or Successors, or of any Queen Purveyances for the King, Queen, &c. Timber, Carts, Carriages, &c. taken away. Altered by 13 Car. 2. Stat. 1. c. 8. § 2. 13 & 14 Car. 2. c. 20. § 1. & of 1 Jac. 2. c. 10.

of *England*, or of any Child or Children of any the Kings or Queens of *England* for the Time being, for the carrying the Goods of his Majesty, his Heirs or Successors, or the said Queens, or Children or any of them, without such full and free Consent as aforesaid; any Law, Statute, Custom or Usage to the contrary notwithstanding.

No Pre-emption to be allowed or claimed in Behalf of the King, &c.

XIV. And be it further enacted, That no Pre-emption shall be allowed or claimed in the Behalf of his Majesty or of any his Heirs or Successors, or of any the Queens of *England*, or of any the Children of the Royal Family for the Time being, in Market or out of Market; (2) but that it be for ever hereafter free to all and every of the Subjects of his Majesty, to sell, dispose or employ his said Goods to any other Person or Persons as himself listeth, any Pretence of making Provision or Purveyance of Victual, Carriages or other Thing for his Majesty, his Heirs and Successors, or of the said Queens or Children, or any Pretence of Pre-emption in their or any of their Behalfs notwithstanding: (3) And if any Person or Persons shall make Provision or Purveyance for his Majesty, his Heirs or Successors, or any the Queens or Children aforesaid, or impress or take any such Carriages or other Things aforesaid, on any Pretence or Colour of any Warrant aforesaid, under the Great Seal or otherwise, contrary to the Intent hereof, it shall be lawful for the Justices of Peace, or such two or one of them as dwell near, and to the Constables of such Parish or Village where such Occasion shall happen, at the Request of the Party grieved, and they are hereby enjoined, to commit or cause to be committed the Party or Parties so doing and offending to Gaol, till the next Sessions, there to be indicted and proceeded against for the same; and that the Officers and Inhabitants of the Village or Parish where such Offence shall happen, shall be Assistant therein; (4) and moreover, the Party grieved shall have his Action or Actions against such Offender or Offenders, and therein recover his treble Damages and treble Costs: In which Action, no Essoin, Wager of Law, Aid-Prayer, Privilege, Protection, Imparlance, Injunction or Order of Restraint shall be granted or allowed: (5) And if any Person or Persons shall (after Notice given that the Action depending is grounded upon this Statute) cause or procure any Action at the Common Law grounded on this Statute, to be delayed or stayed before Judgment, by Colour or Means of any Order, Power, Warrant or Authority, save only of the Court where such Action shall be brought and depending, or after Judgment had upon such Action, shall cause or procure Execution of such Judgment to be stayed or delayed by Colour or Means of any Order, Warrant, Power or Authority, save only by Writ of Error or Attaint, or Order of such Court where such Writ of Error or Attaint shall be depending; That then the Person so offending shall incur the Pains, Penalties and Forfeitures ordained and provided by the Statute of Provision and *Præmunire* made in the sixteenth Year of the Reign of King *Richard* the Second: (6) Provided always, That this Act extend not to prejudice any of his Majesty's Rights, Titles or Duties of, in or to, or out of any Tin in the Stannaries of *Devon* and *Cornwall*, nor to prejudice the ancient Duties of Butlerage and Prizage of Wines; but that the same shall be in the same Plight that the same were before the making of this Act; any Thing herein contained to the contrary in any wise notwithstanding. (7) And now to the Intent and Purpose that his Majesty, his Heirs and Successors, may receive a full and ample Recompence and Satisfaction, as well for the Profits of the said Court of Wards, and the Tenures, Wardships, Liveries, Primer Seisins, *Ouster le mains*, and other the Premisses and Perquisites incident thereunto; and for all Arrears any way due for the same, as also for all and all Manner of Purveyance and Provisions herein before mentioned, and intended to be taken away and abolished; and all Sums of Money due or pretended to be due or payable for and in respect of any Compositions for the same:

No Action upon this Statute to be stayed, but by Order of the Court where such Action depends.

Præmunire, 16 R. 2. c. 5.

Proviso for the Stannaries, Butlerage, Prizage.

Recompence to his Majesty for the Court of Wards and Purveyances.

12 Car. 2. c. 23. Rates of the Excise.

XV. Be it therefore enacted by the Authority aforesaid, That there shall be paid unto the King's Majesty, his Heirs and Successors for ever hereafter, in Recompence as aforesaid, the several Rates, Impositions, Duties and Charges herein after expressed, and in Manner and Form following: That is to say,

| | |
|---|---|
| XVI. For every Barrel of Beer or Ale above six Shillings the Barrel, brewed by the Common Brewer or any other Person or Persons who doth or shall sell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer or by such other Person or Persons respectively, and so proportionably for a greater or lesser Quantity, one Shilling three Pence. — | xv. d. |
| XVII. For every Barrel of six Shillings Beer or Ale or under, brewed by the Common Brewer or any other Person or Persons who doth or shall sell or tap out such Beer or Ale publickly or privately, to be paid by the said Common Brewer or by such other Person or Persons respectively as aforesaid, and so proportionably for a greater or lesser Quantity, three Pence. — | iii. d. |
| XVIII. For all Cyder and Perry made and sold by Retail, upon every Hogshead, to be paid by the Retailer thereof, and so proportionably for a greater or lesser Measure, one Shilling three Pence. | xv. d. |
| XIX. For all Metheglin or Mead sold, whether by Retail or otherwise, to be paid by the Maker thereof, upon every Gallon, one Half-peny. | Ob. |
| XX. For every Barrel of Beer, commonly called Vinegar-Beer, brewed by any Common Brewer or in any Common Brew-house, six Pence. | vi. d. |
| XXI. For every Gallon of Strong-water or Aqua-vitæ made and sold, to be paid by the Maker thereof, one Peny. | i. d. |
| XXII. For every Barrel of Beer or Ale imported from beyond the Seas, three Sillings. | iii. s. |
| XXIII. For every Ton of Cyder or Perry imported from beyond the Seas, and so proportionably for a greater or lesser Quantity, five Shillings. | v. s. |
| XXIV. For every Gallon of Spirits made of any kind of Wine or Cyder imported, two Pence. | ii. d. |
| XXV. For every Gallon of Strong-water perfectly made, imported from beyond the Seas, four Pence. | iv. d. |
| XXVI. For every Gallon of Coffee made and sold, to be paid by the Maker thereof, four Pence. | iv. d. |
| XXVII. For every Gallon of Chocolate, Sherbet and Tea, made and sold, to be paid by the Maker thereof, eight Pence. | viii. d. |

Explained by 22 Car. 2. c. 4. § 2.

The Duties on Coffee, &c. repealed by 1 W. & M. Stat. 2. c. 6.

XXVIII. And be it further enacted and ordained by the Authority aforesaid, That the several Rates, Duties and Charges of Excise, or new Imposts above mentioned, hereby set or imposed upon all and every the said Foreign Liquors which shall be imported or brought into all or any the Ports of this Kingdom and Dominions thereof aforesaid, from and after the five and twentieth Day of *December* next, shall be from Time to Time satisfied and paid by the Merchant or Merchants, Importer or Importers of the same, in ready Money, upon his or their Entry or Entries made, and before the Landing thereof.

Rates of Excise upon foreign Liquors imported, to be paid in Money before Landing.

XXIX. And

XXIX. And be it further enacted by the Authority aforesaid, That all Common Brewers of Beer and Ale, shall once in every Week, and all Inn-keepers, Alehouses-keepers, Victuallers and other Retailers of Beer, Ale, Cyder, Perry, Metheglin or Strong-water, brewing, making or retailing the same, shall once in every Month make true and particular Entries at the Office of Excise, within the Limits of which the said Commodities and Manufactures are made, of all Beer, Ale, Perry, Cyder, Metheglin, Strong-water or other the Liquors aforesaid, which they or any of them shall brew, make or retail in that Week and Month respectively as aforesaid. Entries to be made at the Excise-Office by common Brewers, Inn-keepers, &c.

XXX. And be it further enacted by the Authority aforesaid, That all such Common Brewers who do not once a Week made due and particular Entries, shall forfeit ten Pounds: (2) And that every such Inn-keeper who doth not make true and particular Entries once a Month, shall forfeit five Pounds: (3) And that every Alehouse-keeper, Victualler, or other Retailer who doth not once a Month make due and particular Entries, shall forfeit twenty Shillings. The Penalty for not making Entries.

XXXI. And be it further enacted by the Authority aforesaid, That every Common Brewer who shall not pay and clear off within a Week after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the Value of the Duty: (2) And that every Inn-keeper, Alehouse-keeper, Victualler, or other Retailer who shall not pay and clear off within a Month after he made his Entry, or ought to have made his Entry as aforesaid, shall pay double the Value of the Duty: (3) The said respective Forfeitures to be levied upon their Goods and Chattels, in such Manner and Form as hereafter in this Act is ordained and directed. The Penalty for not paying.

XXXII. Provided, That no such Person as aforesaid shall be compelled by the Commissioners, or Sub-Commissioners of the Excise, to travel for the making of the said Entries or Payment of the said Duties or other Cause whatsoever touching or concerning the same, if he live in a Market-Town, out of the said Town; if he live out of a Market-Town, then to no other Place than to the next Market-Town to his Habitation in the same County, on the Market-Day. In what Places Entries shall be made. Farther Provisions relating hereto, 15 Car. 2. c. 11. §. 9.

XXXIII. And be it further enacted and ordained by the Authority aforesaid, That the Commissioners who shall be appointed by his Majesty for putting this Act in Execution, and their Sub-Commissioners in their respective Circuits and Divisions, shall hereby have Power to constitute under their Hands and Seals such and so many Gagers as they shall find needful: (2) Which Gagers, and every of them, shall at all Times, as well by Night as by Day, and if by Night, then in the Presence of a Constable or other lawful Officer, be permitted upon their Request to enter the House, Brew-house, Distilling-house, and all other Houses and Places whatsoever belonging to, or used by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the same, as aforesaid, or by any Distiller of Strong Waters, or Retailer of other the Liquors aforesaid, and to gage all Coppers, Fats and Vessels in the same, and to take an Account of Beer, Ale, Worts, Perry, Cyder, Strong Waters, *Aqua-vitæ*, Metheglin, or other the Liquors aforesaid, in the said Houses, Places and Vessels, from Time to Time brewed or made, and distilled; (3) and thereof to make Return or Report in Writing to the said Commissioners or Sub-Commissioners of Excise, under whose Office and Limits such Brewer, Retailer, Distiller, or Maker of the Liquors aforesaid doth dwell and inhabit, leaving a true Copy of such Return in Writing under his Hand with such Brewer, Retailer, Distiller, or Maker of the Liquors aforesaid; (4) and such Reports or Returns of the said Gagers shall be a Charge upon the said Brewers, Makers and Retailers respectively: (5) And if any such common Brewer, Maker or Retailer, shall refuse to permit any such Gager or Gagers to enter his Brewhouse or any other Places afore mentioned, or to Gage or take Account of his Brewing Vessels, or of any such Beer, Ale, Worts, Perry, Cyder, Strong-water, *Aqua-vitæ*, Metheglin, or other the Liquors aforesaid, such Brewer, Retailer or Distiller, shall be forthwith forbidden by the said Gager or Gagers, to sell, carry out or deliver to any of his Customers, any Beer, Ale, Strong-water, *Aqua-vitæ*, or other the Liquors aforesaid; (6) and if any such Brewer, Retailer or Distiller of any the Liquors aforesaid, after such Warning given, shall sell, carry or deliver out the same, or any Part thereof, not having paid and cleared the Duty of Excise, such Person and Persons shall, besides the Forfeiture of double the Value, forfeit and lose the Sum of ten Pounds as aforesaid, for every Offence, to be levied and recovered upon his or their Goods and Chattels in Manner and Form as hereafter in this Act is provided. The Powers of the Commissioners to appoint Gagers. The Powers of the Gagers. *Burn, V.* 1--329. Penalty for selling, &c. not having cleared the Excise.

XXXIV. And for the Avoiding of all Incertainty and Dispute touching the Returns made or to be made by the Gagers of any Beer or Ale so brewed as aforesaid; (2) Be it enacted and declared by the Authority aforesaid, That every six and thirty Gallons of Beer taken by the Gage according to the Standard of the Ale-quart, four whereof shall make the Gallon, remaining in the Custody of the Chamberlains of his Majesty's Exchequer, shall be reckoned, accounted and returned by the Gager, for a Barrel of Beer, and every two and thirty Gallons of Ale taken by the Gage according to the same Standard, shall be in like Manner reckoned, accounted and returned for a Barrel of Ale, and all other the Liquors aforesaid according to the Wine Gallon. Proportions to be observed in Returns of Gagers.

XXXV. Provided always, and be it enacted and ordained by the Authority aforesaid, That no Brewers or Retailers of Beer and Ale, shall take any more in the Price thereof, upon Sale of the same, than according to the usual Rates and Prices; Saving that every Common Brewer shall and may take and receive of all and every Person and Persons to whom he shall sell and deliver any Ale or Beer, the Excise thereupon due as aforesaid, over and above the usual Rates and Prices. Brewers and Retailers to observe the usual Rates and Prices.

XXXVI. And be it enacted by the Authority aforesaid, That for the better Encouragement of all Common Brewers and makers of Beer or Ale to make due Entry and Payment thereof according as by this Act is appointed, the said Common Brewer, not selling the same by Retail, for and in Consideration of Waste by Fillings and Leakage of their Beer and Ale, shall have and be allowed out of the said Returns made by the Gagers, the several Allowances and Abatements hereafter mentioned, Encouragement to Brewers to make true Entries. Allowance for Waste and Leakage.

(that is to ſay) upon every three and twenty Barrels of Beer, whether ſtrong or ſmall, returned by the ſaid Gagers, three Barrels; and upon every two and twenty Barrels of Ale, whether ſtrong or ſmall, returned by the Gagers, two Barrels; which ſaid Allowances and Abatements the ſaid Commiſſioners to be appointed as aforeſaid, and their Sub-Commiſſioners, are hereby authorized to allow and make accordingly.

Forfeiture for making falſe Entries.

XXXVII. Provided always, That where any Common Brewer ſhall wittingly or willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners to be appointed as aforeſaid, or any two of them, or before ſuch other Perſon or Perſons as are hereafter by this Act appointed, in that Caſe ſuch Brewer or Brewers ſhall forfeit and loſe over and beſides the Penalties before mentioned, the ſaid Allowance ſo to be made, for ſix Months then next enſuing.

No Beer, &c. to be delivered by the Brewer until the Exciſe be paid by the Retailer.

XXXVIII. And be it enacted and ordained by the Authority aforeſaid, That no Beer or Ale ſhall be delivered in by ſuch Brewer or Maker thereof, to any Victualler or other Retailer thereof, until the Rate which by ſuch Victualler or Retailer is to be paid over and above the Price of the ſaid Beer or Ale, for or in Reſpect of this Duty, be firſt paid and ſatisfied by the ſaid Victualler or Retailer, to the Brewer or Maker thereof.

Proviſo for Beer and Ale ſold in Fairs.

XXXIX. Provided always, That if any Perſon or Perſons ſhall brew and ſell by Retail any ſmall Quantities of Beer or Ale in any Fair within this Realm or Dominions aforeſaid, who is not otherwiſe any common or uſual Brewer or Retailer thereof, and ſhall before any ſuch Selling and Retailing thereof, well and truly pay and ſatisfy the Duty due for the ſame to the Commiſſioners or Sub-Commiſſioners within whoſe Limits or Diviſions the ſaid Fair ſhall be held, or to their Officers thereunto appointed; that then ſuch Perſon or Perſons ſo brewing or retailing the ſame, and for ſo much and no more, nor otherwiſe, ſhall be freed and diſcharged from all Penalties and Forfeitures in and by this Act before mentioned and impoſed; any Thing therein contained to the contrary notwithſtanding.

The Commiſſioners may compound for the Exciſe in their Diviſions.

XL. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Sub-Commiſſioners reſpectively, to compound for this Duty with any Inn-keeper, Victualler, Alehouſe-keeper or Retailer of Beer, Ale and other the Liquors aforeſaid, within their reſpective Diviſions, from Time to Time, and in ſuch Manner and Form as may be moſt for the Advantage and Improvement of the Receipts thereof; any Thing in this Act before contained to the contrary notwithſtanding.

The Power of the Lord Treaſurer, &c. to contract for farming any the Rates or Duties in this Act.

XLI. And it is further ordained and enacted by the Authority aforeſaid, That the Lord Treaſurer, or Commiſſioners of the Treaſury for the Time being, or ſuch other Perſon or Perſons as his Majeſty, his Heirs and Succeſſors ſhall appoint, ſhall have Power, and are hereby authorized and impowered from Time to Time to treat, contract, conclude and agree with any Perſon or Perſons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned, upon Beer, Ale, Perry, Cyder or other the Liquors aforeſaid, in any the reſpective Counties, Cities or Places of this Realm or Dominions thereof, as may be for the greateſt Benefit and Advantage of the ſaid Receipt, ſo as the ſame exceed not the Term of three Years.

XLII. And be it further enacted, That every ſuch Contract, Bargain and Agreement of the Lord Treaſurer, or Commiſſioners of the Treaſury, or other Perſons aforeſaid, on Behalf of his Majeſty on the one Part, and the Perſon or Perſons farming on the other Part, ſhall be good and effectual in Law, to all Intents and Purpoſes.

Perſons to be approved by the Juſtices of the Peace, &c. within ſix Months, to have the Refuſal of contracting for the Exciſe in their reſpective Counties.

XLIII. Provided always, to the End the aforeſaid Duty may be paid with moſt Eaſe to the People, It is hereby further enacted, That the Lord Treaſurer, Commiſſioners of the Treaſury or other Perſons aforeſaid, ſhall not within ſix Months after the Commencement of this Act, treat, conclude or agree with any Perſon or Perſons touching the Farming of this Duty upon Beer and Ale in any the reſpective Counties or Places of this Realm or Dominions thereof, other than with ſuch Perſon or Perſons as by the Juſtices of Peace of the ſaid Counties or Places, or the major Part of them, at their publick Quarter-Seſſions ſhall be nominated and appointed in that Behalf, which Perſon or Perſons is to have the firſt Refuſal of any ſuch Farm reſpectively, and make take the ſame; any Thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XLIV. Provided, That the ſaid Duty ſhall not be let to any other Perſon or Perſons, than to the Perſon or Perſons recommended by the Juſtices, under the Rate that it ſhall be tendred to, and refuſed by, ſuch Perſon or Perſons ſo recommended.

Forfeitures and Offences within this Act, how to be determined.

London,

Counties, Cities, &c. within this Kingdom.

Neglects of the Juſtices.

XLV. And be it further enacted and ordained by the Authority aforeſaid, That all Forfeitures and Offences made, done and committed againſt this Act, or any Clauſe or Article therein contained, ſhall be heard, adjudged and determined by ſuch Perſon or Perſons, and in ſuch Manner and Form as hereafter in and by this Act is directed and appointed; that is to ſay, (2) all ſuch Forfeitures and Offences made and committed within the immediate Limits of the Chief Office in *London*, ſhall be heard, adjudged and determined by the ſaid Chief Commiſſioners and Governors of Exciſe (appointed by his Majeſty) or the major Part of them, or by the Commiſſioners for Appeals, and regulating of this Duty, or the major Part of them, in Caſe of Appeal, and not otherwiſe: (3) And all ſuch Forfeitures and Offences made and committed within all or any other the Counties, Cities, Towns or Places within this Kingdom or Dominions thereof, ſhall be heard and determined by any two or more of the Juſtices of the Peace reſiding near to the Place where ſuch Forfeitures ſhall be made or Offence committed: (4) And in Caſe of Neglect or Refuſal of ſuch Juſtices of the Peace, by the Space of fourteen Days next after Complaint made, and Notice thereof given to the Offender, then the Sub-Commiſſioners, or the major Part of them, appointed for any ſuch City, County, Town or Place, ſhall and are hereby impowered to hear and determine the ſame; (5) and if the Party find himſelf aggrieved by the Judgment given by the ſaid Sub-Commiſſioners, he ſhall and may appeal to the Juſtices of the Peace at the next Quarter-Seſſions, who

who are hereby impowered and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; (6) which ſaid Commiſſioners for Appeals, and regulating of this Duty, and the Chief Commiſſioners for Exciſe, and all Juſtices of Peace, and Sub-Commiſſioners aforeſaid reſpectively, are hereby authorized and ſtrictly enjoined and required, upon any Complaint or Information exhibited and brought of any ſuch Forfeiture made, or Offence committed contrary to this Act, to ſummon the Party accuſed, and upon his Appearance or Contempt, to proceed to Examination of the Matter of Fact, and upon due Proof made thereof, either by the voluntary Confeſſion of the Party, or by the Oath of one or more credible Witneſſes (which Oath they or any two or more of them have hereby Power to adminiſter) to give Judgment or Sentence, according as in and by this Act is before ordained and directed, and to award and iſſue out Warrants under their Hands, for the levying of ſuch Forfeitures, Penalties and Fines, as by this Act is impoſed for any ſuch Offence committed, upon the Goods and Chattels of the Offender, and to cauſe Sale to be made of the ſaid Goods and Chattels, if they ſhall not be redeemed within fourteen Days, rendring to the Party the Overplus, if any be, and for want of ſufficient Diſtreſs, to impriſon the Party offending till Satisfaction be made.

Levying the Forfeitures.

XLVI. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices of the Peace, Commiſſioners for Exciſe, or any two of them, or their Sub-Commiſſioners reſpectively, from Time to Time where they ſhall ſee Cauſe, to mitigate, compound or leſſen ſuch Forfeiture, Penalty or Fine as in their Diſcretion they ſhall think fit; and that every ſuch Mitigation and Payment thereupon accordingly made, ſhall be a ſufficient Diſcharge of the ſaid Penalties and Forfeitures to the Perſons ſo offending; ſo as by ſuch Mitigation the ſame be not made leſs than double the Value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable Coſts and Charges of ſuch Officer or Officers, or others as were imployed therein, to be to them allowed by the ſaid Juſtices; any Thing in this Act to the contrary in any wiſe notwithſtanding: (2) And it is hereby further enacted and ordained, That all Fines, Forfeitures and Penalties mentioned in this Act, all neceſſary Charges for the Recovery thereof being firſt deducted, ſhall be imployed, three fourth Parts thereof to and for the Uſe of the King's Majeſty, and one fourth Part to the Diſcoverer or Informer of the ſame. (3) And for the better Managing, Collecting, Securing, Levying and Recovering of all and every the ſaid Rates and Charges of Exciſe hereby impoſed and ſet upon all or any of the Commodities before-mentioned, to the End the ſame may be paid and diſpoſed of according to the Intent of this preſent Act, (4) Be it further enacted and ordained by Authority aforeſaid, and it is hereby enacted, That one principal Head Office ſhall be erected and continued in the City of *London*, or within ten Miles thereof, from Time to Time, as long as his Majeſty ſhall think fit, for this Duty, unto which all other Offices for the ſame within *England* and *Wales*, and the Town and Port of *Berwick*, ſhall be ſubordinate and accountable; which ſaid Office ſhall be managed by ſuch Officers as ſhall be appointed by the King's Majeſty, as aforeſaid, who, or any two of them, are hereby appointed and conſtituted Commiſſioners and Governors for the Management of his Majeſty's Receipt of Exciſe, and to ſit in ſome convenient Place in the City of *London*, or within ten Miles thereof, from Time to Time, as long as his Majeſty ſhall think fit, for the Ends aforeſaid.

Power to mitigate the Forfeitures.

How the Fines and Forfeitures ſhall be employed.

One principal Office of Exciſe to be erected in London.

XLVII. And be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be capable of intermedling with any Office or Imployment relating to the Exciſe, until he or they ſhall, before two or more Juſtices of Peace in the County, where his or their Imployments ſhall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby Power to adminiſter, together with this Oath following, *Mutatis Mutandis*.

The Oath.

'(2) YOU ſhall ſwear to execute the Office of truly and faithfully, without Favour or Affection, and ſhall from Time to Time true Account make and deliver to ſuch Perſon or Perſons as his Majeſty ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the Execution of the ſaid Office, from any other Perſon than from his Majeſty, or thoſe whom his Majeſty ſhall appoint in that Behalf.

XLVIII. And be it further enacted by the Authority aforeſaid, That every ſuch Juſtice of the Peace ſhall certify the taking of ſuch Oath to the next Quarter-Seſſions, there to be recorded. (2) And it is further enacted, That all Parts of the Cities of *London* and *Weſtminſter*, with the Borough of *Southwark*, and the ſeveral Suburbs thereof, and Pariſhes within the weekly Bills of Mortality, ſhall be under the immediate Care, Inſpection and Management of the ſaid Head Office, (3) and ſuch and ſo many ſubordinate Commiſſioners and Sub-Commiſſioners, and other Officers and Miniſters for the Execution of the Premiſſes, ſhall be from Time to Time nominated and appointed by his Majeſty, his Heirs and Succeſſors, in all and every other the Counties, Cities, Towns and Places within this Kingdom of *England*, Dominion of *Wales*, and Port of *Berwick*, as from Time to Time his Majeſty, his Heirs and Succeſſors, ſhall think fit. (4) And it is hereby further enacted, That the ſaid Office of Exciſe in all Places where it ſhall be appointed, ſhall be kept open from Eight of the Clock in the Morning till twelve of the Clock at Noon; and from Two of the Clock in the Afternoon till Five of the Clock in the Afternoon, for the due Execution and Performance of all and every the Matters and Things in this Act appointed and required. (5) And it is further hereby enacted, That the ſaid Chief Commiſſioners of Exciſe, or the major Part of them, ſhall from Time to Time iſſue forth and pay ſuch Sum and Sums of Money, as ſhall from Time to Time be received, collected or levied by Virtue of this Act, into his Majeſty's Receipt of Exchequer.

London, Weſtminſter, &c. to be under the Management of the Chief Office.

All Commiſſioners, &c. to be nominated by his Majeſty.

Times in which the Office ſhall be kept open.

XLIX. Provided always, and be it enacted, That if any Perſon or Perſons ſhall at any Time be ſued or proſecuted for any Thing by him or them done or executed in Purſuance of this Act, he or they ſhall and may plead the General Iſſue, and give this Act in Evidence for his Defence; (2) and if upon the

The General Iſſue pleadable in any Action upon this Statute.

the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonsuit, then such Defendant or Defendants shall have double Costs to him or them awarded against such Plaintiff or Plaintiffs.

Writs of Certiorari no Supersedeas.

L. Provided also, and be it enacted, That no Writ or Writs of *Certiorari* shall supersede Execution or other Proceeding, upon any Order or Orders made by the Justices aforesaid in Pursuance of this Act, but that Execution and other Proceedings shall and may be had and made thereupon, any such Writ or Writs, or Allowance thereof notwithstanding.

Proviso as to the Act of General Pardon. 12 Car. 2. c. 11.

LI. Provided, That this Act, or any Thing therein contained, shall not extend or be construed to extend in any Manner to weaken or invalidate one Act of this present Parliament, intituled, *An Act of Free and General Pardon, Indemnity and Oblivion*, but that every Clause, Article, Matter and Thing therein mentioned and comprised, shall notwithstanding this Act or any Matter or Thing therein, remain good and valid, and be of the same Force, Virtue and Effect, as if this Act had never been made.

Proviso concerning Ed. Backwell.

LII. Provided always, and be it further enacted, That this Act, or any Thing therein contained, shall not be prejudicial to *Edward Backwell* Alderman of *London*, as to the Sum of twenty-eight thousand four hundred and fifty Pounds (or any Part thereof) by him advanced upon the Credit of several Orders of this present Parliament, and by them charged on the Receipt of the Grand Excise; that is to say, the Sum of five thousand Pounds payable to his Majesty's Surveyor General for the Repair of his Majesty's Houses, charged by Virtue of an Order of the sixth of *September* one thousand six hundred sixty, with Interest for the same; the Sum of ten thousand Pounds advanced to her Highness the Princess Royal, being charged with Interest by an Order of the thirteenth of *September* one thousand six hundred sixty; the Sum of ten thousand Pounds payable to her Majesty the Queen of *Bohemia*, being charged, together with Interest, by an Order of the thirteenth of *September* one thousand six hundred sixty; the Sum of three thousand four hundred and fifty Pounds payable for Provisions for *Dunkirk* by Order of the twenty-sixth of *November* one thousand six hundred sixty; which Sum of twenty-eight thousand four hundred and fifty Pounds, together with the Interest for the same, according to the Tenor of the said Orders, after the Rate of Six *per Cent.* shall be paid to the said *Edward Backwell* or his Assigns, out of the Grand Excise, and the Arrears thereof in Course, as is by the said Orders appointed; and in case the same shall fall short in Payment by the twenty-fifth of *December* one thousand six hundred and sixty, that then the Remainder shall continue secured to him out of the whole Excise in Course, as aforesaid, and that no other Payments be made out of the Excise, but what is appointed by this present Parliament in Course to precede the same, until the said Debt due to the said *Edward Backwell* be satisfied; and that in case any Part of the Monies due to Aldermen *Backwell* be paid out of that Part of the Excise which shall grow due to the King's Majesty, that then his Majesty shall be reimbursed the same out of the first Monies that shall come in of the Arrears of Excise that will be due the said twenty-fifth of *December*. [Confirmed by 13 Car. 2. Stat. 1. c. 7.]

*Farther Provisions concerning Excise,* 15 *Car.* 2. *c.* 11. 16 & 17 *Car.* 2. *c.* 4. 22 & 23 *Car.* 2. *c.* 5. 1 *W. & M. St.* 1. *c.* 24. 4 *W & M. c.* 3. 5 *W & M. c.* 20. 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 & 12. 1 *Ann. St.* 2. *c.* 3. 4 *Ann. c.* 6. 8 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann St.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *c.* 16. 23 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. *and* 1 *Geo.* 3. *c.* 7.

## CAP. XXV.

An Act for the better Ordering the Selling of Wines by Retail, and for preventing Abuses in the Mingling, Corrupting and Viciating of Wines, and for setting and limiting the Prices of the same.

28 *H.* 8. *c.* 14.

FOR the better Ordering of Selling of Wines by Retail in Taverns and other Places, and for preventing of Abuses therein, (2) be it enacted by the King's most Excellent Majesty, by and with the Consent of the Lords and Commons in Parliament assembled, and by the Authority of the same, That no Person or Persons whatsoever, from and after the five and twentieth Day of *March* one thousand six hundred sixty-one, unless he or they be authorized and enabled in Manner and Form as in this present Act is prescribed and appointed, shall sell or utter by Retail, that is, by the Pint, Quart, Pottle or Gallon, or by any other greater or lesser Retail Measure, any Kind of Wine or Wines to be drunk or spent within his or their Mansion House or Houses, or other Place in his or their Tenure or Occupation, or without such Mansion House or Houses, or such other Place in his or their Tenure or Occupation, by any Colour, Craft or Mean whatsoever; (3) upon Pain to forfeit for every such Offence the Sum of five Pounds; the one Moiety of every such Penalty to be to our Sovereign Lord the King; the other Moiety to him or them that will sue for the same by Action of Debt, Bill, Plaint or Information, in any of the King's Courts of Record, in which Action or Suit no Essoin, Wager of Law or Protection shall be allowed.

The Penalty for uttering Wine by Retail. Carthew 216.

His Majesty may issue out Commissions to licence the uttering Wine.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, from Time to Time to issue out under his or their Great Seal of *England* one more Commission or Commissions directed to two or more Persons, thereby authorizing them to licence and give Authority to such Person or Persons as they shall think fit, to sell and utter by Retail all and every, or any Kind of Wine or Wines whatsoever, to be drunk and spent, as well within the House or Houses, or other Place in the Tenure or Occupation of the Party so licenced, as without, in any City, Town or other Place within the Kingdom of *England*, Dominion of *Wales*, and Town and Port of *Berwick* upon *Tweed*; (2) and such Persons as from Time to Time, or at any Time hereafter, shall be by such Commission or Commissions, as aforesaid, in that Behalf appointed, shall have Power and Authority, and hereby have Power and Authority, to treat and contract for Licence, Authority and Dispensations

to

to be given and granted to any Perſon or Perſons for the Selling and Uttering of Wines by Retail in any City, Town or other Place, as aforeſaid, according to the Rules and Directions of this preſent Act, and the true Intent and Meaning thereof, and not otherwiſe; any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

His Majeſty's Agents for granting Wine Licences, may grant Licences not exceeding 21 Years, if the Perſon ſo long live. Rent reſerved, but no Fine to be taken.

III. And be it further enacted by the Authority aforeſaid, That ſuch Perſons as ſhall be commiſſioned and appointed by his Majeſty, his Heirs or Succeſſors, as aforeſaid, ſhall be and be called his Majeſty's Agents for granting Licences for the Selling and Uttering of Wine by Retail: And his Majeſty's ſaid Agents are hereby authorized and enabled under their Seal of Office, the ſame to be appointed by his Majeſty, to grant Licenſe for the Selling and Uttering of Wines by Retail to any Perſon or Perſons, and for any Time or Term not exceeding twenty-one Years, if ſuch Perſon or Perſons ſhall ſo long live, and for ſuch yearly Rent as they can or ſhall agree and think fit, ſo as no Fine be taken for the ſame, but that the Rent and Sums of Money agreed upon and reſerved be paid and anſwered Half-yearly by equal Portions during the whole Term.

Licences only to ſuch as perſonally uſe the Trade. Wine Licences not aſſignable.

IV. And be it further enacted by the Authority aforeſaid, That ſuch Licence ſhall not be given or granted but to ſuch who ſhall perſonally uſe the Trade of Selling or Uttering of Wines by Retail, or to the Landlord and Owner of the Houſe where the Perſon uſing ſuch Trade ſhall ſell and utter Wine by Retail; nor ſhall the ſame be aſſignable, nor in any wiſe beneficial or extenſive to indemnify any Perſon againſt the Penalties of this preſent Act, except the firſt Taker.

The King may appoint Officers as he ſhall think fit. Not exceeding ſix-pence in the Pound for their Salaries.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, to conſtitute and appoint ſuch and ſo many other Officers and Miniſters, as a Receiver, Regiſter, Clerk, Comptroller, Meſſenger, or the like, for the better Carrying on of this Service, as he and they ſhall think fit, ſo as the Salaries and Wages of all ſuch Officers to be appointed, together with the Salary or Wages of his Majeſty's ſaid Agents, do not exceed ſix Pence in the Pound of the Revenue that ſhall hence ariſe.

The Revenue to be paid into the Exchequer, and not to be charged with any Gift or Penſion.

VI. And be it further enacted by the Authority aforeſaid, That the Rents, Revenues, and Sums of Money hence ariſing, except what ſhall be allowed for the Wages and Salaries of ſuch Officers and Miniſters, which is not to exceed ſix Pence out of every Pound thereof, ſhall be duly and conſtantly paid and anſwered into his Majeſty's Receipt of Exchequer, and ſhall not be particularly charged or chargeable, either before it be paid into the Exchequer or after, with any Gift or Penſion: (2) And his Majeſty's ſaid Agents are hereby enjoined and required to return into the Court of Exchequer, every *Michaelmas* and *Eaſter* Terms, upon their Oaths (which Oaths the Barons of the Exchequer, or any one of them, are hereby authorized to adminiſter) a Book fairly written, containing a full and true Account of what Licences have been granted the preceding Half-year, and what Rents and Sums of Money are thereupon reſerved, and have been paid, or are in arrear, together with the Securities of the Perſons ſo in arrear, to the End due and ſpeedy Proceſs may be made out according to the Courſe of the Exchequer, for the Recovery of the ſame.

The Agents to return into the Exchequer in Michaelmas and Eaſter Term what Licences they have granted.

Proviſo for the two Univerſities, and their Privileges.

VII. Provided always, That this Act, nor any Thing therein contained, ſhall not in any wiſe be prejudicial to Privilege of the two Univerſities of this Land, or either of them, nor to the Chancellors or Scholars of the ſame, or their Succeſſors; but that they may uſe and enjoy ſuch Privileges as heretofore they have lawfully uſed and enjoyed, any Thing herein to the contrary notwithſtanding.

Proviſo for the Society of the Vinters of London.

VIII. Provided alſo, That this Act, nor any Thing therein contained, ſhall not extend to be prejudicial to the Maſter, Wardens, Freemen and Commonalty of the Myſtery of Vintners of the City of *London*, or to any other City or Town Corporate; but that they may uſe and enjoy ſuch Liberties and Privileges as heretofore they have lawfully uſed and enjoyed, any Thing herein contained to the contrary notwithſtanding.

Proviſo for the Borough of St. Albans.

IX. Provided alſo, and be it enacted by the Authority aforeſaid, That this Act, or any Thing therein contained, ſhall not in any wiſe extend to debar or hinder the Mayor and Burgeſſes of the Borough of St. *Albans* in the County of *Hertford*, or their Succeſſors, from enjoying, uſing and exerciſing of all ſuch Liberties, Powers and Authorities to them heretofore granted by ſeveral Letters Patents under the Great Seal of *England*, by Queen *Elizabeth* and King *James* of famous Memories, for the Erecting, Appointing, and Licencing of three ſeveral Wine-Taverns within the Borough aforeſaid, for and towards the Maintenance of the Free School there; but that the ſame Liberties, Powers, and Authorities ſhall be and are hereby eſtabliſhed and confirmed, and ſhall remain and continue in and to the ſaid Mayor and Burgeſſes, and their Succeſſors, to and for the charitable Uſe aforeſaid, and according to the Tenor of the Letters Patents aforeſaid, as though this Act had never been made; any Thing herein contained to the contrary in any wiſe notwithſtanding.

Fees of the Officers.

X. Provided alſo that it ſhall not nor may be lawful to or for any Officer or Officers to be appointed by his Majeſty for the Carrying on of this Service, to take, demand or receive any Fees, Rewards or Sums of Money whatſoever, for or in reſpect of this Service, other than five Shillings for a Licence, four Pence for an Acquittance, and ſix Pence for a Bond, under the Penalty of ten Pounds; one Moiety thereof to the King's Majeſty; the other Moiety to the Perſon or Perſons who ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed; any Thing herein, or any other Matter or Thing, to the contrary notwithſtanding.

There ſhall be no Mixture of other Wines or Things.

XI. And it is hereby further enacted by the Authority aforeſaid, That no Merchant, Vintner, Wine-Cooper or other Perſon ſelling or retailing any Wine, ſhall mingle or utter any *Spaniſh* Wine mingled with any *French* Wine, or *Rheniſh* Wine, Cyder, Perry, Honey, Sugar, Syrups of Sugar, Molaſſes, or any other Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor nor Ingredients, nor any Clary or other Herb, nor any Sort of Fleſh whatſoever; (2) And that no Merchant, Vintner, Wine-Cooper or other Perſon ſelling or retailing any Wine, ſhall

mingle or utter any *French* Wines mingled with any *Rheniſh* Wines or *Spaniſh* Wines, Cyder, Perry, Stummed Wine, Vitriol, Honey, Sugar, Syrup of Sugar, Molaſſes, or any Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water nor any other Liquor or Ingredients, nor any Clary or other Herb, nor any Sort of Fleſh whatſoever; (3) And that no Merchant, Vintner, Wine-Cooper or other Perſon ſelling or retailing any Wine, ſhall mingle or utter any *Rheniſh* Wine mingled with any *French* Wines or *Spaniſh* Wines, Cyder, Perry, Stummed Wine, Vitriol, Honey, Sugar, Syrups of Sugar, Molaſſes, or any other Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor or Ingredients, nor any Clary or other Herb, nor any Sort of Fleſh whatſoever: (4) And that all and every Perſon and Perſons committing any of the Offences aforeſaid, ſhall incur the Pains and Penalties herein after mentioned; That is to ſay, every Merchant, Wine-Cooper, or other Perſon ſelling any Sort of Wines in groſs, mingled or abuſed as aforeſaid, ſhall forfeit and loſe for every ſuch Offence one hundred Pounds; (5) and that every Vintner or other Perſons ſelling any Sorts of Wine by Retail, mingled or abuſed, as aforeſaid, ſhall forfeit and loſe for every ſuch Offence the Sum of forty Pounds: (6) Of which Forfeitures one Moiety ſhall go unto the King's Majeſty, his Heirs and Succeſſors; the other Moiety to the Informer, to be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The Penalties of mingling or abuſing any Wines.

The Prices of Wines.

XII. Provided always, and be it enacted, That from and after the firſt Day of *September* one thouſand ſix hundred ſixty and one, no *Canary* Wines, *Muſkadell* or *Allegant*, or other *Spaniſh* or Sweet Wines, ſhall be ſold or uttered by any Perſon or Perſons within his Majeſty's Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, by Retail for above eighteen Pence the Quart: (2) And that no *Gaſcoigne* or *French* Wines whatſoever ſhall be ſold by Retail above eight Pence the Quart: (3) and that no *Rheniſh* Wines whatſoever ſhall be ſold by Retail above twelve Pence the Quart; (4) (and according to theſe Rates, for a greater and leſſer Quantity, all and every the ſaid Wines ſhall and may be ſold) (5) upon Pain and Penalty that every ſuch Perſon or Perſons, who ſhall utter or ſell any of the ſaid Wines by Retail, that is to ſay, by the Pint, Quart, Pottle or Gallon, or by any other greater or leſſer Retail Meaſure, at any Rate exceeding the Rates hereby limited, do and ſhall forfeit for every ſuch Pint, Quart, Pottle, Gallon, or other greater or leſſer Quantity ſo ſold by Retail, the Sum of five Pounds; the one Moiety of which Forfeiture ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other Moiety to him or them that will ſue for the ſame, to be recovered in Manner and Form as aforeſaid.

The Penalties.

The Lord Chancellor, &c. may ſet the Prices of Wines yearly, or alter the ſame.

XIII. Provided nevertheleſs, That it ſhall and may be lawful to and for the Lord Chancellor of *England*, Lord Treaſurer, Lord Preſident of the King's Council, Lord Privy-Seal, and the two Chief Juſtices, or five, four or three of them: And they are hereby authorized yearly, and every Year, between the twentieth Day of *November* and the laſt Day of *December*, and no other Times, to ſet the Prices of all and every the ſaid Wines to be ſold by Retail, as aforeſaid, at higher or lower Rates than are herein contained; ſo that they or any of them cauſe the Prices by them ſet to be written, and open Proclamation thereof to be made in the King's Court of Chancery yearly in Term-time, or elſe in the City, Borough or Town Corporate where any ſuch Wine ſhall be ſold; (2) and that all and every the ſaid Wines ſhall and may be ſold by Retail at ſuch Prices as by them, or any five, four or three of them, ſhall be ſet as aforeſaid, from Time to Time, for the Space of one whole Year, to commence from the firſt Day of *February* next after the Setting thereof, and no longer, and no greater Prices, under the Pains and Penalties aforeſaid, to be recovered as aforeſaid: And afterwards, (3) and in Default of ſuch Setting of Prices by the ſaid Lord Chancellor of *England*, Lord Treaſurer, Lord Preſident of the King's Council, Lord Privy-Seal, and the two Chief Juſtices, or five, four or three of them, as aforeſaid, at the reſpective Rates and Prices ſet by this Act, and under the Penalties as aforeſaid, to be recovered as aforeſaid. [Confirmed by 13 Car. 2. Stat. 1. c. 7.]

*Farther Proviſions concerning Wines,* 1 *Jac.* 2. *c.* 3. 1 *Ann. St.* 1. *c.* 12. 5 *Ann. c.* 27. 6 *Geo.* 1. *c.* 12. 8 *Geo.* 1. *c.* 18. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *St.* 2. *c.* 17. 10 *Geo.* 2. *c.* 19. 17 *Geo.* 2. *c.* 40. 18 *Geo.* 2. *c.* 9. 26 *Geo.* 2. *c.* 12. 30 *Geo.* 2. *c.* 19. *And* 32 *Geo.* 2. *c.* 19.

## CAP. XXVI.

An Act for the levying of the Arrears of the twelve Months Aſſeſſment, commencing the twenty-fourth of *June* one thouſand ſix hundred fifty-nine, and the ſix Months Aſſeſſment, commencing the twenty-fifth of *December* one thouſand ſix hundred fifty-nine. EXP. 13 *Car.* 2. *Stat.* 1. *c.* 7.

## CAP. XXVII.

An Act for granting unto the King's Majeſty four hundred and twenty thouſand Pounds, by an Aſſeſſment of threeſcore and ten thouſand Pounds by the Month, for ſix Months, for diſbanding the Remainder of the Army, and paying off the Navy. EXP. 13 *Car.* 2. *Stat.* 1. *c.* 7.

## CAP. XXVIII.

An Act for further ſupplying and explaining certain Defects in an Act, intituled, *An Act for the ſpeedy Proviſion of Money for diſbanding and paying off the Forces of this Kingdom both by Land and Sea.* EXP. 13 *Car.* 2. *Stat.* 1. *cap.* 7.

## CAP. XXIX.

An Act for the ſpeedy raiſing of ſeventy thouſand Pounds for the preſent Supply of his Majeſty. EXP. 13 *Car.* 2. *Stat.* 1. *cap.* 7.

CAP.

## CAP. XXX.

### An Act for the Attainder of ſeveral Perſons guilty of the horrid Murther of his late Sacred Majeſty King *Charles* the Firſt.

'IN all humble Manner ſhew unto your moſt Excellent Majeſty, your Majeſty's moſt dutiful and loyal Subjects the Lords and Commons in Parliament aſſembled, That the horrid and execrable Murther of your Majeſty's Royal Father, our late moſt gracious Sovereign *Charles* the Firſt, of ever Bleſſed and Glorious Memory, hath been committed by a Party of wretched Men, deſperately wicked, and hardned in their Impiety, who having firſt plotted and contrived the Ruin and Deſtruction of this excellent Monarchy, and with it, of the true Reformed Proteſtant Religion, which had been ſo long protected by it and flouriſhed under it, found it neceſſary in order to the carrying on of their pernicious and traiterous Deſigns, to throw down all the Bulwarks and Fences of Law, and to ſubvert the very Being and Conſtitution of Parliament, that ſo they might at laſt make their Way open for any further Attempts upon the Sacred Perſon of his Majeſty himſelf; (2) and that for the more eaſy Effecting thereof, they did firſt ſeduce ſome Part of the then Army into a Compliance, and then kept the reſt in Subjection to them, partly for Hopes of Preferment, and chiefly for Fear of loſing their Imployments and Arrears, until by theſe, and other more odious Arts and Devices, they had fully ſtrengthned themſelves both in Power and Faction; which being done, they did declare againſt all Manner of Treaties with the Perſon of the King, even then while a Treaty by Advice of both Houſes of Parliament was in Being, remonſtrate againſt the Houſes of Parliament for ſuch Proceedings, ſeize upon his Royal Perſon while the Commiſſioners were returned to the Houſe of Parliament with his Anſwer; and when his Conceſſions had been voted a Ground for Peace, ſeize upon the Houſe of Commons, ſeclude and impriſon ſome Members, force out others, and there being left but a ſmall Remnant of their own Creatures (not a tenth Part of the Whole) did ſeek to ſhelter themſelves by this weak Pretence, under the Name and Authority of a Parliament; (3) and in that Name laboured to proſecute what was yet behind and unfiniſhed of their long intended Treaſon and Conſpiracy. To this Purpoſe they prepared an Ordinance for erecting a prodigious and un-heard of Tribunal, which they called *An High Court of Juſtice*, for Trial of his Majeſty; and having eaſily procured it to paſs in their Houſe of Commons, as it then ſtood moulded, ventured to ſend it up from thence to the Peers then ſitting, who totally rejected it; whereupon their Rage and Fury increaſing, they preſume to paſs it alone, as an Act of the Commons, and in the Name of the *Commons of England*; (4) and having gained the Pretence of Law made by a Power of their own making, purſue it with all poſſible Force and Cruelty, until at laſt, upon the thirtieth Day of *January* one thouſand ſix hundred forty and eight, his Sacred Majeſty was brought unto a Scaffold, and there publickly murthered before the Gates of his own Royal Palace: (5) And becauſe by this horrid Action the Proteſtant Religion hath received the greateſt Wound and Reproach, and the People of *England* the moſt unſupportable Shame and Infamy, that it was poſſible for the Enemies of God and the King to bring upon us, whilſt the Fanatick Rage of a few Miſcreants (who were as far from being true Proteſtants, as they were from being true Subjects) ſtands imputed by our Adverſaries to the whole Nation:' (6) We therefore your Majeſty's ſaid dutiful and loyal Subjects, the Lords and Commons in Parliament aſſembled, do hereby renounce, abominate and proteſt againſt that impious Fact, the execrable Murther and moſt unparalleled Treaſon committed againſt the Sacred Perſon and Life of our ſaid late Sovereign your Majeſty's moſt Royal Father, and all Proceedings tending thereunto, and do beſeech your moſt Excellent Majeſty that it may be declared; (7) and be it hereby declared, that by the undoubted and fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor both together in Parliament or out of Parliament, nor the People collectively or repreſentatively, nor any other Perſons whatſoever, ever had, have, hath or ought to have, any coercive Power over the Perſons of the Kings of this Realm: (8) And for the better Vindication of our ſelves to Poſterity, and as a laſting Monument of our otherwiſe inexpreſſible Deteſtation and Abhorrency of this villanous and abominable Fact, We do further beſeech your moſt Excellent Majeſty, that it may be enacted; (9) And be it hereby enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons, in this preſent Parliament aſſembled, That every thirtieth Day of *January*, unleſs it falls out to be upon the Lord's Day, and then the Day next following, ſhall be for ever hereafter ſet apart to be kept and obſerved in all the Churches and Chapels of theſe your Majeſty's Kingdoms of *England* and *Ireland*, Dominion of *Wales* and Town of *Berwick* upon *Tweed*, and the Iſles of *Jerſey* and *Guernſey*, and all other your Majeſty's Dominions, as an Anniverſary Day of Faſting and Humiliation, to implore the Mercy of God, that neither the Guilt of that Sacred and Innocent Blood, nor thoſe other Sins by which God was provoked to deliver up both us and our King into the Hands of cruel and unreaſonable Men, may at any Time hereafter be viſited upon us or our Poſterity, (10) And whereas *Oliver Cromwell* deceaſed, *Henry Ireton* deceaſed, *John Bradſhaw* deceaſed, and *Tho. Pride* deceaſed, *John Liſle*, *Will. Say*, Sir *Hardreſs Waller*, *Valentine Wauton*, *Thomas Harriſon*, *Edward Whalley*, *William Heveningham*, *Iſaac Penington*, *Henry Martin*, *John Barkſtead*, *Gilbert Millington*, *Edmond Ludlow*, Sir *Michael Liveſey*, *Robert Tichbourn*, *Owen Row*, *Robert Lilbourn*, *Adrian Scroop*, *John Okey*, *John Hewſon*, *William Goffe*, *Cornelius Holland*, *Thomas Challoner*, *John Carew*, *John Jones*, *Miles Corbet*, *Henry Smith*, *Gregory Clement*, *Thomas Wogan*, *Edmond Harvey*, *Thomas Scot*, *William Cawley*, *John Downs*, *Nicholas Love*, *Vincent Potter*, *Auguſtine Garland*, *John Dixwel*, *George Fleetwood*, *Simon Meyn*, *James Temple*, *Peter Temple*, *Daniel Blagrave*, *Thomas Wayte*, *John Cook*, *Andrew Broughton*, *Edward Dendy*, *William Hewlet*, *Hugh Peters*, *Francis Hacker*, *Daniel Axtel*, are notoriouſly known to have been wicked and active Inſtruments in the Proſecution and Compaſſing that traiterous Mur-

The horrid Murther of King Charles the Firſt, how firſt contrived and plotted.

A yearly Anniverſary of Humiliation on the 30th of January for ever.

The Attainder of the Perſons actively inſtrumental in the Murther of his late Majeſty.

The Names of the Perſons tried and legally attainted.

Murther of his late Majeſty; for which the ſaid Sir *Hardreſs Waller*, *Thomas Harriſon*, *William Heveningham*, *Iſaac Pennington*, *Henry Martin*, *Gilbert Millington*, *Robert Titchborn*, *Owen Row*, *Robert Lilburn*, *Adrian Scroop*, *John Carew*, *John Jones*, *Henry Smith*, *Gregory Clement*, *Edmond Harvy*, *Thomas Scot*, *John Downs*, *Vincent Potter*, *Auguſtine Garland*, *George Fleetwood*, *Simon Meyne*, *James Temple*, *Peter Temple*, *Thomas Wayte*, *John Cook*, *William Hewlet*, *Hugh Peters*, *Francis Hacker* and *Daniel Axtel*, have already received their Trial at Law, and by Verdict or their own Confeſſion have been convicted, and by Judgment of Law thereupon had, do now ſtand duly and legally attainted; of whom ten Perſons,

The ten Perſons executed.

that is to ſay, *Thomas Harriſon*, *Adrian Scroop*, *John Carew*, *John Jones*, *Thomas Scot*, *Gregory Clement*, *John Cook*, *Hugh Peters*, *Francis Hacker* and *Daniel Axtel*, have moſt deſervedly ſuffered the Pains of Death and been executed according to Law, and the ſaid *John Liſle*, *William Say*, *Valentine Wauton*, *Edward Whalley*, *John Barkſtead*, *Edmond Ludlow*, Sir *Michael Liveſy*, *John Okey*, *John Hewſon*, *William Goffe*, *Cornelius Holland*, *Thomas Challoner*, *Miles Corbet*, *William Cawley*, *Nicholas Love*, *John Dixwell*, *Daniel Blagrave*, *Andrew Broughton* and *Edward Dendy*, are fled from Juſtice, not daring to abide a legal Trial:

The Perſons fled.

May it therefore pleaſe your Majeſty, that it may be enacted; (11) and be it enacted by the Authority of this preſent Parliament, That the ſaid *Oliver Cromwell* deceaſed, *Henry Ireton* deceaſed, *John Bradſhaw* deceaſed, and *Thomas Pride* deceaſed, ſhall by Virtue of this Act, be adjudged to be convicted and attainted of High Treaſon to all Intents and Purpoſes, as if they and every of them reſpectively, had been attainted in their Lives: (12) And alſo, that *John Liſle*, *William Say*, *Valentine Wauton*, *Edward Whally*, *John Barkſtead*, *Edmond Ludlow*, Sir *Michael Liveſy*, *John Okey*, *John Hewſon*, *William Goffe*, *Cornelius Holland*, *Thomas Challoner*, *William Cawley*, *Miles Corbet*, *Nicholas Love*, *John Dixwell*, *Daniel Blagrave*, *Andrew Broughton*, *Edward Dendy* and every of them, ſtand and be adjudged, and by Authority of this preſent Act convicted and attainted of High Treaſon: (13) And that all and every the Manors Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities and all other the Hereditaments, Leaſes for Years, Chattels Real and other Things of that Nature, whatſoever they be, of them the ſaid *Oliver Cromwel*, *Henry Ireton*, *John Bradſhaw*, *Thomas Pride*, *John Liſle*, *William Say*, *Valentine Wauton*, *Edward Whalley*, *John Barkſtead*, *Edmond Ludlow*, Sir *Michael Liveſy*, *John Okey*, *John Hewſon*, *William Goffe*, *Cornelius Holland*, *Thomas Challoner*, *William Cawley*, *Miles Corbet*, *Nicholas Love*, *John Dixwell*, *Daniel Blagrave*, *Andrew Broughton*, *Edward Dendy*, *Thomas Harriſon*, *Adrian Scroop*, *John Carew*, *John Jones*, *Thomas Scot*, *Gregory Clement*, *Hugh Peters*, *Francis Hacker*, *John Cook*, *Daniel Axtel*, Sir *Hardreſs Waller*, *William Heveningham*, *Iſaac Pennington*, *Henry Martin*, *Gilbert Millington*, *Robert Tichborn*, *Owen Row*, *Robert Lilburn*, *Henry Smith*, *Edmond Harvy*, *John Downs*, *Vincent Potter*, *Auguſtine Garland*, *George Fleetwood*, *Simon Meyn*, *James Temple*, *Peter Temple*, *Thomas Wayte*, which they or any of them, or any other Perſon or Perſons to their or any of their Uſes, or in Truſt for them or any of them, had the five and twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred forty and ſix, or at any Time ſince, ſhall ſtand and be forfeited unto your Majeſty, your Heirs and Succeſſors; (14) and ſhall be deemed, veſted and adjudged to be in the actual and real Poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found; (15) And alſo, that all and every the Goods, Debts and other the Chattels perſonal whatſoever of them the ſaid *Oliver Cromwel*, *Henry Ireton*, *John Bradſhaw*, *Thomas Pride*, whereof at the Time of their reſpective Deaths, they or any of them, or any other in Truſt for them or any of them, ſtood poſſeſſed in Law or Equity; (16) and all the Goods, Debts and other the Chattels Perſonal whatſoever, of them the ſaid *John Liſle*, *William Say*, *Valentine Wauton*, *Edward Whalley*, *John Barkſtead*, *Edmond Ludlow*, Sir *Michael Liveſy*, *John Okey*, *John Hewſon*, *William Goffe*, *Cornelius Holland*, *Thomas Challoner*, *William Cawley*, *Miles Corbet*, *Nicholas Love*, *John Dixwel*, *Andrew Broughton*, *Edward Dendy*, *Thomas Harriſon*, *Adrian Scroop*, *John Carew*, *John Jones*, *Thomas Scot*, *Gregory Clement*, *Hugh Peters*, *Francis Hacker*, *John Cook*, *Daniel Axtel*, Sir *Hardreſs Waller*, *William Heveningham*, *Iſaac Penington*, *Henry Martin*, *Gilbert Millington*, *Robert Titchbourn*, *Owen Row*, *Robert Lilburn*, *Henry Smith*, *Edmond Harvey*, *John Downs*, *Vincent Potter*, *Auguſtine Garland*, *George Fleetwood*, *Simon Meyne*, *James Temple*, *Peter Temple*, *Thomas Wayte*, whereof upon the eleventh Day of *February* one thouſand ſix hundred fifty-nine, they or any of them, or any other in Truſt for them or any of them, ſtood poſſeſſed either in Law or Equity; (17) ſhall be deemed and adjudged to be forfeited unto, and are hereby veſted and put into the actual and real Poſſeſſion of your Majeſty, without any further Office or Inquiſition thereof hereafter to be taken or found.

The Perſons dead before they could be brought to Trial attainted.

The Perſons fled attainted.

Their Lands, Tenements, &c. forfeited and veſted in his Majeſty,

whereof they were ſeiſed, or any of them, 25 March 1646.

All their Goods and Perſonal Eſtate forfeited and veſted in his Majeſty,

whereof they were poſſeſt, or any of them, 11 Feb. 1659.

II. Provided always, and be it enacted by the Authority aforeſaid, That no Conveyance, Aſſurance, Grant, Bargain, Sale, Charge, Leaſe, Aſſignment of Leaſe, Grants and Surrenders by Copy of Court-Roll, Eſtate, Intereſt, Truſt or Limitation of any Uſe or Uſes, of or out of any Manors, Lands, Tenements or Hereditaments, not being the Lands nor Hereditaments of the late King, Queen or Prince, or of any Archbiſhops, Biſhops, Deans, Deans and Chapters, nor being Lands or Hereditaments ſold or given for the Delinquency or pretended Delinquency of any Perſon or Perſons whatſoever, by Virtue or Pretext of any Act, Order, Ordinance, or reputed Act, Order or Ordinance, ſince the firſt Day of *January* one thouſand ſix hundred forty and one; (2) nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered, to any Perſon or Perſons, Bodies Politick or Corporate, before the twenty-ninth Day of *September* one thouſand ſix hundred fifty-nine, by any of the Offenders before in this Act mentioned, or their Heirs, or by any other Perſon or Perſons claiming by, from or under them or any of them, other than the Wife or Wives, Child or Children, Heir or Heirs of ſuch Perſon or Perſons or any of them, for Money *bona fide* to them or any of them paid or lent; (3) nor any Conveyance, Aſſurance, Grant or Eſtate made before the twenty-fifth of *April* one thouſand ſix hundred and ſixty, by any Perſon or Perſons to any of the Offenders aforeſaid, in Truſt, and for the Benefit of any other Perſon or Perſons not being any of the Offenders aforeſaid, or in Truſt for any Bodies Politick or Corporate, ſhall be impeached, defeated, made void or fruſtrated hereby, or by any of the Convictions

Proviſo for Conveyances by any of the Offenders.

Statutes, Judgments, &c. before the 9th of Sept. 1659.

For Moneybona fide lent, &c. Conveyances in Truſt made before the 25th of April 1660. to any the ſaid Offenders.

tions and Attainders aforeſaid; (4) but that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſigns, *Ceſtuy que uſe*, *Ceſtuy que truſt*, and every of them, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, as if this Act had not been made, and as if the ſaid Offenders had not been by this Act, or by any other Courſe or Proceedings of Law, convicted or attainted; ſo as the ſaid Conveyances, and all and every the Grants and Aſſurances which by Virtue of this Act are and ought to be held and enjoyed as aforeſaid, ſhall before the firſt of *January* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, be entred and enrolled of Record in his Majeſty's Court of Exchequer and not otherwiſe; any Thing in this Act herein before contained to the contrary in any wiſe notwithſtanding. Such Conveyances to be enrolled in the Court of Exchequer before the firſt of Jan. 1662.

III. Provided always, and be it enacted by the Authority aforeſaid, That all and ſingular the Manors, Lands, Tenements and Hereditaments, which at any Time heretofore were the Lands and Poſſeſſions of *Henry* late Marqueſs of *Worceſter*, and *Edward* now Marqueſs of *Worceſter*, and *Henry* Lord *Herbert*, Son and Heir apparent of the ſaid *Edward* Marqueſs of *Worceſter*, or any of them; whereof or wherein the ſaid *Oliver Cromwel*, or any other Perſon or Perſons in Truſt for him or to his Uſe, or any other the Perſons attainted by this Act or otherwiſe, or any Perſon or Perſons in Truſt for them or any of them, had or claimed, or pretended to have any Eſtate, Right, Title, Poſſeſſion or Intereſt, at any Time before or ſince the Deceaſe of the ſaid *Oliver Cromwel*, ſhall be and hereby are veſted and ſettled in, and ſhall be held and enjoyed by the ſaid Marqueſs of *Worceſter* and the ſaid *Henry* Lord *Herbert*, in ſuch Manner and Form, and for ſuch Eſtate and Eſtates, with ſuch Powers and Privileges, as they formerly had in the ſame reſpectively; any Thing in this preſent Act contained, or any Act, Conveyance or Aſſurance heretofore made or acknowledged by the ſaid *Edward* Marqueſs of *Worceſter*, and *Henry* Lord *Herbert* or either of them, unto the ſaid *Oliver Cromwel* or any other Perſon or Perſons in Truſt for or to the Uſe of the ſaid *Oliver Cromwel*, or any Act or Conveyance made or done by the ſaid *Oliver Cromwel*, or by any in Truſt for him, to any Perſon whatſoever, to the contrary notwithſtanding; (2) Saving always, to all and every Perſon and Perſons, Bodies Politick, and others, their reſpective Heirs, Succeſſors, Executors and Adminiſtrators, all ſuch Right, Title and Intereſt in Law and Equity, which they or any of them have or ought to have, of, into or out of any the Premiſſes, not being in Truſt for any the ſaid Offenders, nor derived by, from or under the ſaid Offenders, ſince the twenty-fifth Day of *March* which was in the Year of our Lord one thouſand ſix hundred forty-ſix; (3) and that they the ſaid Perſon and Perſons, Bodies Politick and other, their reſpective Heirs, Succeſſors, Executors and Adminiſtrators and every of them, in all and every ſuch Caſe where his and their Entry was lawful upon ſuch Offender or Offenders, or the Heirs or Aſſigns of ſuch Offender or Offenders, in or upon the ſaid twenty-fifth Day of *March* one thouſand ſix hundred forty and ſix, or at any Time ſince, may without Petition, *Monſtrans de Droit*, *Ouſter le maine*, or other Suit to his Majeſty, enter on the Premiſſes in his Majeſty's Poſſeſſion or in the Poſſeſſion of his Succeſſors and Patentees, their Heirs or Aſſigns, in ſuch Manner, to all Intents, as he or they might have done on the Poſſeſſion of the ſaid Offenders, their Heirs or Aſſigns, in or upon the ſaid twenty-fifth Day of *March* or at any Time ſince; any Thing in this Act to the contrary in any wiſe notwithſtanding. Proviſo for the Marquis of Worceſter, &c. Saving.

IV. Provided alſo, That all and every Perſon and Perſons which have received any of the Rents or mean Profits, of, in or out of any the Lands, Tenements and Hereditaments, Chattels Real or Poſſeſſions, of any the Offender or Offenders in this Act mentioned, before the eleventh Day of *February* one thouſand ſix hundred fifty and nine, and have paid or accounted for the ſame before the ſaid eleventh Day of *February* one thouſand ſix hundred fifty and nine, unto the ſaid Offender or Offenders or their Aſſigns, or to any claiming from or under them, ſhall be clearly and for ever acquitted and diſcharged of and from the ſame, againſt the King's Majeſty, his Heirs and Succeſſors; any Thing herein contained to the contrary notwithſtanding. Proviſo for ſuch as have received and paid their Rents to the Offenders.

V. Provided always, That it ſhall and may be lawful to and for *Richard Ingoldſby*, to retain and keep, or otherwiſe to ſell and diſpoſe, all and ſingular the Goods and Chattels formerly belonging to Sir *Hardreſs Waller* in the Kingdom of *Ireland*, until two thouſand Pounds, for which the ſaid *Richard Ingoldſby* in the Year one thouſand ſix hundred fifty-eight ſtood jointly bound with the ſaid Sir *Hardreſs Waller*, unto *James Brooks* of the City of *York*, Alderman, and was then counter-ſecured by a Judgment upon his Lands, and ſince by a Deed of Bargain and Sale of the ſaid Goods and Chattels in *Ireland*, be fully paid, together with the Intereſt thereof, he the ſaid *Richard Ingoldſby* accounting for, and paying the full Overplus thereof, if any ſhall be, unto our Sovereign Lord the King; any Thing herein before contained to the contrary notwithſtanding. [Confirmed by 13 Car. 2. Stat. 1. c. 7.] Proviſo for Richard Ingoldſby.

## CAP. XXXI.

Leaſes and Grants from Colleges and Hoſpitals confirmed. PR. & EXP.

## CAP. XXXII.

### An Act for prohibiting the Exportation of Wool, Wool-fells, Fullers-earth, or any Kind of Scouring-earth.

'FOR the better preventing and avoiding of ſuch Loſſes and Inconveniencies as have happened, and daily do and may happen, to the Kingdom of *England* and Dominion of *Wales*, and to the Kingdom of *Ireland*, by and through the ſecret and ſubtil Exportation and Tranſportation, and by and through the ſecret and ſubtil carrying and conveying away, of Wool, Wool-fells, Mortlings, Shorlings, 23 *H.* 8. *c.* 17.

'lings, Yarn made of Wool, Wool-flocks, Fullers-earth and Fulling-clay, out of and from the Kingdoms and Dominion aforesaid, and for the better setting on work the poor People and Inhabitants of the Kingdoms and Dominion aforesaid; (2) and to the Intent that the full and best Use and Benefit of the principal native Commodities of the same Kingdoms and Dominion may come, redound and be unto and amongst the Subjects and Inhabitants of the same, and not unto or amongst the Subjects and Inhabitants of the Realm of *Scotland*, or of any foreign Realms or States, as the same now of late in some great Measure hath done, and is further likely to do, if some severer Punishment than heretofore be not speedily inflicted upon such Offenders as shall be Actors or Assistants in and to such Exportation and Transportation, and in and to such carrying and conveying away thereof, as aforesaid;' (3) Be it enacted by the King's most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That no Person or Persons whatsoever from and after the fourteenth Day of *January* one thousand six hundred and threescore, shall directly or indirectly export, transport, carry or convey, or cause or procure to be exported, transported, carried or conveyed, out of or from the Kingdom of *England*, or Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or out of or from the Isles of *Jersey* or *Guernsey*, with *Sarke* and *Alderney*, being under the Government of *Guernsey* aforesaid, or out of or from any of them, or out of or from the Kingdom of *Ireland* aforesaid, into any Parts or Places out of the Kingdoms, Isles or Dominion aforesaid, any Sheep or Wool whatsoever, of the Breed or Growth of the Kingdoms of *England* or *Ireland*, or Isles or Dominion aforesaid; (4) or any Wool-fells, Mortlings or Shorlings, or any Yarn made of Wool, or any Wool-flocks, or any Fullers-earth, or any Fulling-clay whatsoever: (5) nor shall directly or indirectly pack or load, or cause to be packed or loaded, upon any Horse, Cart or other Carriage, or load or lay on board, or cause to be loaden or laid on board, in any Ship or other Vessel, in any Place or Port within the Kingdoms of *England* or *Ireland*, or Town of *Berwick*, or Isles or Dominion aforesaid, any such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool or Wool-flocks, or any Fullers-earth or Fulling-clay, to the Intent or Purpose to export, transport, carry or convey the same, or to cause the same to be exported, transported, carried or conveyed, out of the Kingdoms of *England* or *Ireland*, Town of *Berwick*, Isles or Dominion aforesaid, or with Intent or Purpose, that any other Person or Persons should so export, transport, carry or convey the same into any Parts or Places out of the Kingdoms of *England* and *Ireland*, Town of *Berwick*, Isles or Dominion aforesaid, into the Kingdom of *Scotland* or any foreign Parts.

*Burn V.* 2.—583. No Person after the 14th of January 1660. shall export any Sheep or Wool, Wool-fells, Mortlings, Shorlings, Yarn, Wool-flocks, Fullers-earth, Fulling-clay.

Nor carry, or load on board any Sheep, Wool, &c.

No Wool, Wool-fells, &c. after the 14th of Jan. 1660. to be carried out of Wales, Ireland, &c. Except.

II. And be it further enacted by the Authority aforesaid, That no Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, or any Fullers-earth or Fulling-clay, shall be from and after the fourteenth Day of *January* in the Year of our Lord one thousand six hundred and sixty, exported, transported, carried or conveyed out of the Kingdom of *England* and Dominion of *Wales*, or Town of *Berwick*, or Kingdom of *Ireland*, or out of any Port or Place of the said Kingdoms respectively, unto the Isles of *Jersey* or *Guernsey*, or to *Sarke* or *Alderney*, except as in this Act shall be hereafter limited or appointed.

The Penalties.

III. And be it further enacted by the Authority aforesaid, That all and every the Offender and Offenders, Offence and Offences aforesaid, shall be subject and liable to the respective Pains, Penalties and Forfeitures hereafter following, that is to say, The said Sheep, Wools, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth and Fulling-clay so exported, transported, carried, conveyed, packed or loaden contrary to the true Intent of this Act, shall be forfeited; (2) and that every Offender and Offenders therein shall forfeit twenty Shillings for every such Sheep, and three Shillings for every Pound-weight of such Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth or Fulling-clay; (3) and also the Owners of the said Ships or Vessels, knowing such Offence, shall forfeit all their Interest in the said Ships or Vessels, with all their Apparel and Furniture to them and every of them belonging; (4) and that the Master and Mariners thereof, knowing such Offence, and wittingly and willingly Aiding and Assisting thereunto, shall forfeit all their Goods and Chattels, and have Imprisonment for the Space of three Months without Bail or Mainprize; (5) the one Moiety of which said Penalties and Forfeitures shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him that will sue for the same by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record, or before the Justices of Assize, or in the General Quarter-Sessions of the Peace; in which Suit, no Essoin, Protection or Wager of Law shall be allowed.

The Penalty upon any Merchant that shall transport Wools, &c.

IV. And be it further enacted, That if any Merchant, or other Person or Persons, shall after the said fourteenth Day of *January* transport or cause to be transported any Sheep, Wool, Wool-fells, Mortlings, Shorlings, Woollen-yarn, Wool-flocks, Fullers-earth or Fulling-clay, contrary to the true Intent of this Act, and be thereof lawfully convicted, that then he shall be disabled to require any Debt or Account of any Factor or others, for or concerning any Debt or Estate properly belonging to such Offender: (2) Provided always, and it is nevertheless declared, That this Act, or any Thing therein contained, shall not be construed to take away any greater Pains or Penalties inflicted, or to be inflicted, for any the Offences aforesaid, by Virtue of any former Act of Parliament now in Force.

Proviso.

Offences against this Act where to be tried.

V. And be it also further enacted by the Authority aforesaid, That every Offence that shall be done or committed contrary to this Act, shall and may be inquired of and heard, examined, tried and determined in the County where such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth or Fulling-clay respectively shall be so packed, loaden or laid aboard as aforesaid, contrary to this Act, or else in the County where such Offenders shall happen to be apprehended or arrested for such Offence, in such Manner and Form, and to such Effect to all Intents and Purposes, as if the same Offence had been wholly and altogether done and committed at and in such County.

VI. Provided

VI. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall at any Time hereafter be impeached for any Offence aforesaid, unless such Person or Persons shall be prosecuted within the Space of one Year next ensuing such Offence committed. Prosecution to be within a Year after the Offence committed.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to seize, take and challenge to his or their own Use and Behoof, and to the Use of the King, his Heirs and Successors, all and all Manner such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth and Fulling-clay, as he or they shall happen to see, find, know or discover to be laid aboard in any Ship or other Vessel or Boat, or to be brought, carried or laid on shore, at or near the Sea, or any navigable River or Water, to the Intent or Purpose to be exported, transported or conveyed out of the Kingdoms of *England* or *Ireland*, Town of *Berwick*, Isles or Dominion aforesaid, contrary to the true Meaning of this Act, or to be packed or loaden upon any Horse, Cart or other Carriage, to the Intent or Purpose to be conveyed or carried into the Kingdom of *Scotland* aforesaid; (2) and that such Person or Persons as shall happen so to seize, take or challenge any such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth or Fulling-clay as aforesaid, shall have the full Moiety thereof to all Intents and Purposes. By 9 & 10 W. 3. c. 40. §. 9. the Prosecution may be within three Years. Any Person may seize Goods contrary to this Act with Intent to be transported, &c. and shall have the Moiety thereof.

VIII. Provided always, That such Person or Persons as shall make any such Seizure or Challenge aforesaid to his or their own Use, shall not be admitted or allowed to give in Evidence upon his or their Oath or Oaths against any Person or Persons which shall happen to be indicted, accused or questioned by Virtue of this Act, or any Thing therein contained. Proviso such Person shall not be Evidence against the Offender.

IX. And furthermore, be it enacted by the Authority aforesaid, That all and every Ship, Vessel, Hulk, Barge or Boat of what Kind soever, whereof any Alien-born, or whereof any natural-born Subjects not inhabiting within the Realm of *England*, shall be Owner or Part-Owner, and wherein any Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth or Fulling-Clay, shall happen to be shipped, put or laid aboard, contrary to the true Meaning of this Act, shall be forfeited to the King's Majesty, his Heirs and Successors. Forfeiture of the Ship if the Owner be an Alien, or not inhabiting in England.

X. Provided always, That this Act shall not extend to any Lambskin ready dressed, and prepared fit and useful for Fur or Linings.

XI. Provided also, That this Act shall not in any wise extend to the Transporting, Carrying or Conveying away of any such Wool-fells or Pelts, with such Wool upon them, or to any Beds stuffed with Flocks, which shall be carried or imployed in any Ship or other Vessel for necessary Use only, of and about the Ordnance or other Thing in or concerning such Ship or Vessel, or only for the necessary Use of any the Persons in such Ship or Vessel passing or being, and which shall not be sold or uttered in any foreign Parts out of the Kingdoms of *England* or *Ireland*, or Town of *Berwick*, Isles or Dominion aforesaid; (2) nor to the Exporting, Carrying or Conveying of any Wether-Sheep, or of the Wool growing upon any such Wether-sheep, to be carried alive in any Ship or other Vessel, for and towards the only necessary Food or Diet of or for the Company or Passengers, or other Persons therein, and for and towards none other Purpose. Proviso. Ireland, Berwick.

XII. Provided always, and be it further enacted, That this Act, or any Thing therein contained, shall not extend to any such Wool to be exported or transported out of or from the Port of *Southampton*, only unto the aforesaid Isles of *Jersey* and *Guernsey*, by or for the only Use or Behoof of any the Inhabitants of the said Isles of *Jersey* and *Guernsey*, or either of them, or to any such Wool to be shipped or loaden aboard in any Ship or other Vessel, by or for the only Use or Behoof of any the Inhabitants of the said Isles of *Jersey* or *Guernsey*, or either of them, in the Port aforesaid, to be exported and transported into the said Isles of *Jersey* or *Guernsey*, or either of them; so as such Person and Persons that shall so ship or lay aboard such Wool into any Ship or other Vessel, do before the Shipping or laying aboard such Wool, deliver unto the Customer, Comptroller, Surveyor or Searcher of the Port of *Southampton* aforesaid (out of which the same Wool is to be exported) a Writing under the Seal or Seals of the respective Governors of the same Isles of *Jersey* and *Guernsey*, unto which the said Wool is to be transported, or of his or their Deputy or Deputies respectively, the which Writing shall purport and express, that the Party named in such Writing is authorized and appointed to export or cause to be exported out of the Port aforesaid, so much Wool expressing the Number of the Tods, to the same Isle, to be used or manufactured in one of the same Isles, or in some of the Members or Parts of the same, and that such Party so authorized and appointed to export or cause to be exported that Wool, hath before the making and Sealing of that Writing, entered into sufficient Bond to his Majesty's Use for the landing of the said Wool in that Isle: (2) And to the Intent that the Quantity of Wool to be exported out of the Port of *Southampton* aforesaid into the said Isles, or either of them, in any one Year, accounting the Year to begin from the first Day of *January* next ensuing, and so yearly from the first Day of *January*, may not exceed the Quantity hereunder specified, that is to say, unto the Isle of *Jersey* two thousand Tods and no more of unkembed Wool, and unto *Guernsey* one thousand Tods and no more of unkembed Wool, and unto *Alderney* two hundred Tods and no more of unkembed Wool, and unto *Sarke* one hundred Tods of unkembed Wool and no more, every Tod not exceeding thirty-two Pounds. Proviso. Southampton, Jersey, Guernsey. Enlarged as to Jersey, &c. by 1 W. & M. Sess. 1. c. 32. §. 14. Alderney, Sarke.

XIII. And be it enacted by the Authority aforesaid, That the Governor of the said Isle of *Jersey*, or his Deputy for whom he will answer, shall not make to any Person or Persons any Writing or Writings, such as is above specified, to authorize and appoint such Person or Persons as aforesaid, to fetch, export or transport out of the Port of *Southampton* aforesaid, unto the said Isle of *Jersey*, in one Year, accounting the Year from the first Day of *January* one thousand six hundred and sixty aforesaid, any greater Quantity of Wool than two thousand Tods in any one Year; (2) and that the Governor of the said Isle of *Guernsey*, or his Deputy for whom he will answer, shall not make to any Person or Persons any Writing or Writings, such as is above specified, to authorize and appoint such Person or Persons as aforesaid, to fetch, export or transport out of the Port above specified, unto the said Isles of *Guernsey* with *Alderney* and *Sarke*, in

in any one Year, accounting the Year from the firſt Day of *January* aforeſaid, any greater Quantity of Wool than one thouſand Tods for *Guernſey*, two hundred Tods for *Alderney*, and one hundred Tods for *Sarke*, in any one Year; (3) and that the Cuſtomer of the Port of *Southampton* aforeſaid ſhall keep a true Account of all the ſaid Quantity of Wools ſo by him permitted to be loaden by Virtue of this Act, and ſhall not permit any greater Quantity of Wools to be loaden than by this Act is preſcribed in any one Year, to either of the ſaid Iſlands reſpectively, under any Pretence whatſoever, upon the Penalty of the Forfeiture of his Place, and of the Sum of one hundred Pounds in Money; one Moiety whereof to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that will ſue for the ſame in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. (4) And if any of the Governors aforeſaid, or any of their or either of their Deputy or Deputies of the ſaid Iſles, or either of them, ſhall give, grant, or make any Licence or Licences for exporting from *Southampton* aforeſaid, into the ſaid Iſles reſpectively, of any greater Quantity of ſuch Wool than is before by the true Meaning of this Act limited and appointed in that Behalf; that then the reſpective Governor or Governors of ſuch of the ſaid Iſles ſhall forfeit and pay to the King's Majeſty, his Heirs or Succeſſors, the Sum of twenty Pounds of lawful Money of *England*, for every Tod of Wool which ſhall be ſo licenced to be exported, over and above the Rate or Proportion of Wool, in and by this Act, or the true Meaning thereof, limited or appointed.

*Farther Proviſions concerning Wool*, 13 & 14 *Car.* 2. *c.* 18 & 19. 1 *W. & M. Stat.* 1. *c.* 32. 7 & 8 *W.* 3. *c.* 28. 9 & 10 *W.* 3. *c.* 40. 10 & 11 *W.* 3. *c.* 10. 3 *Geo.* 1. *c.* 21. 4 *Geo.* 1. *c.* 11. *c.* 8 & 11. 29

XIV. And be it further enacted by the Authority aforeſaid, That the reſpective Governors aforeſaid, or their reſpective Deputies, or any their Clerks, Officers or Servants, for the granting, making or ſealing of every ſuch Writing of Licence as is aforeſaid, and for the entring a Remembrance of the ſame into ſome Book, which they ſhall have and keep for that Purpoſe, may have and take the Sum of twelve Pence, and no more; (2) upon Pain of forfeiting to the Party grieved the Sum of five Shillings for every Penny which ſhall be taken over and above the ſaid Sum of twelve Pence, in and by this Act allowed to be taken, and ſo after that Proportion; the ſaid Penalty or Forfeiture for the taking above twelve Pence as aforeſaid, to be recovered by Bill, Plaint or Information, in any Court of Record at *Weſtminſter*, or elſewhere, wherein no Injunction, Protection, Privilege, Eſſoin or Wager of Law ſhall be admitted or allowed. [Confirmed by 13 Car. 2. Stat. 1. c. 14.]

5 *Geo.* 1. *c.* 11. 12 *Geo.* 1. *c.* 34. 13 *Geo.* 1. *c.* 23. 5 *Geo.* 2. *c.* 21. 12 *Geo.* 2. *c.* 21. 15 *Geo.* 2. *c.* 27. 25 *Geo.* 2. *c.* 14. 26 *Geo.* 2. *Geo.* 2. *c.* 33. *and* 30 *Geo.* 2. *c.* 12.

## CAP. XXXIII.

### An Act for Confirmation of Marriages.

32 *H.* 8. *c.* 38. Marriages ſince the firſt of May 1642. confirmed. Iſſues upon Lawfulneſs of Marriages already joined ſhall be tried by Jury. 13 Car. 2. Stat. 1. c. 11.

'WHEREAS by Virtue or Colour of certain Ordinances, or certain pretended Acts, or Ordinances, divers Marriages ſince the Beginning of the late Troubles have been had and ſolemnized in ſome other Manner than hath been formerly uſed and accuſtomed:' (2) Now for the preventing and avoiding of all Doubts and Queſtions touching the ſame, It is enacted, *&c.* EXP.

## CAP. XXXIV.

### An Act for prohibiting the Planting, Setting or Sowing of Tobacco in *England* or *Ireland*.

Importance of the Plantations of America.

'YOUR Majeſty's loyal and obedient Subjects, the Lords and Commons in this preſent Parliament aſſembled, conſidering of how great Concern and Importance it is, That the Colonies and Plantations of this Kingdom in *America*, be defended, protected, maintained, and kept up, and that all due and poſſible Encouragement be given unto them; and that not only in regard great and conſiderable Dominions and Countries have been thereby gained, and added to the Imperial Crown of this Realm, but for that the Strength and Welfare of this Kingdom do very much depend upon them, in regard of the Employment of a very conſiderable Part of its Shipping and Seamen, and of the Vent of very great Quantities of its Native Commodities and Manufactures, and alſo of its Supply with ſeveral conſiderable Commodities which it was wont formerly to have only from Foreigners, and at far dearer Rates: (2) And foraſmuch as Tobacco is one of the main Products of ſeveral of thoſe Plantations, and upon which their Welfare and Subſiſtence, and the Navigation of this Kingdom, and Vent of its Commodities thither, do much depend; and in regard it is found by Experience, That the Tobaccoes planted in theſe Parts are not ſo good and wholſome for the Takers thereof; and that by the Planting thereof, your Majeſty is deprived of a conſiderable Part of your Revenue ariſing by Cuſtoms upon Imported Tobacco;' Do moſt humbly pray, that it may be enacted by your Majeſty; (3) and it is hereby enacted by the King's moſt Excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons whatſoever ſhall or do from and after the firſt Day of *January* in the Year of our Lord one thouſand ſix hundred and ſixty, ſet, plant, improve to grow, make or cure any Tobacco, either in Seed, Plant or otherwiſe, in or upon any Ground, Earth, Field, or Place within the Kingdom of *England*, Dominion of *Wales*, Iſlands of *Guernſey* or *Jerſey*, or Town of *Berwick* upon *Tweed*, or in the Kingdom of *Ireland*, under the Penalty of the Forfeiture of all ſuch Tobacco, or the Value thereof, or of the Sum of forty Shillings for every Rod or Pole of Ground ſo planted, ſet or ſown as aforeſaid, and ſo proportionably for a greater or leſſer Quantity of Ground; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſue for the ſame, to be recovered by Bill, Plaint or Information in any Court of Record, wherein no Eſſoin, Protection, or Wager in Law ſhall be allowed.

No Perſon after the firſt of January 1660. ſhall ſet or plant any Tobacco.

The Penalty made 10*l.* by 15 Car. 2. c. 7. §. 18.

II. And it is hereby further enacted, That all Sheriffs, Juſtices of the Peace, Mayors, Bailiffs, Conſtables, and every of them, upon Information or Complaint made unto them or any of them, by any the Officers of the Cuſtoms, or by any other Perſon or Perſons whatſoever, That there is any Tobacco ſet, ſown, planted, or growing within their Juriſdictions or Precincts, contrary to this Act, ſhall within ten Days after ſuch Information or Complaint cauſe to be burnt, plucked up, conſumed, or utterly deſtroyed, all ſuch Tobacco ſo ſet, ſown, planted or growing. All Sheriffs and other Officers may deſtroy any Tobacco planted contrary to this Act.

III. And it is hereby further enacted, That in Caſe any Perſon or Perſons ſhall reſiſt or make forcible Oppoſition againſt any Perſon or Perſons in the due and through Execution of this Act, that every ſuch Perſon or Perſons, for every ſuch Offence, ſhall forfeit the Sum of five Pounds to be divided and recovered in Manner aforeſaid. (2) And in Caſe any Perſon or Perſons ſhall not pay the Sums of Money by them to be paid by Virtue of this Act, That in every ſuch Caſe, Diſtreſs ſhall be made, and Sale thereof, returning the Overplus to the Owners: And in Caſe no Diſtreſs be to be found, That then every ſuch Party ſhall be committed to the Common Gaol in the County where ſuch Offence ſhall be committed, there to remain for the Space of two Months without Bail or Mainprize. The Penalty of any Perſon reſiſting this Act.

IV. Provided always, and it is hereby enacted, That this Act, nor any Thing therein contained, ſhall extend to the hindring of the planting of Tobacco in any Phyſick-Garden of either Univerſity, or in any other private Garden for Phyſick or Chirurgery only, ſo as the Quantity ſo planted exceed not one Half of one Pole in any one Place or Garden. 13 Car. 2. Stat. 1. cap. 14. 5 Geo. 1. c. 11. §. 19. Proviſo for private Gardens.

*Farther Proviſions concerning Tobacco,* 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26. 1 *Jac.* 2. *c.* 4. 7 & 8 *W.* 3. *c.* 10. 10 & 11 *W.* 3. *c.* 21. 2 *Ann. c.* 9. 6 *Ann. c.* 22. 8 *Ann. c.* 13. 12 *Ann. Stat.* 2. *c.* 8. 1 *Geo.* 1. *c.* 46. 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 21. 12 *Geo.* 1. *c.* 26 & 28. 21 *Geo.* 2. *c.* 2. 24 *Geo.* 2. *c.* 41. *and* 26 *Geo.* 2. *c.* 13.

## CAP. XXXV.

An Act erecting and eſtabliſhing a Poſt-Office; repealed by 9 Ann. c. 10. §. 2.

## CAP. XXXVI.

The Maſter of the Rolls impowered to make Leaſes for Years in order to new build the old Houſes belonging to the Rolls. P R. 13 Car. 2. Stat. 1. c. 14.

## CAP. XXXVII.

An Act for making the Precinct of *Covent-Garden* Parochial. P R.

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# Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, decimo tertio.

AT the Parliament begun and holden at *Weſtminſter* the eighth Day of *May*, *Anno Dom.* one thouſand ſix hundred and ſixty-one, in the thirteenth Year of the Reign of our moſt gracious Sovereign Lord *Charles* the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. And there continued until *Tueſday* the thirtieth of *July* one thouſand ſix hundred ſixty-one: And from that Day the ſaid Parliament was adjourned unto the twentieth of *November* then next following: To the high Pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth. 1 Lev. 296. 2 Keb. 686.

## CAP. I.

EXP. 13 Eliz. c. 1. 16 Car. 1. c. 7. 12 Car. 2. c. 11.

An Act for Safety and Preſervation of his Majeſty's Perſon and Government againſt treaſonable and ſeditious Practices and Attempts. What ſhall be adjudged Treaſon during the Life of the King. Being declared and proved by two Witneſſes. Convicted by due Courſe of Law. Offences (during his Majeſty's Life) which diſable Perſons to bear any Office. Peerage. The Parliament begun third of *November* 1640. not in Being. No Legiſlative Power in either or both Houſes of Parliament without the King. The Solemn League and Covenant unlawful, and illegally impoſed. Certain Orders and Ordinances of both or either Houſes of Parliament declared void. Proviſo, the ſaid Orders, &c. may be made Uſe of according to the Act of Indemnity. No Perſon to be proſecuted for any Offences in this Act (other than Treaſon) unleſs by ſpecial Order from his Majeſty: And within ſix Months after the Offence committed. Treaſons and Offences within this Act to be proved by two Witneſſes *viva voce*. Proviſo for the Privilege of Debates in Parliament, for Repeal or Alteration of Laws, or redreſſing publick Grievances. Proviſo for Peerage and Peers.

CAP.

## CAP. II.

### An Act for Repeal of an Act of Parliament, intituled, *An Act for disenabling all Persons in Holy Orders to exercise any Temporal Jurisdiction or Authority.*

16 Car. 1. c. 27.

'WHEREAS at the Parliament begun at *Westminster* the third Day of *November* in the sixteenth 'Year of the Reign of our late Sovereign Lord King *Charles* of Blessed Memory, since deceased, 'an Act of Parliament was made, intituled, *An Act for disenabling all Persons in Holy Orders to exercise 'any Temporal Jurisdiction or Authority*; (2) which Act hath made several Alterations prejudicial to the 'Constitution and antient Rights of Parliament, and contrary to the Laws of this Land, and is by Ex- 'perience found otherwise inconvenient;' (3) Be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the said Act, intituled, *An Act for disenabling all Persons in Holy Orders to exercise any Temporal Jurisdiction or Authority*, and every Clause, Matter and Thing therein contained, shall be and is hereby from henceforth repealed, annulled and made void to all Intents and Purposes whatsoever.

## CAP. III.

EXP.

12 Car. 2. c. 11. An Act for the Declaring, Vesting and Settling of all such Monies, Goods and other Things, in his Majesty, which were received, levied or collected in these late Times, and are remaining in the Hands or Possession of any Treasurers, Receivers, Collectors or others, not pardoned by the Act of Oblivion. Goods and Monies levied since the thirtieth of *January* 1642. and not pardoned, are vested in his Majesty. The Revenues of the Churches in *Wales* to be accounted for. Commissions for Discovery. Persons accountable enabled to sue for and levy all Arrears. Proviso, none to be questioned but upon some Prosecution begun before the twenty-fourth of *June* 1662.

## CAP. IV.

### An Act for a free and voluntary Present to his Majesty. EXP.

Proviso, declaring no Commissions of this Nature but by Authority of Parliament.

V. AND be it hereby declared, That no Commissions or Aids of this Nature can be issued out or levied, but by Authority of Parliament; and that this Act, and the Supply hereby granted, shall not be drawn into Example for the Time to come. 1 R. 3. cap. 2.

## CAP. V.

### An Act against Tumults and Disorders, upon Pretence of preparing or presenting publick Petitions, or other Addresses to his Majesty or the Parliament.

Tumultuous and disorderly preparing Petitions, a great Occasion of the late Wars and Calamities.

'WHEREAS it hath been found by sad Experience, that tumultuous and other disorderly soli- 'citing and procuring of Hands by private Persons to Petitions, Complaints, Remonstrances and 'Declarations, and other Addresses to the King, or to both or either Houses of Parliament, for Alteration 'of Matters established by Law, Redress of pretended Grievances in Church or State, or other publick 'Concernments, have been made Use of to serve the Ends of factious and seditious Persons gotten into 'Power, to the Violation of the publick Peace, and have been a great Means of the late unhappy Wars, 'Confusions and Calamities in this Nation;' for preventing the like Mischiefs for the Future,

No Person after the 1st of Aug. 1661. shall solicite or procure any Petition, &c. for altering any established Law in Church or State. Nov 101. 2 Cr. 37. Moor 755. pl. 1043.

II. Be it enacted by the King's most Excellent Majesty, by and with the Consent of the Lords and Commons assembled in Parliament, and by the Authority of the same, That no Person or Persons whatsoever shall from and after the first of *August* one thousand six hundred sixty and one, solicite, labour or procure the getting of Hands, or other Consent, of any Persons above the Number of twenty or more, to any Petition, Complaint, Remonstrance, Declaration, or other Address to the King, or both or either Houses of Parliament, for Alteration of Matters established by Law in Church or State, unless the Matter thereof have been first consented unto and ordered by three or more Justices of that County, or by the major Part of the Grand Jury of the County or Division of the County where the same Matter shall arise, at their publick Assizes, or General Quarter-Sessions, or if arising in *London*, by the Lord Mayor, Aldermen and Commons in Common-Council assembled; (2) and that no Person or Persons whatsoever shall repair to his Majesty, or both or either of the Houses of Parliament, upon Pretence of presenting or delivering any Petition, Complaint, Remonstrance or Declaration, or other Addresses, accompanied with excessive Number of People, nor at any one Time with above the Number of ten Persons; upon Pain of incurring a Penalty not exceeding the Sum of one hundred Pounds in Money, and three Months Imprisonment without Bail or Mainprize for every Offence; which Offence to be prosecuted at the Court of King's Bench, or at the Assizes or General Quarter-Sessions, within six Months after the Offence committed, and proved by two or more credible Witnesses.

Proviso.

III. Provided always, That this Act, or any Thing therein contained, shall not be construed to extend to debar or hinder any Person or Persons, not exceeding the Number of Twenty aforesaid, to present any publick or private Grievance or Complaint to any Member or Members of Parliament after his Election, and during the Continuance of the Parliament, or to the King's Majesty, for any Remedy to be

be thereupon had; nor to extend to any Addreſs whatſoever to his Majeſty, by all or any of the Members of both or either Houſes of Parliament, during the Sitting of Parliament, but that they may enjoy their Freedom of Acceſs to his Majeſty, as heretofore hath been uſed. *See 1 W. & M. Seſſ. 2. c. 2.*

## CAP. VI.

### An Act declaring the ſole Right of the Militia to be in the King, and for the preſent Ordering and Diſpoſing the ſame.

EXP. Altered by 1 Geo. 1. Stat. 2. c. 14.

'FOraſmuch as within all his Majeſty's Realms and Dominions, the ſole ſupreme Government, Command and Diſpoſition of the Militia, and of all Forces by Sea and Land, and of all Forts and Places of Strength, is, and by the Laws of *England* ever was, the undoubted Right of his Majeſty, and his Royal Predeceſſors, Kings and Queens of *England*; (2) and that both, or either of the Houſes of Parliament cannot nor ought to pretend to the ſame; nor can nor lawfully may raiſe or levy any War offenſive or defenſive againſt his Majeſty, his Heirs or lawful Succeſſors; and yet the contrary thereof hath of late Years been practiſed almoſt to the Ruin and Deſtruction of this Kingdom; (3) and during the late uſurped Governments, many evil and rebellious Principles have been diſtilled into the Minds of the People of this Kingdom, which unleſs prevented, may break forth to the Diſturbance of the Peace and Quiet thereof: *&c.*'

The Command of the Militia by Sea and Land the undoubted Right of his Majeſty. 4 & 5 *P. & M.* c. 3.

An Act under Conſideration touching the Lieutenant or *Proviſions relating hereto,* 7 *Geo.* 2. *c.* 23.

**Militia.** 25 Ed. 3. Stat. 5. c. 8. Perſons who have acted by Commiſſion of Lieutenancy, indemnified. Proviſo. No Perſon may be Deputy Lieutenant, that hath not taken the Oaths of Allegiance and Supremacy. 13 & 14 Car. 2. c. 3. 8. 15 Car. 2. c. 4. *Farther* 13 & 14 *Car.* 2. *c.* 3. 15 *Car.* 2. *c.* 4. 10 & 11 *W.* 3. *c.* 12. 1 *Ann. Stat.* 2. *c.* 23. 1 *Geo.* 1. *Stat.* 2. *c.* 14. 9 *Geo.* 1. *c.* 8. 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. *and* 33 *Geo.* 2. *c.* 2, 22 & 24.

## CAP. VII.

### An Act for confirming Publick Acts.

'WHEREAS during the late Difficulties and Exigencies of Affairs in the Abſence of his moſt excellent Majeſty, and in Reference to his Return from beyond the Seas into theſe his Majeſty's Dominions, the Lords and Commons being aſſembled at *Weſtminſter* the five and twentieth Day of *April* in the twelfth Year of his Majeſty's Reign, were from thence, and after his Majeſty's Return, continued until the nine and twentieth Day of *December* then next following and now laſt paſt, and then diſſolved by his Majeſty: In which Time ſeveral Acts were paſſed by his Majeſty, by and with the Advice and Conſent of the ſaid Lords and Commons aſſembled as aforeſaid, which being of neceſſary Uſe, are fit to be continued and confirmed, although the Manner of the ſaid Aſſembling, enforced by the Difficulties and Exigencies aforeſaid, which then lay upon the Nation, is not to be drawn into Example;' (2) Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and ſingular the Acts made, or mentioned to be made, by his ſaid Majeſty, by and with the Advice and Conſent of the Lords and Commons, upon or ſince the ſaid five and twentieth Day of *April* herein after particularly mentioned and expreſſed; That is to ſay, (3) one Act, intituled, *An Act of Free and General Pardon, Indemnity and Oblivion:* (4) One other Act, intituled, *A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported:* (5) One other Act, intituled, *An Act for continuing the Exciſe until the twentieth of* Auguſt *one thouſand ſix hundred and ſixty:* (6) One other Act, intituled, *An Act for continuing the Exciſe till the five and twentieth Day of* December *one thouſand ſix hundred and ſixty:* (7) One other Act, intituled, *An Act for the ſpeedy Proviſion of Money, for diſbanding and paying off the Forces of this Kingdom both by Land and Sea:* (8) One other Act, intituled, *An Act for confirmation of Judicial Proceedings:* (9) One other Act, intituled, *An Act for the ſpeedy diſbanding of the Army and Garriſons of this Kingdom:* (10) One other Act, intituled, 'An Act for the ſupplying and explaining certain Defects in an Act, intituled,' *An Act for the ſpeedy Proviſion of Money for diſbanding and paying off the Forces of this Kingdom both by Land and Sea:* (11) One other Act, intituled, *An Act to prevent Frauds and Concealments of his Majeſty's Cuſtoms and Subſidies:* (12) One other Act, intituled, *An Act for raiſing ſevenſcore thouſand Pounds for the compleat diſbanding of the whole Army, and paying off ſome Part of the Navy:* (13) One other Act, intituled, *A Grant of certain Impoſitions upon Beer, Ale and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life:* (14) One other Act, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights-Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in Lieu thereof:* (15) One other Act, intituled, *An Act for the better ordering &c. the Selling of Wines by Retail, and for preventing Abuſes in the Mingling, Corrupting and Vitiating of Wines, and for ſettling and limiting the Prices of the ſame:* (16) One other Act, intituled, *An Act for the levying of the Arrears of the twelve Months Aſſeſſment, commencing the four and twentieth Day of* June *one thouſand ſix hundred fifty and nine; and the ſix Months Aſſeſſment, commencing the five and twentieth of* December *one thouſand ſix hundred fifty and nine:* (17) One other Act, intituled, *An Act for granting unto the King's Majeſty four hundred and twenty thouſand Pounds, by an Aſſeſſment of threeſcore and ten thouſand Pounds by the Month, for ſix Months, for diſbanding the Remainder of the Army, and paying off the Navy:* (18) One other Act, intituled, 'An Act for the further ſupplying and explaining certain Defects in an Act, intituled,' *An Act for the ſpeedy Proviſion of Money for diſbanding and paying off the Forces of this Kingdom*

Pardon. 12 Car. 2. c. 11.
Taxes. 12 Car. 2. c. 4.
Exciſe. 12 Car. 2. c. 5.
Exciſe. 12 Car. 2. c. 8.
Taxes. 12 Car. 2. c. 9.
Proceſs. 12 Car. 2. c. 12.
Army. 12 Car. 2. c. 15.
Taxes. 12 Car. 2. c. 10.
Merchants. 12 Car. 2. c. 19.
Taxes. 12 Car. 2. c. 20.
Taxes. 12 Car. 2. c. 23.
Court of Wards, &c. 12 Car. 2. c. 24.
Wines. 12 Car. 2. c. 25.
Taxes. 12 Car. 2. c. 26.
Taxes, 12 Car. 2. c. 27.
Taxes. 12 Car. 2. c. 28.

Taxes. 12 Car. 2. c. 29. Treason. 12 Car. 2. c. 30. Post-Office. 12 Car. 2. c. 35. Taxes. 12 Car. 2. c. 2.

*Kingdom both by Land and Sea:* (19) One other Act, intituled, *An Act for the raising of seventy thousand Pounds for the further Supply of his Majesty:* (20) One other Act, intituled, *An Act for the Attainder of several Persons guilty of the horrid Murder of his late Sacred Majesty King* Charles *the First:* (21) One other Act, intituled, *An Act for erecting and establishing a Post-Office:* (22) One other Act, intituled, *An Act for putting in Execution an Ordinance mentioned in this Act:* (23) And all and every the Clauses, Sentences and Articles in them and every of them contained, shall be and hereby are ratified and confirmed, and enacted and declared to have the full Force and Strength of Acts of Parliament, according to the Tenor and Purport thereof, and so shall be adjudged, deemed and taken to all Intents and Purposes whatsoever, and as if the same had been made, declared and enacted by Authority of this present Parliament.

## CAP. VIII.

### An Act for providing necessary Carriages for his Majesty in his Royal Progress and Removals.

EXP. 12 Car. 2. c. 24. §. 13. Clerk or Chief Officer of his Majesty's Carriages, by Warrant from the Green Cloth, to provide Carts, &c. for his Majesty's Use. Penalty for refusing to furnish his Majesty. No Horses or Carriages to travel above a Day's Journey, nor without Pay of ready Money. Penalty for wrongful charging any Person. Rates for Horsemeat and Diet for his Majesty's Servants.

'WHEREAS by an Act made in the Parliament in the twelfth Year of his Majesty's Reign, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights-Service, and Purveyance, and for settling a Revenue upon his Majesty in Lieu thereof*, it was (amongst other Things) enacted for the Reasons and Recompence therein expressed, That from thenceforth no Person or Persons by any Warrant, Commission or Authority under the Great Seal, or otherwise, by Colour of buying or making Provision or Purveyance for his Majesty, or any Queen of *England* for the Time being, or of any the Children of any King or Queen of *England* that shall be, or for his, their or any of their Household, shall take any Cart, Carriage or other Thing whatsoever, of any of the Subjects of his Majesty, his Heirs or Successors, without the free and full Consent of the Owner or Owners thereof, had and obtained without Menace or Inforcement; (2) nor shall summon, warn, take, use or require any the said Subjects to furnish or find any Horses, Oxen, or other Cattle, Carts, Ploughs, Wains or other Carriages, for the Use of his Majesty, his Heirs or Successors, or of any Queen of *England*, or of any Child or Children of any the Kings or Queens of *England* for the Time being, for the carrying the Goods of his Majesty, his Heirs or Successors, or the said Queens, or Children, or any of them, without such full and free Consent as aforesaid; any Law, Statute, Custom or Usage to the contrary notwithstanding: (3) Which Act may prove very prejudicial and inconvenient to the King's Majesty, in his Royal Progresses upon his necessary Occasions to several Parts of this Realm, in Case any Person or Persons shall obstinately refuse voluntarily to provide sufficient Carriages for Royal Service at ordinary and usual Rates for such Carriages, as are paid by others of his Subjects in such Places, contrary to the true Intent and Meaning of the said Act: *&c.*'

Rates and Prices to be set down by two Justices of the Peace. Penalty for taking more than limited for Lodging, &c.

## CAP. IX.

REP. An Act for the establishing Articles and Orders for the regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea. Rep. 22 Geo. 2. c. 33.

## CAP. X.

### An Act to prevent the unlawful Coursing, Hunting or Killing of Deer.

FOR the better Preventing of the unlawful Coursing, Hurting, Taking or Killing of Deer, by many idle, loose and disorderly Persons, (2) Be it enacted by the King's most Excellent Majesty, and by the Advice and Consent of the Lords and Commons in Parliament assembled, and by the Authority of the same, That if any Person or Persons shall from and after the first Day of *August* next unlawfully course, kill, hurt or take away any Red or Fallow Deer in any Forest, Chase, Purlieu, Paddock, Wood, Park or other Ground where Deer are or have been usually kept within the Realm of *England* or Dominion of *Wales*, without the Consent of the Owner or Person chiefly intrusted with the Custody thereof, or shall be aiding or assisting therein, and shall be convicted thereof by the Confession of the Party, or by the Oath of one or more credible Witnesses, before one or more Justices of the Peace, (who are hereby impowered to administer an Oath to that Purpose) such Person being prosecuted for such Offence within six Months after such Offence done; that then every Person so offending, shall forfeit for every such Offence the Sum of twenty Pounds; (3) to be levied by Way of Distress upon the Goods and Chattels of every such Offender, by Warrant under the Justices Hand before whom such Conviction shall be made; (4) the one Moiety of the said twenty Pounds to be given to the Informer, and the other Moiety to the Owner of the Deer; (5) and for want of sufficient Distress, the Offender shall be committed to the House of Correction for six Months, and there to be put to hard Labour; or to the Common Gaol for one whole Year, without Bail or Mainprise, at the Discretion of the Justices of the Peace before whom such Conviction shall be (and not to be discharged from thence till he or they have given sufficient Sureties for their good Behaviour for one whole Year next ensuing after his or their Inlargement:) (6) Provided, That where any Offender shall be punished by Force

3 Mod. 174. 2 Show. 490. *Burn. V.* 1. 475. The Penalty. Raym. 458. 3 & 4 W. & M. c. 10.



of

of this Act, that he ſhall not be proſecuted, nor incur the Penalty of any other Law or Statute for the ſame Offence. 19 H. 7. c. 11. 3 Jac. 1. c. 13. 7 Jac. 1. c. 13. 5 Geo. 1. c. 15. 28. 9 Geo. 1. c. 22. 10 Geo. 2. c. 32.

## CAP. XI.

### An Act for confirming of three Acts therein mentioned.

BE it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Acts herein after mentioned, made or mentioned to be made upon or ſince the twenty-fifth Day of *April* in the twelfth Year of his ſaid Majeſty's Reign, by his ſaid Majeſty, by and with the Advice and Conſent of the Lords and Commons aſſembled at *Weſtminſter* upon the ſaid twenty-fifth of *April*, and there continued until the twenty-ninth Day of *December* then next following, and then diſſolved; which ſaid Acts are herein after particularly mentioned and expreſſed by the ſeveral and reſpective Titles following; That is to ſay, (2) one Act, intituled, *An Act for the Raiſing of ſeventy thouſand Pounds for the further Supply of his Majeſty*; (3) And one other Act, intituled, *An Act for the Confirmation of Marriages*; (4) And one other Act, intituled, *An Act for a perpetual Anniverſary Thankſgiving on the twenty-ninth Day of* May: (5) And all and every the Clauſes, Sentences and Articles in them and every of them contained, ſhall be and hereby are ratified and confirmed, and enacted and declared to have the full Force and Strength of Acts of Parliament, according to the Tenor and Purport thereof, and ſo ſhall be adjudged, deemed and taken to all Intents and Purpoſes whatſoever, and as if the ſame had been made, declared and enacted by Authority of this preſent Parliament.

Taxes. 12 Car. 2. c. 29. Marriages. 12 Car. 2. c. 33. Anniverſary Thankſgiving. 12 Car. 2. c. 14.

## CAP. XII.

### An Act for Explanation of a Clauſe contained in an Act of Parliament made in the ſeventeenth Year of the late King *Charles*, intituled, *An Act for Repeal of a Branch of a Statute Primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical.*

'WHEREAS in an Act of Parliament made in the ſeventeenth Year of the late King *Charles*, intituled, *An Act for Repeal of a Branch of a Statute Primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical*, it is (amongſt other Things) enacted, That no Archbiſhop, Biſhop nor Vicar General, nor any Chancellor nor Commiſſary of any Archbiſhop, Biſhop or Vicar General, nor any Ordinary whatſoever, nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, nor any other Perſon or Perſons whatſoever, exerciſing Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, by any Grant, Licence or Commiſſion of the King's Majeſty, his Heirs or Succeſſors, or by any Power or Authority derived from the King, his Heirs or Succeſſors, or otherwiſe, ſhall (from and after the firſt Day of *Auguſt*, which then ſhould be in the Year of our Lord God one thouſand ſix hundred forty-one) award, impoſe or inflict any Pain, Penalty, Fine, Amerciament, Impriſonment, or other corporal Puniſhment upon any of the King's Subjects, for any Contempt, Miſdemeanor, Crime, Offence, Matter or Thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance or Juriſdiction; (2) whereupon ſome Doubt hath been made, that all ordinary Power of Coercion and Proceedings in Cauſes Eccleſiaſtical were taken away, whereby the ordinary Courſe of Juſtice in Cauſes Eccleſiaſtical hath been obſtructed:' (3) Be it therefore declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the Authority thereof, That neither the ſaid Act, nor any Thing therein contained, doth or ſhall take away any ordinary Power or Authority from any of the ſaid Archbiſhops, Biſhops, or any other Perſon or Perſons named as aforeſaid, but that they and every of them exerciſing Eccleſiaſtical Juriſdiction, may proceed, determine, ſentence, execute and exerciſe all Manner of Eccleſiaſtical Juriſdiction, and all Cenſures and Coercions appertaining and belonging to the ſame before the Making of the Act before recited, in all Cauſes and Matters belonging to Eccleſiaſtical Juriſdiction, according to the King's Majeſty's Eccleſiaſtical Laws uſed and practiſed in this Realm, in as ample Manner and Form, as they did and might lawfully have done before the Making of the ſaid Act. 16 Car. 1. c. 11. The ordinary Power of Archbiſhops, &c. not taken away. May uſe Eccleſiaſtical Juriſdiction.

II. And be it further enacted by the Authority aforeſaid, That the afore recited Act of *decimo ſeptimo Caroli*, and all the Matters and Clauſes therein contained (excepting what concerns the High Commiſſion-Court, or the new Erection of ſome ſuch like Court by Commiſſion) ſhall be and is hereby repealed, to all Intents and Purpoſes whatſoever; any Thing, Clauſe or Sentence in the ſaid Act contained to the contrary notwithſtanding. The Stat. 16 Car. 1. c. 11. repealed as to all, except what concerns the High Commiſſion Court. Proviſo.

III. Provided always, and it is hereby enacted, That neither this Act, nor any Thing herein contained, ſhall extend or be conſtrued to revive or give Force to the ſaid Branch of the ſaid Statute made in the ſaid firſt Year of the Reign of the ſaid late Queen *Elizabeth*, mentioned in the ſaid Act of Parliament made in the ſaid ſeventeenth Year of the Reign of the ſaid King *Charles*, but that the ſaid Branch of the ſaid Statute made in the ſaid firſt Year of the Reign of the ſaid late Queen *Elizabeth*, ſhall ſtand and be repealed in ſuch Sort as if this Act had never been made. 1 Eliz. c. 1. §. 18.

IV. Provided alſo, and it is hereby further enacted, That it ſhall not be lawful for any Archbiſhop, Biſhop, Vicar General, Chancellor, Commiſſary, or any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter, or any other Perſon having or exerciſing Spiritual or Eccleſiaſtical Juriſdiction, to tender or adminiſter unto any Perſon whatſoever, the Oath uſually called the Oath *Ex Officio*, or any other Oath whereby Proviſo touching the Oath ex Officio. 1 Mod. 185. 12 Rep. 26.

whereby ſuch Perſon to whom the ſame is tendred or adminiſtred may be charged or compelled to confeſs or accuſe, or to purge him or herſelf of any criminal Matter or Thing, whereby he or ſhe may be liable to any Cenſure or Puniſhment; any Thing in this Statute, or any other Law, Cuſtom or Uſage heretofore to the contrary hereof in any wiſe notwithſtanding.

Proviſo not to give any other Juriſdiction to any Archbiſhop, &c. than they had by Law before the Year 1639.

V. Provided always, That this Act, or any Thing therein contained, ſhall not extend or be conſtrued to extend to give unto any Archbiſhop, Biſhop, or any other Spiritual or Eccleſiaſtical Judge, Officer or other Perſon or Perſons aforeſaid, any Power or Authority to exerciſe, execute, inflict or determine any Eccleſiaſtical Juriſdiction, Cenſure or Coercion, which they might not by Law have done before the Year of our Lord one thouſand ſix hundred thirty-nine; (2) nor to abridge or diminiſh the King's Majeſty's Supremacy in Eccleſiaſtical Matters and Affairs, nor to confirm the Canons made in the Year one thouſand ſix hundred forty, nor any of them, nor any other Eccleſiaſtical Laws or Canons not formerly confirmed, allowed or enacted by Parliament, or by the eſtabliſhed Laws of the Land, as they ſtood in the Year of our Lord one thouſand ſix hundred thirty-nine.

The King's Supremacy in Eccleſiaſtical Matters.

Canons Eccleſiaſtical.

## CAP. XIII.

EXP.

An Act for the Veſting the Arrears of the Exciſe and new Impoſt in his Majeſty.

## CAP. XIV.

An Act for confirming an Act, intituled, *An Act for Encouraging and Increaſing of Shipping and Navigation*, and ſeveral other Acts both publick and private mentioned therein.

'WHEREAS during the late Difficulties and Exigencies of Affairs in the Abſence of his moſt Excellent Majeſty, and in Reference to his Return from beyond the Seas into theſe his Majeſty's Dominions, The Lords and Commons being aſſembled at *Weſtminſter* the five and twentieth Day of *April* in the twelfth Year of his Majeſty's Reign, were from thence, and after his Majeſty's Return, continued until the nine and twentieth Day of *December* then next following, and now laſt paſt, and then diſſolved by his Majeſty; in which Time ſeveral Acts were paſſed by his Majeſty, by and with the Advice and Conſent of the ſaid Lords and Commons aſſembled as aforeſaid, which being of neceſſary Uſe, are fit to be continued and confirmed, although the Manner of the ſaid Aſſembling, enforced by the Difficulties and Exigencies aforeſaid, which then lay upon the Nation, is not to be drawn into Example:'

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and ſingular the Acts made or mentioned to be made by his ſaid Majeſty, by and with the Advice or Conſent of the Lords and Commons, upon or ſince the ſaid five and twentieth Day of *April*, herein after particularly mentioned and expreſſed: (That is to ſay) (2) One Act, intituled, *An Act for the Encouraging and Increaſing of Shipping and Navigation*; (3) One other Act, intituled, *An Act for prohibiting the Exportation of Wool, Wool-fells, Fullers-Earth or any Kind of Scouring-Earth:* (4) One other Act, intituled, *An Act impowering the Maſter of the Rolls for the Time being, to make Leaſes for Years, in order to new-build the old Houſes belonging to the Rolls:* (5) One other Act, intituled, *An Act for prohibiting the Planting, Setting or Sowing of Tobacco in* England *and* Ireland: (6) One other Act, intituled, *An Act for reſtraining the Taking of exceſſive Uſury:* (7) One other Act, intituled, *An Act for the preſent Nominating of Commiſſioners of Sewers:* (8) One other Act, intituled, *An Act for the Incorporating of the Maſter and Wardens of the Company of Haberdaſhers*, London, *to be Governors of the Free School and Almhouſes in* Newport *in the County of* Salop, *of the Foundation of* William Adams, *and for ſettling of Lands and Poſſeſſions on them for Maintenance thereof, and other charitable Uſes:* (9) And all and every the Clauſes, Sentences and Articles in them and every of them contained, ſhall be and hereby are ratified and confirmed, and enacted and declared to have the full Force and Strength of Acts of Parliament, according to the Tenor and Purport thereof, and ſo ſhall be adjudged, deemed and taken to all Intents and Purpoſes whatſoever, and as if the ſame had been made, declared and enacted by Authority of this preſent Parliament.

Shipping. 12 Car. 2. c. 18. Wool, &c. 12 Car. 2. c. 32. Leaſes. 12 Car. 2. c. 36. Tobacco. 12 Car. 2. c. 34. Uſury. 12 Car. 2. c. 13. Sewers. 12 Car. 2. c. 6. Poor. Not printed.

## CAP. XV.

An Act declaring the Pains, Penalties and Forfeitures impoſed upon the Eſtates and Perſons of certain notorious Offenders excepted out of the Act of Free and General Pardon, Indemnity and Oblivion.

The Manors, Lands and Hereditaments, Chattels Real and other Things of *Iſaac Ewer*, Sir *John Danvers*, Sir *Thomas Maleverer*, *William Purefoy*, *John Blakiſton*, Sir *William Conſtable*, *Richard Dean*, *Francis Aleyn*, *Peregrine Pelham*, *John Moore*, *John Aldred* alias *Alured*, *Humphry Edwards*, Sir *Gregory Norton*, *John Venn*, *Thomas Andrews*, *Anthony Stapley*, *Thomas Horton*, *John Fry*, *Thomas Hammond*, Sir *John Bourchier*, *William* Lord *Mounſon*, *James Challoner*, Sir *Henry Mildmay*, Sir *James Harrington*, *John Phelps*, *Robert Wallop* and Sir *Arthur Haſlerig*, be forfeited. The Goods, &c. of which *William* Lord *Mounſon*, Sir *Henry Mildmay*, Sir *James Harrington*, *John Phelps* and *Robert Wallop*, were poſſeſſed the 11th of *February* 1659, forfeited and veſted in his Majeſty. Proviſo for Conveyances and Aſſurances, &c. made *bona fide*, before the 29th of *September*. Conveyances and Aſſurances made before the 25th of *April* 1660. So as they be enrolled in the Exchequer before the firſt of *January* 1662. *William* Lord *Mounſon*, Sir *Henry Mildmay*, Sir *James Harrington*, *Robert Wallop* and *John Phelps*, degraded. *William Mounſon*, *Henry Mildmay*, *James Harrington*, *Robert Wallop* and *John Phelps*, ſhall be

be drawn to *Tyburn* as Perſons executed for Treaſon. Proviſo for Executors of the ſaid Perſons and Legacies. Proviſo for Sir *William Lewes*. Proviſo for *Rachel Powre*. Proviſo for *Barrington Bourchier*. EXP.

# STAT. II.

ACTS made at the ſecond Meeting in this preſent Parliament begun at *Weſtminſter* the eighth Day of *May*, *Anno Dom.* one thouſand ſix hundred ſixty-one, and there continued until the twentieth of *December*, and from that Day adjourned unto the ſeventh of *January* next enſuing, as followeth.

## CAP. I.

### An Act for the well-governing and regulating of Corporations.

'WHEREAS Queſtions are likely to ariſe concerning the Validity of Elections of Magiſtrates, and other Officers and Members in Corporations, as well in Reſpect of removing ſome, as placing 'others, during the late Troubles, contrary to the true Intent and Meaning of their Charters and Liber-'ties: (2) And to the End that the Succeſſion in ſuch Corporations may be moſt probably perpetuated 'in the Hands of Perſons well-affected to his Majeſty and the eſtabliſhed Government, it being too well 'known, that notwithſtanding all his Majeſty's Endeavours, and unparalleled Indulgence in pardoning 'all that is paſt, nevertheleſs many evil Spirits are ſtill working:' 19 *H.* 7. *c.* 7.

II. Wherefore, for Prevention of the like Miſchief for the Time to come, and for Preſervation of the publick Peace both in Church and State, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, aſſembled in Parliament, and by the Authority of the ſame, That Commiſſions ſhall before the twentieth Day of *February* next, be iſſued forth under the Great Seal of *England*, unto ſuch Perſons as his Majeſty ſhall appoint for the executing of the Powers and Authorities herein after expreſſed: And that all and every the Perſons to be named Commiſſioners in the ſaid Commiſſions reſpectively, ſhall by Virtue of this Act be Commiſſioners reſpectively, for and within the ſeveral Cities, Corporations and Boroughs, and Cinque Ports, and their Members, and other Port-Towns within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, for which they ſhall be reſpectively nominated and appointed. Commiſſions to iſſue for England, Wales and Berwick.

III. And be it further enacted by the Authority aforeſaid, That no Charter of any Corporation, Cities, Towns, Boroughs, Cinque Ports, and their Members, and other Port-Towns in *England* or *Wales*, or Town of *Berwick* upon *Tweed*, ſhall at any Time hereafter be avoided, for or by Reaſon of any Act or Thing done, or omitted to be done, before the firſt Day of this preſent Parliament. Corporation Charters ſaved.

IV. And be it further enacted by the Authority aforeſaid, That all Perſons who upon the four and twentieth Day of *December* one thouſand ſix hundred ſixty and one, ſhall be Mayors, Aldermen, Recorders, Bailiffs, Town Clerks, Common Council-men, and other Perſons then bearing any Office or Offices of Magiſtracy, or Places, or Truſts, or other Employment relating to or concerning the Government of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque Ports, and their Members and other Port-Towns, ſhall at any Time before the five and twentieth Day of *March* one thouſand ſix hundred ſixty and three, when they ſhall be thereunto required by the ſaid reſpective Commiſſioners or any Three or more of them, take the Oaths of Allegiance and Supremacy, and this Oath following: Magiſtrates to take and ſubſcribe to certain Oaths. Oaths of Allegiance and Supremacy.

'V. I *A. B.* do declare and believe, That it is not lawful, upon any Pretence whatſoever, to take Arms againſt the King; and that I do abhor that traiterous Poſition of taking Arms by his Authority 'againſt his Perſon, or againſt thoſe that are commiſſioned by him: So help me God. The Oath to be taken.

VI. And alſo at the ſame Time ſhall publickly ſubſcribe, before the ſaid Commiſſioners or any three of them, this following Declaration: Repealed by 5 Geo. 1. c. 6. §. 2.

'I *A. B.* do declare, That I hold that there lies no Obligation upon me or any other Perſon, from the Oath commonly called, *The Solemn League and Covenant*; and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of the 'Kingdom.' The Declaration to be ſubſcribed.

VII. And that all ſuch of the ſaid Mayors and other the Perſons aforeſaid, by whom the ſaid Oaths are to be taken, and Declaration ſubſcribed as aforeſaid, who ſhall refuſe to take and ſubſcribe the ſame within the Time and in Manner aforeſaid, ſhall, from and immediately after ſuch Refuſal, be by Authority of this Act (*ipſo facto*) removed and diſplaced of and from the ſaid Offices and Places reſpectively; (2) and the ſaid Offices and Places from and immediately after ſuch Refuſal, ſhall be and are hereby declared and adjudged to be void to all Intents and Purpoſes, as if the ſaid reſpective Perſons ſo refuſing were naturally dead. Thoſe who refuſe the Oaths removed.

VIII. And

Commiſſioners have Power to remove any at their Wills, though they offer to take the Oaths.

VIII. And nevertheleſs, Be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, ſhall have full Power by Virtue of this Act, by Order and Warrant under their Hands and Seals, to diſplace or remove any of the Perſons aforeſaid from the ſaid reſpective Offices and Places, or Truſts aforeſaid, if the ſaid Commiſſioners, or the major Part of them then preſent, ſhall deem it expedient for the publick Safety, although ſuch Perſons ſhall have taken and ſubſcribed, or be willing to take and ſubſcribe, the ſaid Oaths and Declaration.

Their Power to reſtore any Magiſtrate unduly removed.

IX. And be it alſo enacted, That the ſaid reſpective Commiſſioners, or any five or more of them as aforeſaid, ſhall have Power to reſtore ſuch Perſon or Perſons as have been illegally or unduly removed, into the Places out of which he or they were removed; and alſo to put and place into the Offices and Places which by any of the Ways aforeſaid ſhall be void reſpectively, ſome other Perſon or Perſons then being or which have been Members or Inhabitants of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque Ports and their Members, and other Port-Towns; (2) who ſhall, before the ſaid reſpective Commiſſioners or any three or more of them, take the ſaid Oaths of Obedience and Supremacy, and the ſaid other Oath, and ſubſcribe the Declaration herein before particularly mentioned, and that the ſaid Perſons from and after the taking of the ſaid Oaths, and ſubſcribing the ſaid Declaration, ſhall hold and enjoy, and be veſted in, the ſaid Places and Offices, as if they had been duly elected and choſen according to the Charters and former Uſages of the ſaid reſpective Cities, Corporations and Boroughs, Cinque Ports and their Members, and other Port-Towns.

Commiſſioners impowered to give the Oaths. Who ſhall give the Oath after the Commiſſions are determined.

X. And be it further enacted by the Authority aforeſaid, That the ſaid reſpective Commiſſioners, or any three or more of them reſpectively, ſhall have Power, during the Continuance of their reſpective Commiſſions, to adminiſter the Oaths aforeſaid, and tender the ſaid Declaration, to the ſaid Perſons hereby required to take and ſubſcribe the ſame; (2) and from and after the Expiration of the ſaid reſpective Commiſſions, the ſaid three Oaths and Declaration ſhall be from Time to Time adminiſtred and tendred to ſuch Perſon and Perſons, who by the true Meaning of this Act or any Clauſe therein contained are to take the ſame, by ſuch Perſon or Perſons reſpectively, who by the Charters or Uſages of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque Ports and their Members, and other Port-Towns, ought to adminiſter the Oath for due executing the ſaid Places or Offices reſpectively; (3) and in Default of ſuch, by two Juſtices of the Peace of the ſaid Cities, Corporations and Boroughs, and Cinque Ports and their Members, and other Port-Towns, for the Time being, if any ſuch there be, or otherwiſe by two Juſtices of the Peace for the Time being, of the reſpective Counties where the ſaid Cities, Corporations or Boroughs, or Cinque Ports or their Members, or other Port-Towns are.

The Commiſſioners to keep Remembrances.

And give them to the Town Clerks, &c.

XI. And be it likewiſe enacted by the Authority aforeſaid, That the ſaid Commiſſioners, Juſtices of the Peace, and other Perſons hereby authorized to adminiſter the ſaid Oaths and tender the ſaid Declaration reſpectively, ſhall cauſe *Memorandums* or Entries to be made of all Oaths taken before them, and Subſcriptions made as aforeſaid, and deliver the ſame once in a Year to the reſpective Town-Clerks or other Regiſter or Clerk of the ſaid reſpective Cities, Corporations and Boroughs, and Cinque Ports and their Members, and other Port-Towns, who ſhall cauſe the ſame to be fairly entred into the Books or Regiſters belonging to the ſaid reſpective Cities, Corporations or Boroughs, or Cinque Ports and their Members, or other Port-Towns.

None to be a Magiſtrate unleſs he take the Oaths and receive the Sacrament. Farther Proviſions relating hereto, 5 Geo. 1. c. 6. §. 3. Carthew 306. 3 Lev. 116. 2 Ven. 247, 248.

XII. Provided alſo, and be it enacted by the Authority aforeſaid, That from and after the Expiration of the ſaid Commiſſions, no Perſon or Perſons ſhall for ever hereafter be placed, elected or choſen, in or to any the Offices or Places aforeſaid, that ſhall not have within one Year next before ſuch Election or Choice, taken the Sacrament of the Lord's Supper, according to the Rites of the Church of *England*; (2) and that every ſuch Perſon and Perſons ſo placed, elected or choſen, ſhall likewiſe take the aforeſaid three Oaths, and ſubſcribe the ſaid Declaration at the ſame Time when the Oath for the due Execution of the ſaid Places and Offices reſpectively ſhall be adminiſtred; (3) and in Default hereof, every ſuch Placing, Election and Choice is hereby enacted and declared to be void.

The uſual Oath.

XIII. Provided always, and be it enacted, That every Perſon who ſhall be placed in any Corporation by Virtue of this Act, ſhall upon his Admiſſion take the Oath or Oaths uſually taken by the Members of ſuch Corporation.

How long the Commiſſioners Power ſhall continue.

XIV. Provided alſo, and be it hereby enacted, That the Powers granted to the Commiſſioners by Virtue of this Act, ſhall continue and be in Force until the five and twentieth of *March* one thouſand ſix hundred ſixty-three and no longer.

Commiſſioners ſued may plead the General Iſſue, and recover treble Coſts.

XV. Provided, That if any Action, Bill, Plaint or Suit ſhall at any Time hereafter happen to be brought or commenced againſt any Perſon or Perſons nominated a Commiſſioner as aforeſaid, for any Matter or Thing by them or any of them done by Virtue or in Purſuance of this Act, That then it ſhall be lawful to and for every ſuch Perſon and Perſons againſt whom ſuch Action, Bill, Plaint or Suit ſhall be brought or commenced, to plead the General Iſſue, and to give this Act, or any other ſpecial Matter in Evidence; (2) and if the Verdict ſhall paſs with the Defendant or Defendants in any ſuch Action, or the Plaintiff or Plaintiffs become nonſuit, or ſuffer any Diſcontinuance thereof, that in every ſuch Caſe the Judge or Judges before whom the ſaid Matter ſhall be tried, or be depending, ſhall by Force and Virtue of this Act allow unto the Defendant or Defendants his or their Treble Coſts, which he or they ſhall have ſuſtained by reaſon of their wrongful Vexation in Defence of the ſaid Action or Suit, for which the ſaid Defendant or Defendants ſhall have like Remedy as in other Caſes where Coſts by the Laws of this Realm are given to the Defendants.

Reverſions of Offices in London ſaved.

XVI. Provided always, and it is hereby declared, That this Act, or any Thing therein contained, ſhall not extend or be to the Prejudice of any Perſon or Perſons whatſoever, that hath any Reverſion or Reverſions of any of the Offices or Places belonging to the City of *London*, by Force or Virtue of any Order, Grant,

Grant, Deſignation or Nomination of the Lord Mayor and Court of Aldermen of the ſaid City heretofore reſpectively made or granted to him or them before the Times of the late Wars, for or in reſpect of ſuch Grant, Deſignation or Nomination only; any Thing in this Act to the contrary notwithſtanding. *Farther Proviſions reſpecting Corporations, 5 Geo. 1. c. 6. and 11 Geo. 1. c. 4.*

## CAP. II.

## An Act for Prevention of Vexations and Oppreſſions by Arreſts, and of Delays in Suits of Law.

'WHEREAS by the ancient and fundamental Laws of this Realm, in Caſe where any Perſon is ſued, impleaded or arreſted by any Writ, Bill or Proceſs iſſuing out of any of his Majeſty's Courts of Record at *Weſtminſter*, in any Common Plea, at the Suit of any common Perſon, the true Cauſe of Action ought to be ſet forth and particularly expreſſed in ſuch Writ, Bill or Proceſs, whereby the Defendant may have certain Knowledge of the Cauſe of the Suit, and the Officer who ſhall execute ſuch Writ, Bill or Proceſs, may know how to take Security for the Appearance of the Defendant to the ſame, and the Sureties for ſuch Appearances may rightly underſtand for what Cauſe they become engaged; (2) and whereas there is a great Complaint of the People of this Realm, that for divers Years now laſt paſt very many of his Majeſty's good Subjects have been arreſted upon general Writs of Treſpaſs, *Quare clauſum fregit*, Bills of *Middleſex*, *Latitats*, and other like Writs iſſued out of the Courts of King's Bench and Common Pleas, not expreſſing any particular or certain Cauſe of Action, and thereupon kept Priſoners for a long Time for want of Bail, Bonds with Sureties for Appearances having been demanded in ſo great Sums, that few or none have dared to be Security for the Appearances of ſuch Perſons ſo arreſted and impriſoned, although in Truth there hath been little or no Cauſe of Action; (3) and oftentimes there are no ſuch Perſons who are named Plaintiffs, but thoſe Arreſts have been many Times procured by malicious Perſons, to vex and oppreſs the Defendants, or to force from them unreaſonable and unjuſt Compoſitions for obtaining their Liberty; and by ſuch evil Practices many Men have been, and are daily undone, and deſtroyed in their Eſtates, without Poſſibility of having Reparation, the Actors employed in ſuch Practices having been (for the moſt Part) poor and lurking Perſons, and their Actings ſo ſecret, that it hath been found very difficult to make true Diſcoveries or Proof thereof:' *The ancient fundamental Law in proceeding to Arreſts upon Suits, to expreſs the true Cauſe of Action in the Proceſs.*

II. For Remedy and Prevention of which ſo great growing Evils and Miſchiefs, and alſo for diſcouraging all frivolous and unjuſt Suits, and cauſeleſs Arreſts for the future; (2) be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twelfth Day of *February* in the Year of our Lord one thouſand ſix hundred ſixty and one, no Perſon or Perſons who ſhall happen to be arreſted by any Sheriff, Under-Sheriff, Coroner, Steward, or Bailiff of any Franchiſe or Liberty, or by any other Officer, Miniſter, Under-Bailiff, or other Perſon or Perſons whatſoever, within this Realm, having or pretending to have Authority or Warrant in that Behalf, by Force or Colour of any Writ, Bill, or Proceſs iſſuing or to be iſſuing out of his Majeſty's ſaid Courts of the King's Bench and Common Pleas, or either of them, in which ſaid Writ, Bill or Proceſs, the Certainty and true Cauſe of Action is not expreſſed particularly, and for which the Defendant or Defendants in ſuch Writ, Bill or Proceſs named, is and are Bailable by the Statute in that Behalf made in the three and twentieth Year of the Reign of the late King *Henry* the Sixth, ſhall be forced or compelled to give Security, or to enter into Bond with Sureties, for the Appearances of ſuch Perſon or Perſons ſo arreſted, at the Day and Place in the ſaid Writ, Bill or Proceſs ſpecified or contained, in any Penalty or Sum or Sums of Money, exceeding the Sum of forty Pounds of lawful Money of *England*, to be conditioned for ſuch Appearances; (3) and that all Sheriffs and other Officers and Miniſters aforeſaid ſhall let to Bail and deliver out of Priſon, and from their and every of their Cuſtodies reſpectively, all and every Perſon and Perſons whatſoever, by them or any of them arreſted upon any ſuch Writ, Bill or Proceſs, wherein the Certainty and true Cauſe of Action is not particularly expreſſed, upon Security in the Sum of forty Pounds and no more, given for Appearance of ſuch Perſon or Perſons ſo arreſted unto the ſaid Sheriff or Officer aforeſaid, according to the ſaid Statute in the ſaid three and twentieth Year of the Reign of the ſaid late King *Henry* the Sixth in that Behalf made and provided. *Perſons arreſted by Proceſs out of the King's Bench or Common Pleas, not expreſſing the Cauſe of Action, how to be bailed, and ſet at Liberty, upon their own Bonds for Appearance.* *23 H. 6. c. 9.*

III. And be it further enacted by the Authority aforeſaid, That upon Appearance to be entred in the Term wherein ſuch Writ, Bill or Proceſs is returnable, with the reſpective Officer in that Behalf, for the ſaid Perſon or Perſons, by Attorney or Attornies in the ſaid reſpective Courts from whence the ſaid Writ, Bill or Proceſs iſſued, unto ſuch Writ, Bill or Proceſs, the Bond or Bonds ſo given for Appearance thereunto, be and are hereby ſatisfied and diſcharged; (2) and that after ſuch Appearance ſo entred, no Amerciaments be ſet or eſtreated upon or againſt any Sheriff or other Officer aforeſaid, or any other Perſon whatſoever, concerning the want of ſuch Appearance; (3) and unleſs the Plaintiff or Plaintiffs in any ſuch Writ, Bill or Proceſs named, ſhall put into the Court from whence ſuch Writ, Bill or Proceſs did iſſue, his or their Bill or Declaration againſt the Perſon or Perſons ſo arreſted, in ſome perſonal Action, or *Ejectione firmæ* of Lands or Tenements, before the End of the Term next following after Appearance, that then a Nonſuit for want of a Declaration may be entred againſt the ſaid Plaintiff or Plaintiffs in the ſaid Courts reſpectively; (4) and that every Defendant in every ſuch Writ, Bill or Proceſs named, ſhall or may have Judgment to recover Coſts againſt every ſuch Plaintiff or Plaintiffs, to be aſſeſſed, taxed and levied in ſuch Manner, and according as it is provided by the Statute for Coſts, made in the three and twentieth Year of the Reign of the late King *Henry* the Eighth; any former or other *Bonds (given for) diſcharged upon Appearance.* *Nonſuit for Want of a Declaration before the End of the next Term after Appearance, and Judgment and Coſts againſt the Plaintiff.* *23 H. 8. c. 15.*

other Act, Statute, Ordinance, Law, Cuſtom, Order, Courſe or Uſage of either of the ſaid Courts, to the contrary thereof heretofore had, made, admitted or uſed in any wiſe notwithſtanding.

Arreſts upon Capias Utlagatum, Attachments upon Reſcous, Contempts, and of Privileges excepted.

IV. Provided always, That this Act, nor any Clauſe or Thing herein before ſpecified or contained, ſhall not extend, nor be conſtrued or taken to extend, unto any Arreſts hereafter to be made upon or by Virtue of any Writ of *Capias Utlagatum*, Attachment upon Reſcous, or Attachment upon any Contempt, or of any Attachment of Privilege at the Suit of any privileged Perſon, or of any other Attachment for Contempt whatſoever, iſſuing or to be iſſuing out of either of the ſaid Courts, although there be no particular Certainty of the Cauſe of Action expreſſed or contained in the ſaid Writs; (2) but that nevertheleſs no Sheriff nor Under-Sheriff, nor any of the Officers or Miniſters aforeſaid, ſhall diſcharge any Perſon or Perſons taken upon any Writ of *Capias Utlagatum* out of Cuſtody, without a lawful *Superſedeas* firſt had and received for the ſame: (3) And that upon the ſaid Writs of Attachment, ſuch lawful Courſe be taken for Security for appearance therein as hath been heretofore uſed; any Thing herein before expreſſed to the contrary thereof in any wiſe notwithſtanding.

How Perſons having Cauſe of Action may proceed againſt Priſoners in the Fleet.

'V. And whereas many Perſons out of ill Intent to delay their Creditors from recovering their juſt 'Debts, continue Priſoners in the *Fleet*, who cannot be proceeded againſt in ſuch Manner as they might 'be, if they were at large:' Now for the better Enabling all Perſons to recover their juſt Debts and Demands againſt ſuch Priſoners, (2) be it further enacted by the Authority aforeſaid, That every Perſon or Perſons whatſoever, who now hath or have, or which at any Time hereafter ſhall have, Cauſe of any perſonal Action againſt any Perſon being a Priſoner in the Priſon of the *Fleet*, may ſue forth an Original Writ upon his or their Cauſe of Action; and that a Writ of *Habeas Corpus* be granted to every ſuch Perſon or Perſons, being Plaintiff or Plaintiffs, deſiring the ſame, to be directed to the Warden of the ſame Priſon, to have the Body of ſuch Priſoner before the Juſtices of the Common Pleas, at ſome certain Day in any Term, to anſwer the ſaid Plaintiff or Plaintiffs upon his or their ſaid Cauſe of Action; and that if the ſaid Plaintiff or Plaintiffs at the ſaid Day, put into the ſaid Court his or their Declaration, according to the ſaid Original Writ, againſt the ſaid Priſoner being preſent at the Bar, the ſaid Priſoner ſhall be bound to appear in Perſon, or to put in an Attorney to appear for him in the ſaid Action; (3) and unleſs the ſaid Defendant plead upon a Rule given, to be out at eight Days at the leaſt after ſuch Appearance, Judgment by *Nihil dicit* may be entred againſt ſuch Defendant as appearing in Perſon, which ſhall be good and effectual in Law: (4) And ſuch Charge in Court by Declarations, ſignified by Rule unto the ſaid Warden, ſhall be a good Cauſe of Detention of ſuch Priſoner in his Cuſtody, from which he ſhall not be diſcharged without a lawful *Superſedeas* or Rule of Court: (5) And if the ſaid Warden ſhall do otherwiſe, he ſhall be reſponſible to the Court, and to the Party grieved, for Damages, by Action upon the Caſe to be brought againſt him for diſcharging ſuch Priſoner.

*Farther Proviſions relating to Priſoners,*
*19 Car. 2. c. 4.*
*22 & 23 Car. 2. c. 20.*
*4 & 5 W. & M. c. 21.*
*8 & 9 W. 3. c. 27.*
*11 & 12 W. 3. c. 19.*
*1 Ann. St. 2. c. 6.*
*5 Ann c. 9.*
*9 Geo. 1. c. 28.*
*11 Geo. 1. c. 22.*
*11 Geo. 2. c. 20.*
*16 Geo. 2. c. 31.*
*27 Geo. 2. c. 3. & 17 & 32 Geo. 2. c. 28.*

Delays in Suits by Reaſon of 15 Days between the Teſte and Return of Writs, remedied in Actions perſonal.

'VI. And whereas very many Suits commenced by Original Writs have been protracted and long de- 'layed from Judgment and Execution, by reaſon of the Neceſſity of having fifteen Days at the leaſt be- 'tween the Days of the *Teſte* and the Days of Return of Writs now uſed in perſonal Actions, and alſo in 'Actions of *Ejectione firmæ*, for Lands and Tenements:' (2) For Remedy thereof, and for the more eaſy expediting Trials, and the better and more ſpeedy executing of Judgments for the Time to come, (3) be it further enacted by the Authority aforeſaid, That in all Actions of Debt, and all other perſonal Actions whatſoever, and alſo in all Actions of *Ejectione firmæ* for Lands or Tenements now depending, or which at any Time hereafter ſhall be depending, by Original Writ, in either of his Majeſty's Courts aforeſaid, after any Iſſue therein joined to be tried by a Jury, and alſo after any Judgment had or obtained, or to be had or obtained, in either of the Courts aforeſaid, in any ſuch Action as aforeſaid, there ſhall not need to be fifteen Days between the *Teſte* Day and the Day of Return of any Writ or Writs of *Venire facias*, *Habeas corpora Juratorum*, or *Diſtringas Juratores*, Writs of *Fieri facias*, or Writs of *Capias ad ſatisfaciendum*: (4) And that the want of fifteen Days between the *Teſte* Day and the Day of Return of any ſuch Writ, ſhall not be, nor ſhall be aſſigned, taken or adjudged to be, any Matter or Cauſe of Error; any Law, Cuſtom, Statute, Courſe or Uſage to the contrary thereof in any wiſe notwithſtanding.

Ejectione firmæ.

Venire facias, Habeas corpora Jurator. Diſtringas Jurator. Fieri facias, Capias ad ſatisfaciendum; where Exigent lieth after Judgment, or to make the Bail appear, excepted.

VII. Provided nevertheleſs, That this Act, nor any Thing therein contained, ſhall not extend or be conſtrued to extend to any Writ of *Capias ad ſatisfaciendum* whereon a Writ of Exigent after Judgment is to be awarded, nor to *Capias ad ſatisfaciendum* againſt the Defendant in order to make any Bail liable, but that the ſame continue and be as if this Act had never been made.

3 Jac. 1. c. 8. touching ſtaying Executions by Superſedeas or Writs of Error, and in what Actions it may be ſtayed.

'VIII. And whereas by an Act of Parliament made in the third Year of the Reign of our late Sovereign 'Lord King *James* of bleſſed Memory, a very good Law was made for avoiding unneceſſary Delays of 'Execution, whereby it is enacted, That no Execution ſhall be ſtayed or delayed upon or by any Writ 'of Error or Superſedeas thereupon to be ſued for the Reverſing of any Judgment to be given in any 'Action or Bill of Debt, upon any ſingle Bond for Debt, or upon any Obligation with Condition for 'Payment of Money only, or upon any Action or Bill of Debt for Rent, or upon any Contract ſued in 'any of his Highneſs Courts of Record at *Weſtminſter*, or in the Counties Palatine of *Cheſter*, *Lancaſter* or '*Durham*, or in his Highneſs Courts of Great Seſſions in any of the twelve Shires of *Wales*, unleſs ſuch 'Perſon or Perſons, in whoſe Name or Names ſuch Writ of Error ſhall be brought, with two ſufficient 'Sureties, ſuch as the Court wherein ſuch Judgment is or ſhall be given, ſhall allow of, ſhall firſt before 'ſuch Stay made, or *Superſedeas* to be awarded, be bound to the Party for whom any ſuch Judgment was 'or ſhould be given, by Recognizance to be acknowledged in the ſame Court in double the Sum adjudged 'to be recovered by the ſaid former Judgment, to proſecute the ſaid Writ of Error with Effect, and alſo 'to ſatisfy and pay (if the ſaid Judgment ſhall be affirmed) all and ſingular the Debts, Damages and Coſts 'adjudged or to be adjudged upon the former Judgment, and all Coſts and Damages to be alſo awarded 'for the ſame delaying of Execution; which Law hath been found by Experience to be very good and

'beneficial

'beneficial to the Commonwealth: (2) And forasmuch as divers other Cases within the same Mischief, 'by Delays and Staying of Execution by Writs of Error, and *Supersedeas* thereupon, are not provided 'for by the said Statute:' For further Remedy against Delays and Stayings of Executions in the several Actions hereafter specified, 3 Jac. 1. c. 8.

IX. Be it further enacted and ordained by the Authority aforesaid, That from and after the twentieth Day of *January* in the Year of our Lord one thousand six hundred sixty and one, no Execution shall be stayed in any of the Courts aforesaid, by any Writ or Writs of Error or *Supersedeas* thereupon, after any Verdict and Judgment thereupon obtained, in any Action of Debt grounded upon the Statute made in the second Year of the Reign of the late King *Edward* the Sixth, for not setting forth of Tithes, nor in any Action upon the Case upon any Promise for Payment of Money, Actions *sur Trover*, Actions of Covenant, Detinue and Trespass, unless such Recognizance, and in such Manner, as by the said recited former Act is directed, shall be first acknowledged in the said Court where such Judgment is given. In what Actions Execution may be stayed (by Writ of Error) by this Statute. 2 & 3 Ed. 6. c. 13. 1 Lev. 260.

X. And be it also enacted by the Authority aforesaid, That if any Person or Persons after the said Day shall sue or prosecute any Writ or Writs of Error, for Reversal of any Judgment whatsoever given after any Verdict in any of the Courts aforesaid, and the said Judgment shall afterwards be affirmed, then every such Person or Persons shall pay unto the Defendant or Defendants in the said Writ or Writs of Error, his or their double Costs, to be assessed by the Court where such Writ of Error shall be depending, for the Delaying of Execution. The Defendant to have double Costs for Delays of his Execution by Writ of Error.

XI. Provided nevertheless, That this Act, nor any Thing therein contained, shall not extend to any Action Popular, nor unto any other Action which is or hereafter shall be brought upon any penal Law or Statute (except Debt for not setting out Tithes as aforesaid) nor to any Indictment, Presentment, Inquisition, Information or Appeal; any Thing herein before expressed to the contrary thereof notwithstanding. Popular Actions; or upon a penal Law, Indictments, &c. not within this Statute.

## CAP. III.

An Act for granting unto the King's Majesty twelve hundred and threescore thousand Pounds, to be assessed and levied by an Assessment of threescore and ten thousand Pounds by the Month, for eighteen Months. EXP.

## CAP. IV.

An Act to enable the King's Majesty to make Leases, Grants and Copies of Offices, Lands, Tenements and Hereditaments, Parcel of his Highness Duchy of *Cornwal*, or annexed to the same, and for Confirmation of Leases and Grants already made. EXP. 21 Jac. 1. c. 29. 25 Car. 2. c. 3. 1 Car. 1. c. 2.

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# ACTS made in the Parliament begun and holden the eighth of *May*, *Anno decimo tertio Caroli secundi Regis*: And continued to the nineteenth of *May*, *decimo quarto Caroli Regis*; and thence prorogued to the eighteenth of *February* then next following. Raym. 191.

## CAP. I.

An Act for preventing the Mischiefs and Dangers that may arise by certain Persons called *Quakers* and others, refusing to take lawful Oaths.

'WHEREAS of late Times certain Persons under the Names of *Quakers*, and other Names of Separation, have taken up and maintained sundry dangerous Opinions and Tenents, and (amongst others) that the Taking of an Oath in any case whatsoever, although before a lawful Magistrate, is altogether unlawful and contrary to the Word of God; and the said Persons do daily refuse to take an Oath, though lawfully tendred, whereby it often happens that the Truth is wholly suppressed, and the Administration of Justice much obstructed: And whereas the said Persons, under a Pretence of Religious Worship, do often assemble themselves in great Numbers in several Parts of this Realm, to the great Endangering of the publick Peace and Safety, and to the Terror of the People, by maintaining a secret and strict Correspondence amongst themselves, and in the mean Time separating and dividing themselves from the Rest of his Majesty's good and loyal Subjects, and from the publick Congregations and usual Places of Divine Worship:' Quakers and Separatists, denying to take an Oath.

II. For the Redressing therefore, and better preventing the many Mischiefs and Dangers that do and may arise by such dangerous Tenents and such unlawful Assemblies, (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, assembled in Parliament, and by Authority of the same, That if any Person or Persons, who maintain that the Taking of an Oath in any case whatsoever, (although before a lawful Magistrate) is altogether unlawful, and contrary to the Word of God, from and after the four and twentieth Day of *March* in this present Year of our Lord one thousand six hundred sixty and one, shall wilfully and obstinately refuse to take an Oath, whereby the Laws of the Realm he or she is or shall be bound to take the same, being The Penalty for refusing to take a lawful Oath.

lawfully and duly tendred; (3) or ſhall endeavour to perſwade any other Perſon to whom any ſuch Oath ſhall in like Manner be duly and lawfully tendred, to refuſe and forbear the Taking of the ſame; (4) or ſhall by Printing, Writing or otherwiſe, go about to maintain and defend that the Taking of an Oath in any caſe whatſoever, is altogether unlawful: (5) And if the ſaid Perſons commonly called *Quakers*, ſhall at any Time after the ſaid four and twentieth Day of *March* depart from the Places of their ſeveral Habitations, and aſſemble themſelves to the Number of five or more, of the Age of ſixteen Years or upwards, at any one Time, in any Place, under Pretence of joining in a Religious Worſhip, not authorized by the Laws of this Realm; (6) that then in all and every ſuch Caſes, the Party ſo offending being thereof lawfully convict by Verdict of twelve Men, or by his own Confeſſion, or by the notorious Evidence of the Fact, ſhall loſe and forfeit to the King's Majeſty, his Heirs and Succeſſors, for the firſt Offence, ſuch Sum as ſhall be impoſed upon him or her, not exceeding five Pounds; (7) and if any Perſon or Perſons, being once convicted of any ſuch Offence, ſhall again offend therein, and ſhall in Form aforeſaid be thereof lawfully convicted, ſhall for the ſecond Offence forfeit to the King our ſovereign Lord, his Heirs and Succeſſors, ſuch Sum as ſhall be impoſed upon him or her, not exceeding ten Pounds: (8) The ſaid reſpective Penalties to be levied by Diſtreſs and Sale of the Parties Goods ſo convicted, by Warrant of the Parties before whom they ſhall be ſo convicted, rendring the Overplus to the Owners, if any be; (9) and for Want of ſuch Diſtreſs or Nonpayment of the ſaid Penalty within one Week after ſuch Conviction, that then the ſaid Parties ſo convicted ſhall for the firſt Offence be committed to the Common Gaol or Houſe of Correction for the Space of three Months; and for the ſecond Offence, during ſix Months, without Bail or Mainpriſe, there to be kept at hard Labour; (10) which ſaid Monies ſo to be levied, ſhall be paid to ſuch Perſon or Perſons as ſhall be appointed by thoſe before whom they ſhall be convicted, to be imployed for the Increaſe of the Stock of the Houſe of Correction to which they ſhall be committed, and providing Materials to ſet them on Work: (11) And if any Perſon after he, in Form aforeſaid, hath been twice convict of any of the ſaid Offences, ſhall offend the third Time, and be thereof, in Form aforeſaid, lawfully convict, that then every Perſon ſo offending and convict ſhall for his or her third Offence abjure the Realm; or otherwiſe it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, to give Order, and to cauſe him, her or them to be tranſported in any Ship or Ships, to any of his Majeſty's Plantations beyond the Seas.

The ſecond Offence.

The third Offence. 1 Keb. 825.

Who may hear and determine the Offences within this Act.

III. And it is ordained and enacted by the Authority aforeſaid, That all and every Juſtice of *Oyer* and *Terminer*, Juſtices of Aſſize and Gaol-delivery, and the Juſtices of the Peace, ſhall have full Power and Authority in every of their open and General Seſſions, to enquire, hear and determine all and every the ſaid Offences within the Limits of their Commiſſion to them directed, and to make Proceſs for the Execution of the ſame, as they may do againſt any Perſon being indicted before them of Treſpaſs, or lawfully convicted thereof.

IV. And be it alſo enacted, That it ſhall and may be lawful to and for any Juſtice of Peace, Mayor, or other Chief Officer of any Corporation, within their ſeveral Jurisdictions, to commit to the common Gaol, or bind over with ſufficient Sureties to the Quarter-Seſſions, any Perſon or Perſons offending in the Premiſſes, in order to his or their Conviction aforeſaid.

How Perſons ſubmitting may be diſcharged from Penalties.

V. Provided always, and be it hereby further enacted, That if any of the ſaid Perſons ſhall after ſuch Conviction as aforeſaid, take ſuch Oath or Oaths, for which he or ſhe ſtands committed, and alſo give Security, that he or ſhe ſhall for the Time to come forbear to meet in any ſuch unlawful Aſſembly as aforeſaid, that then and from thenceforth, ſuch Perſon and Perſons ſhall be diſcharged from all the Penalties aforeſaid; any Thing in this Act to the contrary notwithſtanding.

Lords of the Parliament.

VI. Provided always, and be it ordained and enacted by the Authority aforeſaid, That all and ſingular Lords of the Parliament, for every third Offence committed againſt the Tenor of this Act, ſhall be tried by their Peers, and not otherwiſe.

*See the Toleration for Quakers,* 1 *W. & M. c.* 18; *and farther Proviſions concerning them,* 7 & 8 *W.* 3. *c.* 34. 1 *Geo.* 1. *St.* 2. *c.* 6. 8 *Geo.* 1. *c.* 6. 12 *Geo.* 2. *c.* 13. *and* 22 *Geo.* 2. *c.* 46.

## CAP. II.

EXP. 22 Car. 2. c. 12. ſect 5. 2 W. & M. Stat. 2. c. 8. 8 & 9 *W.* 3. *c.* 17.

An Act for Repairing the Highways and Sewers, and for Paving and keeping clean of the Streets in and about the Cities of *London* and *Weſtminſter*, and for reforming of Annoyances and Diſorders in the Streets of, and Places adjacent to, the ſaid Cities; and for the Regulating and Licencing of Hackney Coaches; and for the Enlarging of ſeveral ſtrait and inconvenient Streets and Paſſages. Commiſſioners to be named by his Majeſty under the Great Seal for Surveying and Cleanſing the Streets and Highways. Encroachments that have continued thirty Years, not to be removed but upon Satisfaction to the Parties. The Barons of the Exchequer to judge of the Satisfaction, if refuſed upon Tender. Conviction for Encroachments upon View, and the Penalty. No Hackney-Coaches to be without Licence. *Hutt.* 99. Who may be licenced to keep Hackney-Coaches. Hackney Coaches not to exceed 400 in Number. The ſeveral Rates allowed for Hackney-Coaches. The Penalty for exacting more. All Streets and Lanes to be cleanſed every Week. None to caſt any Aſhes, or Duſt before their Houſes. No Barrels, Timber, Coaches or other Things to be ſet or amended in the Streets. The Duty of the Scavengers and Rakers weekly. All open Streets to be paved and ſo kept by the ſeveral Houſeholders. Proviſo for the Borough of *Southwark*. Candles or Lights to be hung out every Night from *Michaelmas* to *Lady-day*. Rates and Taxes to be made for defraying the Charges and Wages of Scavengers and others. The Lord Mayor of *London* and others, Commiſſioners, may treat with Perſons concerned, for their Intereſts in Houſes obſtructing Paſſage. To have Continuance till next Parliament. See 2 *Will. & Mar. Stat.* 2. *c.* 8.

CAP.

## CAP. III.

### An Act for ordering the Forces in the ſeveral Counties of this Kingdom.

'FOraſmuch as within all his Majeſty's Realms and Dominions, the ſole and ſupreme Power, Government, Command and Diſpoſition of the Militia, and of all Forces by Sea and Land, and of all Forts and Places of Strength is, and by the Laws of *England* ever was, the undoubted Right of his Majeſty, and his Royal Predeceſſors, Kings and Queens of *England*; (2) and that both or either of the Houſes of Parliament cannot nor ought to pretend to the ſame; nor can nor lawfully may raiſe or levy any War offenſive or defenſive againſt his Majeſty, his Heirs or lawful Succeſſors; and yet the contrary thereof hath of late Years been practiſed, almoſt to the Ruin and Deſtruction of this Kingdom; and during the late uſurped Governments, many evil and rebellious Principles have been inſtilled into the Minds of the People of this Kingdom, which may break forth, unleſs prevented, to the Diſturbance of the Peace and Quiet thereof:' 4 & 5 P. & M. c. 3. The ſole and ſupreme Power and Command of the Militia in the King's Majeſty, his Heirs and Succeſſors. 13 Car. 2. Stat. 1. c. 6.

II. Be it therefore declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in Parliament aſſembled, and by the Authority of the ſame, That the King's moſt Excellent Majeſty, his Heirs and Succeſſors, ſhall and may from Time to Time, as Occaſion ſhall require, iſſue forth ſeveral Commiſſions of Lieutenancy to ſuch Perſons as his Majeſty, his Heirs and Succeſſors, ſhall think fit to be his Majeſty's Lieutenants for the ſeveral and reſpective Counties, Cities and Places of *England* and Dominion of *Wales*, and Town of *Berwick* upon *Tweed*; (2) which Lieutenants ſhall have full Power and Authority to call together all ſuch Perſons at ſuch Times, and to arm and array them in ſuch Manner, as is hereafter expreſſed and declared, and to form them into Companies, Troops and Regiments, and in Caſe of Inſurrection, Rebellion or Invaſion, them to lead, conduct and employ, or cauſe to be led, conducted and employed, as well within the ſaid ſeveral Counties, Cities and Places for which they ſhall be Commiſſioned reſpectively, as alſo into any other the Counties and Places aforeſaid, for ſuppreſſing of all ſuch Inſurrections and Rebellions, and repelling of Invaſions, as may happen to be, according as they ſhall from Time to Time receive Directions from his Majeſty, his Heirs and Succeſſors; (3) and that the ſaid reſpective Lieutenants ſhall have full Power and Authority from Time to Time to conſtitute, appoint and give Commiſſions to ſuch Perſons as they ſhall think fit to be Colonels, Majors, Captains and other Commiſſion-Officers, of the ſaid Perſons ſo to be armed, arrayed and weaponed, and to preſent to his Majeſty, his Heirs and Succeſſors, the Names of ſuch Perſon and Perſons as they ſhall think fit to be Deputy-Lieutenants, and upon his Majeſty's Approbation of them ſhall give them Deputations accordingly; (4) always underſtood, That his Majeſty, his Heirs and Succeſſors have Power and Authority to direct and order otherwiſe, and accordingly at his and their Pleaſure may appoint and commiſſionate or diſplace ſuch Officers; any Thing in this Act to the contrary notwithſtanding: (5) And that the ſaid Lieutenants reſpectively, and in their Abſence out of the Precincts and Limits of their reſpective Lieutenancies, or otherwiſe by their Directions, the ſaid Deputy-Lieutenants, during their ſaid reſpective Deputations, or any two or more of them, ſhall have Power from Time to Time to train, exerciſe and put in Readineſs, and alſo to lead and conduct the Perſons ſo to be armed, arrayed and weaponed, by the Directions, and to the Intents and Purpoſes as is hereafter expreſſed and declared.

His Majeſty may iſſue out Commiſſions of Lieutenancy to ſuch Perſons as he ſhall think fit for the ſeveral Counties, Cities, &c. The Power of the ſaid Lieutenants. Explained by 15 Car. 2. c. 4.

The Deputy Lieutenants to be named to, and approved of by, his Majeſty.

The Power of the Deputy Lieutenants.

III. And for the providing Horſe and Arms and Furniture thereunto belonging, for the Arming and Weaponing the Perſons aforeſaid, and alſo for the Defraying and Paying the neceſſary Charges thereunto belonging in Manner as hereafter followeth; (2) Be it further enacted, That the ſaid reſpective Lieutenants within the ſeveral Counties, Cities and Places, for which they are nominated reſpectively, and their Deputies, or the major Part of ſuch Lieutenants and Deputy-Lieutenants then preſent, or in the Abſence of the Lieutenant or Lieutenants, the major Part of the Deputy-Lieutenants then preſent, which major Part ſhall be three at the leaſt, have hereby full Power and Authority to charge any Perſon with Horſe, Horſeman and Arms, or with Foot-Soldier and Arms, in the ſame County, Shire, City, Borough or Town Corporate where his, her or their Eſtates lie, having reſpect unto and not exceeding the Limitations and Proportions hereafter mentioned; (that is to) (3) No Perſon ſhall be charged with finding a Horſe, Horſeman and Arms, unleſs ſuch Perſon or Perſons have a Revenue of five hundred Pounds by the Year in Poſſeſſion, or have an Eſtate of ſix thouſand Pounds in Goods or Money, beſides the Furniture of his or their Houſes, and ſo proportionably for a greater Eſtate in Lands in Poſſeſſion, or Goods, as the reſpective Lieutenants and their Deputies as aforeſaid, in their Diſcretions ſhall ſee Cauſe and think reaſonable; (4) and they are not to charge any Perſon with finding a Foot-Soldier and Arms, that hath not a yearly Revenue of fifty Pounds in Poſſeſſion, or a perſonal Eſtate of ſix hundred Pounds in Goods or Monies, (other than the Stock upon the Ground) and after the aforeſaid Rate proportionably for a greater or leſſer Revenue or Eſtate: (5) Nor ſhall they charge any Perſon with the finding both of Horſe and Foot in the ſame County.

The Manner of charging and providing Horſe and Arms, &c.

IV. Provided, That no Perſon chargeable by this Act, to find an Horſe and Horſeman with Arms or to be contributory towards finding an Horſe and Horſeman with Arms, ſhall for the ſame Eſtate be chargeable towards finding a Foot-Soldier with Arms or contributory thereunto: (2) And it ſhall be lawful to and for the reſpective Lieutenants and Deputies or any three or more of them as aforeſaid, to impoſe the finding and providing of Horſe, Horſeman and Arms as aforeſaid, by joining two or three or more Perſons together in the Charge, as to their Judgment ſhall appear moſt conducible to the Service of this kingdom.

No Perſon charged with or towards an Horſe, may be charged alſo towards Foot-Arms.

V. Provided, That no Perſon that hath not one hundred Pounds *per Annum* in Poſſeſſion, in Lands, Tenements or Hereditaments, Leaſehold or Copyhold, or twelve hundred Pounds perſonal Eſtate, ſhall be compellable to contribute in finding any Horſe and Horſeman with Arms: (2) And the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall have Power to hear Complaints, and examine

What Perſons and Eſtate only chargeable towards finding Horſe-Arms.

Lieutenants and Deputies may hear and determine Matters relating to this Act.

examine Witneſſes upon Oath, (which Oath they have hereby Power to adminiſter) and to give Redreſs according to the Merits of the Cauſe in Matters relating to the Execution of this Act.

Allowance of 2 s. per diem for a Horſeman, and 1 s. for a Foot-Soldier.

VI. Be it further enacted, That the ſaid Lieutenants and Deputies or any three or more of them, in their ſeveral Counties and Places reſpectively, ſhall require and direct all Perſons ſo charged as aforeſaid, with Horſe, Horſemen and Arms, to allow two Shillings by the Day to the Troopers that ſerve with their Horſe and Arms, for the Maintenance of the Man and Horſe, and twelve Pence a Day for the Foot-Soldiers, (if they ſerve not in their own Perſons) for ſo many Days as they ſhall be ſent from their Dwellings and Callings, by Occaſion of Muſter or Exerciſe.

Rates to be made for furniſhing Ammunition. 12 Car. 2. c. 29.

VII. And for furniſhing Ammunition and other neceſſaries, the ſaid reſpective Lieutenants and Deputies or any three or more of them, ſhall have Power to lay fitting Rates upon the reſpective Counties and Places, not exceeding in the Whole in any one Year the Proportion of a fourth Part of one Month's Aſſeſſment in each County, after the Rate of ſeventy thouſand Pounds by the Month, now or late charged by an Act, intituled, *An Act for the Raiſing of ſeventy thouſand Pounds for the further Supply of his Majeſty*; (2) Which Monies are to be aſſeſſed, collected and paid by ſuch Perſons and according to ſuch Directions as ſhall be given from Time to Time by the ſaid reſpective Lieutenants and Deputies or any three or more of them, under the like Penalties, and by the like Ways and Means, as are preſcribed in the ſaid Act for the ſeventy thouſand Pounds by the Month; (3) and in Caſe of Invaſions, Inſurrections or Rebellions, whereby Occaſion ſhall be to draw out ſuch Soldiers into actual Service, the Perſons ſo charged as aforeſaid, ſhall provide each their Soldier reſpectively with Pay in Hand, not exceeding one Month's Pay, as ſhall be in that Behalf directed by the ſaid reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions by their Deputies or any two or more of them: (4) For Repayment of which ſaid Monies, and for Satisfaction of the Officers for their Pay during ſuch Time, not exceeding one Month as aforeſaid, as they ſhall be with their Soldiers in ſuch ſaid actual Service, It is hereby declared, That Proviſion ſhall be made for the ſame by his Majeſty, his Heirs and Succeſſors, out of his or their publick Treaſury or Revenue: (5) Nevertheleſs, it is hereby further provided and enacted, That in Caſe a Month's Pay ſhall be provided and advanced as aforeſaid, That no Perſon who ſhall have advanced his Proportion thereof, ſhall be charged with any other like Month's Payment, until he or they ſhall have been re-imburſed the ſaid Month's Pay, and ſo from Time to Time the Month's Pay by him or them laſt before provided and advanced as aforeſaid.

Invaſion, Inſurrection, Rebellion. See 1 Geo. 1. Stat. 2. c. 14.

Proviſion by his Majeſty.

None having advanced a Month's Pay ſhall be charged again until he be re-imburſed the ſame.

How to charge Carts and Horſes for carrying Proviſions, and their Allowance per Mile.

VIII. And be it enacted, That the ſaid Lieutenants and their Deputies, or the Chief Officers upon the Place in the reſpective Counties and Places as aforeſaid, may charge Carts, Wagons, Wains and Horſes for the carrying of Powder, Match, Bullet and other Materials, allowing ſix Pence a Mile outward only, to every ſuch Cart, Wagon and Wain with five Horſes or ſix Oxen, and ſo proportionably; (2) and for every Horſe employed out of Wagon or Cart for the Uſes aforeſaid one Peny, ſo taken upon the Marching of any Regiment, Company or Troop, upon Occaſion of Invaſion, Inſurrection or Rebellion; (3) and that the ſaid Lieutenants or Deputies, or the Chief Officers upon the Place, ſhall and may impriſon Mutineers and ſuch Soldiers as do not their Duties as Soldiers at the Day of their Muſters and Training; and ſhall and may inflict for Puniſhment for every ſuch Offence, any pecuniary Mulct not exceeding five Shillings, or the Penalty of Impriſonment without Bail or Mainpriſe, not exceeding twenty Days.

Soldiers that do not their Duties, how puniſhed.

The Penalties upon Perſons charged or taxed, refuſing or neglecting.

IX. And be it further enacted, If any Perſon or Perſons ſo to be aſſeſſed or charged by the ſaid Lieutenants and Deputies, or any three or more of them reſpectively, ſhall refuſe or neglect by a reaſonable Time to be appointed, to provide and furniſh ſuch ſufficient Horſe and Horſeman, Horſes and Horſemen, Arms and other Furniture, or to pay ſuch Sum or Sums of Money towards the Providing and Furniſhing as aforeſaid; That then it ſhall and may be lawful to and for the reſpective Lieutenants and Deputies or any three or more of them, for every ſuch Offence, from Time to Time to inflict a Penalty upon ſuch Perſons not exceeding twenty Pounds. (2) And alſo by Warrant under their or any three or more of their Hands and Seals, to levy ſuch Sum or Sums of Money, or the Value of ſuch Horſe or Horſes, Arms and Furniture, and ſuch Penalty inflicted, by Diſtreſs and Sale of the Goods of the Perſon or Perſons ſo neglecting or refuſing, rendring the Overplus to the Party ſo diſtrained, all neceſſary Charge in levying thereof being firſt deducted; (3) and it is declared, That the ſame be employed to the ſame Uſes in Default whereof the ſame was impoſed.

Imbezilling of Arms, Horſe or Furniture, how puniſhed.

X. And be it further enacted, That if any Perſon or Perſons ſo to be armed, arrayed and weaponed, ſhall detain or imbezil his Horſe, Arms or Furniture wherewith he ought to ſerve or is intruſted; that it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions, to and for their Deputies, or any two or more of them, to impriſon ſuch Perſon and Perſons till he or they have made Satisfaction for the Horſe, Arms, or other Furniture ſo by him detained or imbezilled; (2) and alſo, That if any Perſon ſo to be armed, horſed or weaponed as aforeſaid, ſhall not appear and ſerve, completely furniſhed with Horſe and Arms, and other Furniture wherewith he is intruſted, at the Beat of Drum, Sound of Trumpet, or other Summons; that then, and ſo often, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions, to and for their Deputies, or any two or more of them, if the Default be in the Perſon or Perſons ſo intruſted, to impriſon ſuch Perſon or Perſons for the Space of five Days, without Bail or Mainprize, or to inflict the Penalty, if a Horſeman, not exceeding twenty Shillings, and if a Footman, not exceeding ten Shillings, to be paid down without Delay or Forbearance: (3) And if any Perſon or Perſons ſo aſſeſſed or charged as aforeſaid, ſhall refuſe or neglect to ſend in, or deliver his Horſe, Arms, or other Furniture, upon ſuch Summons, or other Notice as aforeſaid; that then, and ſo often, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants and their Deputies, or any three or more of them, to inflict a Penalty not exceeding five Pounds, to be levied by Diſtreſs and Sale of the Goods of ſuch Perſon

or

or Perſons ſo refuſing as aforeſaid, rendring the Overplus to the Party diſtrained, neceſſary Charges for Levying being firſt deducted.

Ability of Perſons aſſeſſed, how to be diſcovered.

XI. And for the better Diſcovery of the Ability of the Perſons ſo to be aſſeſſed and charged, and of all Miſdemeanors tending to the Hinderance of the Service aforeſaid, the ſaid reſpective Lieutenants, and their Deputies, or any three or more of them, are hereby enabled to examine upon Oath ſuch Perſon or Perſons as they ſhall judge neceſſary or convenient, or ſhall be produced by the Party charged or accuſed, other than the Perſons themſelves ſo to be aſſeſſed and accuſed.

Treaſurer and Clerks for receiving and paying Monies by this Act.

XII. And for the better and more ſpeedy Execution of the Premiſſes, Be it further enacted, That the ſaid reſpective Lieutenants ſhall be and are hereby required to appoint one or more Treaſurer or Treaſurers, Clerk or Clerks, for receiving and paying ſuch Monies as ſhall be levied by Virtue hereof; of all which Receipts and Diſburſements thereof, the ſaid Treaſurer, Clerk and Clerks, are every ſix Months to give their Accounts in Writing, and upon Oath, to the ſaid Lieutenants and their Deputies, or any three or more of them, which Oath they have hereby Power to adminiſter: (2) And the ſaid Account ſo to be taken, ſhall be forthwith certified to the Lords of his Majeſty's moſt honourable Privy Council, and a Duplicate thereof ſhall be certified to the Juſtices of Peace at the next General Quarter-Seſſions.

XIII. And be it further enacted, That the Deputy-Lieutenants ſhall obſerve and obey ſuch Orders and Directions as they ſhall from Time to Time receive from the reſpective Lieutenants, for the putting in Execution the Powers given by this Act.

Who ſhall be appointed to ſearch for and ſeize Arms in the Houſes of dangerous Perſons.

XIV. And for the better ſecuring the Peace of the Kingdom, Be it further enacted and ordained, and the ſaid reſpective Lieutenants, or any two or more of their Deputies, are hereby enabled and authorized from Time to Time, by Warrant under their Hands and Seals, to imploy ſuch Perſon or Perſons as they ſhall think fit (of which a commiſſioned Officer, and the Conſtable or his Deputy, or the Tithingman, or in the Abſence of the Conſtable and his Deputy and Tithingman, ſome other Perſon bearing Office within the Pariſh where the Search ſhall be, ſhall be Two) to ſearch for and ſeize all Arms in the Cuſtody or Poſſeſſion of any Perſon or Perſons whom the ſaid Lieutenants, or any two or more of their Deputies, ſhall judge dangerous to the Peace of the Kingdom, and to ſecure ſuch Arms for the Service aforeſaid, and thereof from Time to Time to give Accounts to the ſaid reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions, to their Deputies, or any two or more of them; (2) Provided that no ſuch Search be made in any Houſe or Houſes between Sun-ſetting and Sun-riſing, other than in Cities and their Suburbs, and Towns Corporate, Market-Towns and Houſes within the Bills of Mortality, where it ſhall and may be lawful to ſearch in the Night-time by Warrant as aforeſaid, if the Warrant ſhall ſo direct, and in Caſe of Reſiſtance to enter by Force: (3) And that no Dwelling-houſe of any Peer of this Realm be ſearched by Virtue of this Act, but by immediate Warrant from his Majeſty, under his Sign Manual, or in the Preſence of the Lieutenant, or one of the Deputy-Lieutenants of the ſame County or Riding: (4) And that in all Places and Houſes whatſoever where Search is to be made as aforeſaid, it ſhall and may be lawful, in Caſe of Reſiſtance, to enter by Force; (5) and that the Arms ſo ſeized may be reſtored to the Owners again, if the ſaid Lieutenants, or in their Abſence as aforeſaid, their Deputies, or any two or more of them, ſhall ſo think fit.

Houſes of Peers.

All High Conſtables and Officers to be aiding to the reſpective Lieutenants.

XV. And be it enacted, That all High Conſtables, Petty Conſtables, and other Officers and Miniſters within the ſaid Counties, Cities, Pariſhes and Places aforeſaid, be and are hereby required to be aiding and aſſiſting to the ſaid reſpective Lieutenants and their Deputies, or any of them, in Execution of the Premiſſes: (2) And that all and every Perſon and Perſons who ſhall act or do any Thing in Execution thereof, ſhall be hereby ſaved harmleſs and indemnified: And alſo, that all and every Perſon and Perſons, who have heretofore acted or done any Thing in Execution of any Commiſſion or Commiſſions of Lieutenancy iſſued by the King's Majeſty that now is, or by Colour of them or any of them, or touching or concerning the ſame or any of them, or relating thereunto, ſince the ſeventh Day of *May* one thouſand ſix hundred ſixty and one, until the twentieth Day of *May* one thouſand ſix hundered ſixty and two, ſhall be and are hereby ſaved harmleſs and indemnified in that Behalf.

How Perſons are to be charged reſiding in one County, and having Lands in another.

XVI. And be it further enacted and ordained, That where any Perſon or Perſons ſhall be charged by Virtue of this Act to find a Horſe and Horſeman, Horſes and Horſemen and Arms, or Foot-ſoldier and Arms, in ſuch County, City or Place, where he or they do not reſide or inhabit; that then and in ſuch Caſes, the reſpective Lieutenants and Deputies, or any three or more of them, ſhall ſend Notice of every ſuch Charge, if ſuch Perſon have any Land in his own Occupation, to ſuch Perſon as he doth imploy as his Servant in managing the ſame; (2) and in Caſe all his Lands or other Eſtate be demiſed, and to farm let, then to one or two of the moſt ſufficient Tenant or Tenants, who ſhall have the ſame in their Occupation, who are hereby required forthwith with all convenient Speed to convey the ſame to their Maſter or Landlord reſpectively, and within ſuch Time as ſhall be appointed in that Behalf, bring an Account of their Maſter or Landlord's Anſwer to the reſpective Lieutenants and Deputies, or any three or more of them: (3) And upon Neglect or Refuſal of the Landlord, to provide ſuch Horſe and Horſeman, Horſes and Horſemen and Arms, or Foot-ſoldier and Arms, as is duly charged upon him, according to the Rates mentioned in this Act, for the yearly Rent reſerved upon every Demiſe or other Grant, and not otherwiſe, within the Time limited for that Purpoſe; that then the ſaid Tenant or Tenants ſhall provide and do as the Landlord in that Behalf ought to have done: (4) And if the ſaid Tenant or Tenants ſhall refuſe or neglect to provide ſuch Horſe and Horſemen, Horſes and Horſemen and Arms, or Foot-ſoldier and Arms, as are charged upon his and their Landlords, within the Time limited; that then and upon every ſuch Default, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions, to and for their Deputies, or any two or more of them, by Warrant under their Hands and Seals, to levy all ſuch Penalties as are appointed by this Act, by Diſtreſs and Sale of the Offender's Goods, rendring the Overplus to the Party diſtrained.

Tenants to provide Arms for their Landlords.

XVII. And

And to defalk the Charges out of their next Rent.

XVII. And it is hereby ordained and enacted, That it ſhall and may be lawful to and for the ſaid Tenant or Tenants, to defalk out of ſuch Rent as ſhall be next due to his or their Landlord, all ſuch Money as the ſaid Tenant or Tenants ſhall neceſſarily lay out or expend in providing ſuch Horſe and Horſeman, Horſes and Horſemen and Arms, or Foot-ſoldier and Arms, as are charged upon his or their Landlord, or ſhall pay or be levied upon him or them by Diſtreſs for any Default, in Manner as aforeſaid; any Condition, Reſervation, Covenant or Contract for the Payment of his or their Rent, to the contrary in any wiſe notwithſtanding: (2) And for ſo doing, the ſaid Tenant or Tenants ſhall be indemnified by Authority of this Act, unleſs the Landlord or Landlords ſhall make it appear within two Months after ſuch Levying ſuch Penalties before the reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions before their Deputies, or any two or more of them, that the Default and Penalty was occaſioned by the wilful Neglect of the ſaid Tenant or Tenants.

The Tenants indemnified for ſo doing.

Peers not to act as Lieutenants or Deputies before they take the Oath of Allegiance, &c. and this Oath. Aboliſhed by 1 W. & M. Seſſ. 1. c. 8. §. 11.

XVIII. Provided alſo, That no Perſon being a Peer of this Realm, ſhall be capable of acting or ſerving as Lieutenant or Deputy-Lieutenant, by Virtue of this Act, unleſs he or they ſhall firſt before ſix of the Lords of his Majeſty's Privy-Council, for the Time being, or ſuch other Perſons as ſhall be authorized by his Majeſty to adminiſter the ſame, take the Oaths of Allegiance and Supremacy, and alſo this Oath following: 'I *A. B.* do declare and believe, That it is not lawful upon any Pretence whatſoever to take Arms againſt the King: And that I do abhor that traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or againſt thoſe that are commiſſioned by him in Purſuance of 'ſuch military Commiſſions: So help me God.' Which Oaths they have hereby Power to adminiſter.

Perſons under the Degree of a Peer to take the Oath of Allegiance, &c. and this Oath.

XIX. And that no Perſon being under the Degree of a Peer of this Realm, ſhall be capable of acting as Lieutenant, Deputy-Lieutenant, Officer or Soldier, by Virtue of this Act, unleſs he or they ſhall firſt take the Oaths of Allegiance and Supremacy, and this Oath following: 'I *A. B.* do declare and believe, That it is not lawful upon any Pretence whatſoever to take Arms againſt the King; and that I 'do abhor that traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or 'againſt thoſe that are commiſſioned by him in Purſuance of ſuch military Commiſſions: So help me 'God.' (2) Which Oaths, any one Juſtice of Peace of the reſpective Counties and Places aforeſaid is enabled to adminiſter, to ſuch reſpective Lieutenant as is not a Peer of this Realm; and the ſaid Lieutenant, or any one Juſtice of Peace of the reſpective Counties and Places aforeſaid, is enabled to adminiſter to the reſpective Deputy-Lieutenants, not being Peers; and the ſaid reſpective Lieutenants, and in their Abſence as aforeſaid, or otherwiſe by their Directions when they are not abſent, their Deputies, or any two of them, ſhall and are hereby enabled to adminiſter the ſaid Oaths to the ſaid Officers and Soldiers.

The Trained Bands to continue till the 25th of March 1663. and no longer.

XX. And to the End there may be ſome convenient Time to put in Execution the Powers of this Act, and preparing an Eſtabliſhment according to the ſame, Be it hereby enacted, That the trained Bands and Forces now actually raiſed, and in Being, ſhall ſo continue in each reſpective City and County of *England* and *Wales*, until the five and twentieth Day of *March* one thouſand ſix hundred ſixty and three, and no longer, unleſs an Eſtabliſhment according to this Act be no ſooner had; any Thing in this preſent Act to the contrary in any wiſe notwithſtanding.

The Times appointed for Training and Muſtering, See 15 Car. 2. c. 4. §. 7.

XXI. And it is hereby declared and enacted, That the ordinary Times for Training, Exerciſing and Muſtering the Forces to be raiſed by Virtue of this Act, ſhall be theſe following, (that is to ſay) the General Muſter and Exerciſe of Regiments, not above once a Year; the Training and Exerciſing of ſingle Companies, not above four Times a Year, unleſs ſpecial Directions be given by his Majeſty, or his Privy-Council; (2) and that ſuch ſingle Companies and Troops ſhall not at any one Time be continued in Exerciſe above the Space of two Days; (3) and that at a General Muſter and Exerciſe of Regiments, no Officer or Soldier ſhall be conſtrained to ſtay for above four Days together from their reſpective Habitations; (4) and that at every ſuch Muſter and Exerciſe, every Muſqueteer ſhall bring with him half a Pound of Powder, at the Charge of ſuch Perſon or Perſons as provide the ſaid Foot-ſoldier and Arms; and every Horſeman is to bring with him a Quarter of a Pound of Powder, at the Charge of ſuch Perſon or Perſons as provide the ſaid Horſe, Horſemen and Arms; (5) and the Arms offenſive and defenſive, with the Furniture for Horſe, are to be as followeth; the defenſive Arms, a Back, Breaſt and Pot, and the Breaſt and Pot to be Piſtol-proof; the offenſive Arms, a Sword and a Caſe of Piſtols, the Barrels whereof are not to be under fourteen Inches in Length; the Furniture for the Horſe to be a great Saddle or Padd with Burrs and Straps to affix the Holſters unto, a Bit and Bridle with a Pectoral and Crupper: (6) For the Foot, a Muſqueteer is to have a Muſquet, the Barrel whereof is not to be under three Foot in Length, and the Gauge of the Bore to be for twelve Bullets to the Pound, a Collar of Bandeleers, with a Sword: (7) Provided that all Muſter-Maſters ſhall for the preſent admit and allow of any Muſquets already made, which will bear a Bullet of fourteen to the Pound; but no Muſquets which henceforth ſhall be made are to be allowed of, but ſuch as are of the Gauge of twelve Bullets to the Pound: (8) A Pikeman is to be armed with a Pike made of Aſh, not under ſixteen Foot in Length, (the Head and Foot included) with a Back, Breaſt, Head-piece and Sword: (9) Provided, that all Muſter-Maſters ſhall for the preſent admit and allow of any Pikes already made that are not under fifteen Foot in Length; but no Pikes which ſhall be hereafter made are to be allowed of, that are under ſixteen Foot in Length.

What Arms and Proviſion every Soldier ſhall bring. 1 Geo. 1. Stat. 2. c. 14. §. 5. 9 Geo. 1. c. 8. §. 7.

The Militia of the Iſle of Purbeck.

XXII. Provided alſo, and be it enacted by the Authority aforeſaid, That the Militia of the Iſland of *Purbeck* ſhall remain ſeparate from the County of *Dorſet*, as heretofore hath been uſed; and that his Majeſty's Lieutenant of the ſaid Iſland, and his Deputies, or any three or more of them for the Time being, ſhall have Power for the Levying, Arraying, Muſtering and Conducting of ſuch Number of Foot for the Defence of the ſaid Iſland, in ſuch Manner, and by ſuch Ways and Means, as heretofore hath been uſed; and alſo to uſe and execute within the ſaid Iſland all and every the Powers, which by the

true Intent of this Act any of his Majesty's Lieutenants, or his or their Deputies, or any of them, might in any respective County use or execute.

XXIII. Provided nevertheless, and be it enacted by the Authority aforesaid, That in Case of apparent Danger to the present Government, it shall and may be lawful for his Majesty at any Time or Times that the same shall so happen, during the Space of three Years, from the five and twentieth Day of *June* in the Year one thousand six hundred sixty and two, to raise such Sum or Sums of Money for the Defraying of the Whole, or such Part of the Militia aforesaid, as his Majesty shall find himself obliged to employ, in order to the Quiet and Security of this Nation, the said Sum not exceeding seventy thousand Pounds in one whole Year; (2) and the same to be raised by his Majesty's Lieutenants, or in their Absence as aforesaid, by their Deputies in their respective Counties, according to the Rules and Directions in an Act in this present Parliament, *For the Raising of eighteen Months Assessment after the Rate of seventy thousand Pounds per mensem*; as also to continue the Space of three Years from the aforesaid five and twentieth Day of *June*, and no longer; any Thing in this Act, or any other, to the contrary notwithstanding. Power to his Majesty to raise 70000 l. per Annum for three Years upon Occasion, EXP. 23 Car. 2. Stat. 2. c. 3.

XXIV. Be it also enacted, That all Constables, Tithingmen, or other Officer or Officers, who, since the four and twentieth Day of *June* one thousand six hundred and sixty, have paid or disbursed, or before the Settlement of the Militia to be established by Virtue of this Act shall pay or disburse, any Monies for buying of Arms, or defraying of Charges of Soldiers, set or to be set upon their respective Parishes, shall be reimbursed the same by those who have refused to pay their Proportions thereof; (2) and in Case he or they shall refuse to pay the same, then to be levied by Distress and Sale of Goods, rendring the Overplus to the Owner or Owners, by Warrant under the Hand and Seal of the Lieutenant or Lieutenants, or in his or their Absence, or otherwise by their Direction when they are not absent, of any two of their Deputies, directed to the respective Constables, Tithingmen, or other Officer or Officers aforesaid, of their respective Parishes. Such as have provided Parish Arms before the 24th of June 1660. how to be reimbursed, EXP.

XXV. Provided always, and it is hereby further enacted and declared, That no Person charged with the finding of Horse or Foot, or with contributing thereunto, as aforesaid, shall be compellable to serve in his or their proper Person, but may according to such Proportion as they are or shall respectively be charged by this Act, find one or more fit or sufficient Man or Men qualified according to this Act, to be approved by his or their Captain respectively, subject nevertheless to be altered upon Appeal to the Lieutenant, or in his Absence, as aforesaid, to his Deputy Lieutenants, or any two of them, as there shall be Cause; and that every such Person or Persons so found and provided, shall and hereby are required to serve as a Soldier and Soldiers, in such Manner, and under such Penalties, as are before appointed in this Act; (2) and that every Person or Persons who shall serve in his or their own Persons (who are also to be approved of as aforesaid) or such Person or Persons as shall be accepted in his or their Stead, shall at the next Muster of such Troop or Company in which he or they are to serve, give in his or their Christian and Surnames, and Places of Abode, unto such Person as the Lieutenant, or in his Absence, as aforesaid, or by his Direction when he is not absent, any two Deputy-Lieutenants shall appoint, to the End the same may be listed; (3) and that from thenceforth such Person so listed shall not be exchanged, or desert the said Service, or be discharged thereof, but by the Leave and Order of the Lieutenant, or two Deputy-Lieutenants, or his Captain, upon reasonable Cause (subject nevertheless upon Appeal to be determined as aforesaid) first obtained in Writing under his or their Hands and Seals; (4) under Pain that such Person departing from the said Service without Leave as aforesaid, shall forfeit the Sum of twenty Pounds, to be levied upon his Goods and Chattels in such Manner as is by this Act appointed for the Levying of other Penalties; and for Non-payment or Want of Distress, then every such Person to be committed to the Common Gaol of the County for any Time not exceeding three Months, without Bail or Mainprise; any Thing in this Act to the contrary in any wise notwithstanding. No Man charged shall be forced to serve in Person, but may find a sufficient Man for him. No Person listed may desert the Service, or be discharged, or altered, but by Leave upon reasonable Cause. The Penalty.

XXVI. Provided always, and be it enacted, That nothing in this Act contained shall extend to put any new Charge of Arms upon the Tinners in the Counties of *Devon* and *Cornwall*, other than the Tax mentioned in the former Proviso; but that the Lord-Warden of the Stannaries for the Time being, in Pursuance of his Majesty's Commission in that Behalf, and such as he shall commissionate and authorize under him, according to the Rules and Directions before-mentioned in this Act, shall and may have and use the like Powers, and Array, Assess, Arm, Muster and Exercise the said Tinners within the said Counties, and either of them, as hath been heretofore used, and according to the antient Privileges and Customs of the said Stannaries, observing the Rules and Proportions appointed by this Act; any Thing in this Act to the contrary notwithstanding. Proviso for the Tinners of Devon and Cornwall.

XXVII. Provided always, and be it enacted by the Authority aforesaid, That his Majesty's Lieutenants that are or shall be commissioned for the Militia of the City of *London*, may and shall continue to list and levy the Trained Bands and Auxiliaries of the said City, as to Number and Quality of the Persons, in such Manner as was used in forming the present Forces now raised by his Majesty's Commission; (2) and in regard of the extraordinary Duties, which the Forces of the said City that now are and formerly were raised in order to his Majesty's happy Restauration, have of late, and may again be put to, for the Safety of his Majesty's Person, and for suppressing or preventing of Insurrections; (3) That it shall and may be lawful for his Majesty's Lieutenants of the said City, by Warrant from his Majesty, to impose and levy yearly in the same, so much Money as they shall find needful, for defraying the Arrears of those first raised for his Majesty's happy Restauration, and the Arrears and necessary Charge of those that now are and shall be raised, with the Ammunition and other incident Expences of their Militia, in such Manner as the present Assessment is now levied, and not exceeding in any one Year the Proportion of one Month's Tax, which the said City now pays towards the Tax of seventy thousand Pounds by the Month, and shall be accountable for the same, as by this Act is ordained; any Thing in this Act to the contrary of this Proviso in any wise notwithstanding. Proviso for the Militia of London.

XXVIII. Pro-

Proviſo for the Officers of the Militia of Cities and Towns Corporate.

XXVIII. Provided always, That no Officer or Soldier of the Militia or Trained Bands belonging to any City, Borough or Town Corporate, being a County of it ſelf, or to any other Corporation or Port-Town, who have uſed and accuſtomed to be muſtered only within their own Precincts, ſhall be compellable to appear out of the Precincts or Liberties of the ſame City, Borough, Town Corporate and Port-Town, at any Muſter or Exerciſe only; (2) and every of the ſaid Cities, Boroughs, Towns Corporate and Port-Towns, are hereby chargeable to find their uſual Number of Soldiers, unleſs the reſpective Lieutenants find Cauſe to leſſen the ſame; any Thing in this Act to the contrary notwithſtanding.

Covenants between Landlords and Tenants for providing Arms, not to be avoided by this Act.

XXIX. Provided, That this Act, or any Thing herein contained, ſhall not extend to avoid any Covenant or Agreement which hath been or ſhall be made between any Landlord and Tenant concerning the finding Horſes or Arms, or the bearing or paying of any Taxes, Rates or other Charges by any Tenant, either by general or ſpecial Covenants, but that the ſaid Taxes, Rates or other Charges, ſhall be born and paid by all reſpective Tenants according to the ſaid Covenants and Agreements; any Thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Iſle of Wight.

XXX. Provided, That this Act, or any Thing therein contained, ſhall not extend to make any Alteration in the Iſle of *Wight* as to the Militia in that Place, either to raiſe Horſe or Foot within the ſaid Iſland, in any other Manner than hath been formerly and is now uſed and practiſed there.

Militia of the Tower Diviſion in Middleſex.

XXXI. Provided alſo, and be it enacted, That whereas the Militia of the *Tower* Diviſion in the County of *Middleſex*, commonly known by the Name of the *Tower* Hamlets, are and always have been under the Command of his Majeſty's Conſtable or Lieutenant of the *Tower*, for the Service and Preſervation of that his Royal Fort; That it ſhall and may be lawful for his Majeſty's Conſtable or Lieutenant of the *Tower* for the Time being, to continue to levy the Trained Bands of the ſaid Diviſion or Hamlets of the *Tower*, in ſuch Manner and Form as to the Number and Quality of Perſons, as was obſerved in forming the preſent Forces thereof; any Thing in this Act to the contrary notwithſtanding.

Proviſo touching compelling Men to march out of this Kingdom.

XXXII. Provided, That neither this Act, nor any Matter or Thing therein contained, ſhall be deemed, conſtrued or taken to extend to the Giving or Declaring of any Power for the Tranſporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom, otherwiſe than by the Laws of *England* ought to be done.

Peers of the Realm, how to be charged.

XXXIII. Provided always, and be it enacted by the Authority aforeſaid, That no Peer of this Realm ſhall be charged with Horſe, Horſemen and Arms, or Foot-Soldiers and Arms, otherwiſe, or in any other Manner, than is herein after expreſſed, (that is to ſay) that his Majeſty, his Heirs and Succeſſors, ſhall and may from Time to Time iſſue out Commiſſions under the Great Seal of *England*, to ſo many Peers (not fewer than twelve) as his Majeſty, his Heirs and Succeſſors ſhall think fit, who, or any five or more of them, ſhall have Power from Time to Time to aſſeſs all and every, or any the Peers of this Realm, according to the Limitations and Proportions in this Act appointed, for the Finding of Horſe, Horſemen and Arms, or Foot-Soldiers and Arms, and for other the Purpoſes in this Act mentioned, (except the monthly Taxes, which are to be levied as is before preſcribed in this Act) and ſhall have Power to put in Execution all and every the Powers and Authorities of this Act, as well for laying Aſſeſſments, as impoſing of Penalties (Impriſonment of the Perſon of any Peer of this Realm only excepted;) which Aſſeſſment or Charge ſo made, together with ſuch Penalties as ſhall be ſo impoſed, (Impriſonment, as aforeſaid, only excepted) ſhall be from Time to Time reſpectively certified to the reſpective Lieutenants of each County, to the Intent that the ſaid Charge may be born, and the Penalties (not before excepted) levied, according to the Intent of this Act: (2) And that in Caſe there ſhall be any Default in Performance of any Thing to be done or paid by any Peer by Virtue of this Act, that then it ſhall be lawful for the reſpective Lieutenants and Deputy-Lieutenants, or any three of them, to cauſe Diſtreſſes to be taken for the ſame in any of the Lands of ſuch Defaulter within their ſaid Counties or Limits reſpectively: (3) And in Caſe Satisfaction ſhall not be given within the Space of one Week after ſuch Diſtreſs taken, then ſuch Diſtreſſes to be ſold for the Performance of the ſaid Service, and the Charge incident thereunto, and the Overplus (if any be) to be reſtored to the Owner: (4) And if a Tenant of any Peer of this Realm ſhall be diſtrained for ſuch Default as aforeſaid, the Tenant ſo diſtrained is hereby enabled to deduct the Sum levied out of his next Rent. See 15 Car. 2. c. 4.

*Farther Proviſions relating hereto,* 15 *Car.* 2. *c.* 4. 10 & 11 *W.* 3. *c.* 12. 1 *Ann. Stat.* 2. *c.* 23. 1 *Geo.* 1. *Stat.* 2. *c.* 14. 9 *Geo.* 1. *c.* 8. 7 *Geo.* 2. *c.* 23. 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. *and* 33 *Geo.* 2. *c.* 2, 22 & 24.

## CAP. IV.

### An Act for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies: And for eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of *England*.

This Act enforced by 5 Annæ, *c.* 5. §. 1.

'WHEREAS in the firſt Year of the late Queen *Elizabeth*, there was one uniform Order of Common Service and Prayer, and of the Adminiſtration of Sacraments, Rites and Ceremonies, in the Church of *England*, (agreeable to the Word of God, and Uſage of the Primitive Church) compiled by the Reverend Biſhops and Clergy, ſet forth in one Book, intituled, *The Book of Common Prayer and Adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of* England, and enjoined to be uſed by Act of Parliament, holden in the ſaid firſt Year of the ſaid late Queen, intituled, *An Act for the Uniformity of Common Prayer and Service in the Church, and Adminiſtration of the Sacraments*, very comfortable to all good People deſirous to live in Chriſtian Converſation, and moſt profitable to the Eſtate of this Realm; upon the which the Mercy, Favour and Bleſſing of Almighty God is in no wiſe ſo readily and plentifully poured, as by Common Prayers, due uſing of the Sacraments, and often preaching of the Goſpel, with Devotion of the Hearers; (2) And yet this notwithſtanding, a great Number of People in divers Parts of this Realm, following their own Senſuality, and living without Knowledge and due Fear of God, do wilfully and ſchiſmatically abſtain and refuſe to come to

1 Eliz. *c.* 2.

'their Parish Churches, and other publick Places where Common Prayer, Administration of the Sacraments, and Preaching of the Word of God is used upon the *Sundays* and other Days ordained and appointed to be kept and observed as Holy-days: (3) And whereas by the great and scandalous Neglect of Ministers in using the said Order or Liturgy so set forth and enjoined as aforesaid, great Mischiefs and Inconveniencies, during the Times of the late unhappy Troubles, have arisen and grown, and many People have been led into Factions and Schisms, to the great Decay and Scandal of the Reformed Religion of the Church of *England*, and to the Hazard of many Souls: (4) For Prevention whereof in Time to come, for settling the Peace of the Church, and for allaying the present Distempers which the Indisposition of the Time hath contracted, the King's Majesty, according to his Declaration of the five and twentieth of *October* one thousand six hundred and sixty, granted his Commission under the Great Seal of *England* to several Bishops and other Divines, to review the Book of Common Prayer, and to prepare such Alterations and Additions as they thought fit to offer: And afterwards the Convocations of both the Provinces of *Canterbury* and *York* being by his Majesty called and assembled, and now sitting, his Majesty hath been pleased to authorize and require the Presidents of the said Convocations, and other the Bishops and Clergy of the same, to review the said Book of Common Prayer, and the Book of the Form and Manner of the Making and Consecrating of Bishops, Priests and Deacons: And that after mature Consideration they should make such Additions and Alterations in the said Books respectively, as to them should seem meet and convenient; and should exhibit and present the same to his Majesty in Writing for his further Allowance or Confirmation; (5) Since which Time, upon full and mature Deliberation, they the said Presidents, Bishops and Clergy of both Provinces, have accordingly reviewed the said Books, and have made some Alterations which they think fit to be inserted to the same; and some additional Prayers to the said Book of Common Prayer, to be used upon proper and emergent Occasions; and have exhibited and presented the same unto his Majesty in Writing, in one Book, intituled, *The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of* England, *together with the Psalter or Psalms of* David, *pointed as they are to be sung or said in Churches; and the Form and Manner of Making, Ordaining and Consecrating of Bishops, Priests and Deacons:* (6) All which his Majesty having duly considered, hath fully approved and allowed the same, and recommended to this present Parliament, That the said Books of Common Prayer, and of the Form of Ordination and Consecration of Bishops, Priests and Deacons, with the Alterations and Additions which have been so made and presented to his Majesty by the said Convocations, be the Book which shall be appointed to be used by all that officiate in all Cathedral and Collegiate Churches and Chapels, and in all Chapels of Colleges and Halls in both the Universities, and the Colleges of *Eaton* and *Winchester*, and in all Parish Churches and Chapels within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, and by all that make or Consecrate Bishops, Priests or Deacons, in any of the said Places, under such Sanctions and Penalties as the Houses of Parliament shall think fit.

The King's Declaration and Commission for reviewing the Book of Common Prayer, and Alterations to be propounded therein.

'II. Now in regard that nothing conduceth more to the Settling of the Peace of this Nation, (which is desired of all good Men) nor to the Honour of our Religion, and the Propagation thereof, than an universal Agreement in the Publick Worship of Almighty God;' and to the Intent that every Person within this Realm may certainly know the Rule to which he is to conform in Publick Worship, and Administration of Sacraments, and other Rites and Ceremonies of the Church of *England*, and the Manner how and by whom Bishops, Priests and Deacons are and ought to be made, ordained and consecrated; (2) Be it enacted by the King's most Excellent Majesty, by the Advice and with the Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That all and singular Ministers in any Cathedral, Collegiate or Parish Church or Chapel, or other Place of Publick Worship within this Realm of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, shall be bound to say and use the Morning-Prayer, Evening-Prayer, Celebration and Administration of both the Sacraments, and all other the Publick and Common-Prayer, in such Order and Form as is mentioned in the said Book annexed and joined to this present Act, and intituled, *The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of* England; *together with the Psalter or Psalms of* David, *pointed as they are to be sung or said in Churches; and the Form or Manner of Making, Ordaining and Consecrating of Bishops, Priests and Deacons:* And that the Morning and Evening Prayers therein contained shall upon every Lord's Day, and upon all other Days and Occasions and at the Times therein appointed, be openly and solemnly read by all and every Minister or Curate, in every Church, Chapel or other Place of Publick Worship, within this Realm of *England* and Places aforesaid.

The Peace and Honour of Religion much advanced by uniform Agreement in the Publick Worship of God.

The Book of Common Prayer shall be used.

III. And to the End that Uniformity in the Publick Worship of God, (which is so much desired) may be speedily effected, Be it further enacted by the Authority aforesaid, That every Parson, Vicar or other Minister whatsoever, who now hath and enjoyeth any Ecclesiastical Benefice or Promotion within this Realm of *England* or Places aforesaid, shall in the Church, Chapel or Place of Publick Worship belonging to his said Benefice or Promotion, upon some Lord's Day before the Feast of St. *Bartholomew* which shall be in the Year of our Lord God one thousand six hundred sixty and two, openly, publickly and solemnly read the Morning and Evening-Prayer appointed to be read by and according to the said Book of Common Prayer at the Times thereby appointed; and after such Reading thereof, shall openly and publickly before the Congregation there assembled declare his unfeigned Assent and Consent to the Use of all Things in the said Book contained and prescribed, In these Words and no other:

All Parsons, Vicars and Ministers to read and declare their Assent to use the same.

IV. I *A. B.* do here declare my unfeigned Assent and Consent to all and every Thing contained and prescribed in and by the Book, intituled,' *The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of* England; *together*

*together with the Pſalter or Pſalms of* David, *pointed as they are to be ſung or ſaid in Churches; and the Form or Manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons.*

The Penalty for refuſing. 23 Geo. 2. c. 23.

V. And that all and every ſuch Perſon, who ſhall (without ſome lawful Impediment to be allowed and approved of by the Ordinary of the Place) neglect or refuſe to do the ſame within the Time aforeſaid, (or in caſe of ſuch Impediment within one Month after ſuch Impediment removed,) ſhall *ipſo facto* be deprived of all his Spiritual Promotions: (2) And that from thenceforth it ſhall be lawful to and for all Patrons and Donors of all and ſingular the ſaid Spiritual Promotions or of any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the Perſon or Perſons ſo offending or neglecting were dead.

Every Perſon hereafter to be promoted to any Eccleſiaſtical Benefice ſhall read the Common Prayer, and declare his Aſſent thereto.

VI. And be it further enacted by the Authority aforeſaid, That every Perſon who ſhall hereafter be preſented or collated, or put into any Eccleſiaſtical Benefice or Promotion within this Realm of *England* and Places aforeſaid, ſhall in the Church, Chapel or Place of Publick Worſhip belonging to his ſaid Benefice or Promotion, within two Months next after that he ſhall be in the actual Poſſeſſion of the ſaid Eccleſiaſtical Benefice or Promotion, upon ſome Lord's Day, openly, publickly and ſolemnly, read the Morning and Evening Prayers appointed to be read by and according to the ſaid Book of Common Prayer, at the Times thereby appointed; and after ſuch Reading thereof ſhall openly and publickly, before the Congregation there aſſembled, declare his unfeigned Aſſent and Conſent to the Uſe of all Things therein contained and preſcribed according to the Form before appointed: (2) And that all and every ſuch Perſon, who ſhall (without ſome lawful Impediment to be allowed and approved by the Ordinary of the Place) neglect or refuſe to do the ſame within the Time aforeſaid, or in Caſe of ſuch Impediment within one Month after ſuch Impediment removed) ſhall (*ipſo facto*) be deprived of all his ſaid Eccleſiaſtical Benefices and Promotions: (3) And that from thenceforth it ſhall and may be lawful to and for all Patrons and Donors of all and ſingular the ſaid Eccleſiaſtical Benefices and Promotions or any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the Perſon or Perſons ſo offending or neglecting were dead.

The Penalty for not ſo doing. 2 Show. 53.

Incumbents of Livings, keeping Curates, ſhall read the ſame once every Month.

VII. And be it further enacted by the Authority aforeſaid, That in all Places where the proper Incumbent of any Parſonage or Vicarage, or Benefice with Cure, doth reſide on his Living and keep a Curate, the Incumbent himſelf in Perſon (not having ſome lawful Impediment to be allowed by the Ordinary of the Place) ſhall once (at the leaſt) in every Month openly and publickly read the Common Prayers and Service in and by the ſaid Book preſcribed, and (if there be Occaſion) adminiſter each of the Sacraments and other Rites of the Church, in the Pariſh Church or Chapel, of or belonging to the ſame Parſonage, Vicarage or Benefice, in ſuch Order, Manner and Form, as in and by the ſaid Book is appointed; (2) upon Pain to forfeit the Sum of five Pounds to the Uſe of the Poor of the Pariſh for every Offence, upon Conviction by Confeſſion or Proof of two credible Witneſſes upon Oath before two Juſtices of the Peace of the County, City or Town Corporate, where the Offence ſhall be committed, (which Oath the ſaid Juſtices are hereby impowered to adminiſter) and in Default of Payment within ten Days, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender, by the Warrant of the ſaid Juſtices, by the Churchwardens, or Overſeers of the Poor of the ſaid Pariſh, rendring the Surpluſage to the Party.

The Penalty and Manner of Conviction for not doing it.

Deans, Canons, Prebendaries, &c. ſhall ſubſcribe the Declaration. 15 Car. 2. c. 6. See 12 Annæ, Stat. 2. c. 7. and 2 Geo. 2. c. 31. §. 8.

VIII. And be it further enacted by the Authority aforeſaid, That every Dean, Canon and Prebendary of every Cathedral or Collegiate Church, and all Maſters and other Heads, Fellows, Chaplains and Tutors of or in any College, Hall, Houſe of Learning or Hoſpital, and every publick Profeſſor and Reader in either of the Univerſities and in every College elſewhere, and every Parſon, Vicar, Curate, Lecturer and every other Perſon in Holy Orders, and every School-maſter keeping any publick or private School, and every Perſon inſtructing or teaching any Youth in any Houſe or private Family as a Tutor or School-maſter, who upon the firſt Day of *May* which ſhall be in the Year of our Lord God one thouſand ſix hundred ſixty-two, or at any Time thereafter, ſhall be incumbent or have Poſſeſſion of any Deanery, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſor's Place or Reader's Place, Parſonage, Vicarage or any other Eccleſiaſtical Dignity or Promotion, or of any Curate's Place, Lecture or School, or ſhall inſtruct or teach any Youth as Tutor or School-maſter, ſhall before the Feaſt-Day of St. *Bartholomew* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty-two, or at or before his or their reſpective Admiſſion to be Incumbent or have Poſſeſſion aforeſaid, ſubſcribe the Declaration or Acknowledgment following, *Scilicet*,

The Declaration. In Part aboliſhed by 1 W. & M. Seſſ. 1. c. 8. §. 11.

'IX. I *A. B.* do declare, That it is not lawful upon any Pretence whatſoever to take Arms againſt the King; and that I do abhor that traiterous Poſition of taking Arms by his Authority againſt his Perſon or againſt thoſe that are commiſſionated by him; and that I will conform to the Liturgy of the Church of *England*, as it is now by Law eſtabliſhed: And I do declare, That I do hold, there lies no Obligation upon me or on any other Perſon, from the Oath commonly called, The Solemn League and Covenant, to endeavour any Change or Alteration of Government either in Church or State; and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.'

X. Which ſaid Declaration and Acknowledgment ſhall be ſubſcribed by every of the ſaid Maſters and other Heads, Fellows, Chaplains and Tutors of or in any College, Hall or Houſe of Learning, and by every publick Profeſſor and Reader in either of the Univerſities, before the Vice-Chancellor of the reſpective Univerſities for the Time being or his Deputy: And the ſaid Declaration or Acknowledgment ſhall be ſubſcribed before the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſe, by every other Perſon hereby enjoined to ſubſcribe the ſame; (2) upon Pain that all and every of the Perſons aforeſaid failing

failing in such Subscription, shall lose and forfeit such respective Deanry, Canonry, Prebend, Mastership, Headship, Fellowship, Professor's Place, Reader's Place, Parsonage, Vicarage, Ecclesiastical Dignity or Promotion, Curate's Place, Lecture and School, and shall be utterly disabled, and (*ipso facto*) deprived of the same: (3) And that every such respective Deanry, Canonry, Prebend, Mastership, Headship, Fellowship, Professor's Place, Reader's Place, Parsonage, Vicarage, Ecclesiastical Dignity or Promotion, Curate's Place, Lecture and School, shall be void, as if such Person so failing were naturally dead. The Penalty for not subscribing.

XI. And if any School-master, or other Person, instructing or teaching Youth in any private House or Family as a Tutor or School-master, shall instruct or teach any Youth as a Tutor or School-master, before Licence obtained from his respective Archbishop, Bishop or Ordinary of the Diocese, according to the Laws and Statutes of this Realm, (for which he shall pay twelve Pence only) and before such Subscription and Acknowledgment made as aforesaid; Then every such School-master and other, instructing and teaching as aforesaid, shall for the first Offence suffer three Months Imprisonment without Bail or Mainprize; (2) and for every second, and other such Offence, shall suffer three Months Imprisonment without Bail or Mainprise, and also forfeit to his Majesty the Sum of five Pounds: (3) And after such Subscription made, every such Parson, Vicar, Curate and Lecturer, shall procure a Certificate under the Hand and Seal of the respective Archbishop, Bishop or Ordinary of the Diocese, (who are hereby enjoined and required upon Demand to make and deliver the same) and shall publickly and openly read the same, together with the Declaration or Acknowledgment aforesaid, upon some Lord's Day within three Months then next following, in his Parish Church where he is to officiate, in the Presence of the Congregation there assembled, in the Time of Divine Service; (4) upon Pain that every Person failing therein, shall lose such Parsonage, Vicarage or Benefice, Curate's Place, or Lecturer's Place respectively, and shall be utterly disabled, and *ipso facto* deprived of the same; and that the said Parsonage, Vicarage or Benefice, Curate's Place, or Lecturer's Place, shall be void as if he was naturally dead. School-masters in private Houses.

XII. Provided always, That from and after the twenty-fifth Day of *March* which shall be in the Year of our Lord God one thousand six hundred eighty-two, there shall be omitted in the said Declaration or Acknowledgment so to be subscribed and read, these Words following, *scilicet*: What to be omitted in the Declaration after the 25th of March 1682.

'(2) AND I do declare, That I do hold there lies no Obligation on me, or on any other Person, 'from the Oath commonly called, The Solemn League and Covenant, to endeavour any Change 'or Alteration of Government either in Church or State, and that the same was in itself an unlawful 'Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of this 'Kingdom.'

(3) So as none of the Persons aforesaid shall from thenceforth be at all obliged to subscribe or read that Part of the said Declaration or Acknowledgment.

XIII. Provided always, and be it enacted, That from and after the Feast of St. *Bartholomew*, which shall be in the Year of our Lord one thousand six hundred sixty and two, no Person who is now Incumbent, and in Possession of any Parsonage, Vicarage or Benefice, and who is not already in Holy Orders by Episcopal Ordination, or shall not before the said Feast-day of St. *Bartholomew* be ordained Priest or Deacon, according to the Form of Episcopal Ordination, shall have, hold or enjoy the said Parsonage, Vicarage, Benefice with Cure, or other Ecclesiastical Promotion within this Kingdom of *England* or the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, but shall be utterly disabled, and (*ipso facto*) deprived of the same, and all his Ecclesiastical Promotions shall be void, as if he was naturally dead. Persons not ordained Priests or Deacons according to Episcopal Ordination, shall not hold any Ecclesiastical Promotion.

XIV. And be it further enacted by the Authority aforesaid, That no Person whatsoever shall thenceforth be capable to be admitted to any Parsonage, Vicarage, Benefice or other Ecclesiastical Promotion or Dignity whatsoever, nor shall presume to consecrate and administer the Holy Sacrament of the Lord's Supper, before such Time as he shall be ordained Priest according to the Form and Manner in and by the said Book prescribed, unless he have formerly been made Priest by Episcopal Ordination; (3) upon Pain to forfeit for every Offence the Sum of one hundred Pounds; one Moiety thereof to the King's Majesty, the other Moiety thereof to be equally divided between the Poor of the Parish where the Offence shall be committed; and such Person or Persons as shall sue for the same by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be allowed, and to be disabled from taking or being admitted into the Order of Priest, by the Space of one whole Year then next following. Nor shall consecrate or administer the Holy Sacrament, if not ordained according to the Book of Common Prayer. The Penalty.

XV. Provided that the Penalties in this Act shall not extend to the Foreigners or Aliens of the Foreign Reformed Churches allowed or to be allowed by the King's Majesty, his Heirs and Successors in *England*.

XVI. Provided always, That no Title to confer or present by Lapse, shall accrue by any Avoidance or Deprivation (*ipso facto*) by Virtue of this Statute, but after six Months after Notice of such Avoidance or Deprivation given by the Ordinary to the Patron, or such Sentence of Deprivation openly and publickly read in the Parish Church of the Benefice, Parsonage or Vicarage becoming void, or whereof the Incumbent shall be deprived by Virtue of this Act.

XVII. And be it further enacted by the Authority aforesaid, That no Form or Order of Common Prayers, Administration of Sacraments, Rites or Ceremonies, shall be openly used in any Church, Chapel or other publick Place of or in any College or Hall in either of the Universities, the Colleges of *Westminster*, *Winchester* or *Eaton*, or any of them, other than what is prescribed and appointed to be used in and by the said Book; (2) and that the present Governor or Head of every College and Hall in the said Universities, and of the said Colleges of *Westminster*, *Winchester* and *Eaton*, within one Month after the Feast of St. *Bartholomew*, which shall be in the Year of our Lord one thousand six hundred sixty and two; and every Governor or Head of any of the said Colleges or Halls hereafter to be elected or appointed, within one Month next after his Election or Collation, and Admission into the same Government No other Form of Common Prayer to be openly used in any Church or publick Place.

ment or Headſhip, ſhall openly and publickly in the Church, Chapel, or other publick Place of the ſame College or Hall, and in the Preſence of the Fellows and Scholars of the ſame, or the greater Part of them then reſident, ſubſcribe unto the nine and thirty Articles of Religion, mentioned in the Statute made in the thirteenth Year of the Reign of the late Queen *Elizabeth*, and unto the ſaid Book, and declare his unfeigned Aſſent and Conſent unto, and Approbation of, the ſaid Articles, and of the ſame Book, and to the Uſe of all the Prayers, Rites and Ceremonies, Forms and Orders in the ſaid Book preſcribed and contained, according to the Form aforeſaid; (3) and that all ſuch Governors or Heads of the ſaid Colleges and Halls, or any of them, as are or ſhall be in Holy Orders, ſhall once (at leaſt) in every Quarter of the Year (not having a lawful Impediment) openly and publickly read the Morning Prayer and Service in and by the ſaid Book appointed to be read in the Church, Chapel, or other publick Place of the ſame College or Hall; (4) upon Pain to loſe, and be ſuſpended of and from all the Benefits and Profits belonging to the ſame Government or Headſhip, by the Space of ſix Months, by the Viſitor or Viſitors of the ſame College or Hall; (5) and if any Governor or Head of any College or Hall, ſuſpended for not ſubſcribing unto the ſaid Articles and Book, or for not reading of the Morning Prayer and Service as aforeſaid, ſhall not at or before the End of ſix Months next after ſuch Suſpenſion, ſubſcribe unto the ſaid Articles and Book, and declare his Conſent thereunto as aforeſaid, or read the Morning Prayer and Service as aforeſaid, then ſuch Government or Headſhip ſhall be (*ipſo facto*) void.

Subſcription to the 39 Articles mentioned in the Stat. 13 Eliz. c. 12.

Who may uſe the Service in Latin.

XVIII. Provided always, That it ſhall and may be lawful to uſe the Morning and Evening Prayer, and all other Prayers and Service preſcribed in and by the ſaid Book, in the Chapels or other publick Places of the reſpective Colleges and Halls in both the Univerſities, in the Colleges of *Weſtminſter*, *Winchester* and *Eaton*, and in the Convocations of the Clergies of either Province, in Latin; any Thing in this Act contained to the contrary notwithſtanding.

Lectures.

XIX. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be or be received as a Lecturer, or permitted, ſuffered or allowed to preach as a Lecturer, or to preach or read any Sermon or Lecture in any Church, Chapel, or other Place of publick Worſhip, within this Realm of *England* or the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, unleſs he be firſt approved, and thereunto licenced by the Archbiſhop of the Province or Biſhop of the Dioceſe, or (in Caſe the See be void) by the Guardian of the Spiritualties, under his Seal, and ſhall in the Preſence of the ſame Archbiſhop or Biſhop, or Guardian, read the Nine and thirty Articles of Religion mentioned in the Statute of the thirteenth Year of the late Queen *Elizabeth*, with Declaration of his unfeigned Aſſent to the ſame; (2) and that every Perſon and Perſons who now is, or hereafter ſhall be licenced, aſſigned and appointed, or received as a Lecturer, to preach upon any Day of the Week in any Church, Chapel or Place of publick Worſhip within this Realm of *England* or Places aforeſaid, the firſt Time he preacheth (before his Sermon) ſhall openly, publickly and ſolemnly read the Common Prayers and Service in and by the ſaid Book appointed to be read for that Time of the Day, and then and there publickly and openly declare his Aſſent unto, and Approbation of, the ſaid Book, and to the Uſe of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and preſcribed, according to the Form before appointed in this Act; (3) and alſo ſhall upon the firſt Lecture-Day of every Month afterwards, ſo long as he continues Lecturer or Preacher there, at the Place appointed for his ſaid Lecture or Sermon, before his ſaid Lecture or Sermon, openly, publickly and ſolemnly read the Common Prayers and Service in and by the ſaid Book appointed to be read for that Time of the Day at which the ſaid Lecture or Sermon is to be preached, and after ſuch Reading thereof ſhall openly and publickly, before the Congregation there aſſembled, declare his unfeigned Aſſent and Conſent unto, and Approbation of, the ſaid Book, and to the Uſe of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and preſcribed, according to the Form aforeſaid; (4) and that all and every ſuch Perſon and Perſons who ſhall neglect or refuſe to do the ſame, ſhall from thenceforth be diſabled to preach the ſaid or any other Lecture or Sermon in the ſaid or any other Church, Chapel or Place of publick Worſhip, until ſuch Time as he and they ſhall openly, publickly and ſolemnly read the Common Prayers and Service appointed by the ſaid Book, and conform in all Points to the Things therein appointed and preſcribed, according to the Purport, true Intent and Meaning of this Act.

13 Eliz. c. 12.

Lectures in Cathedral or Collegiate Churches.

XX. Provided always, That if the ſaid Sermon or Lecture be to be preached or read in any Cathedral or Collegiate Church or Chapel, it ſhall be ſufficient for the ſaid Lecturer, openly at the Time aforeſaid, to declare his Aſſent and Conſent to all Things contained in the ſaid Book, according to the Form aforeſaid.

The Penalty upon Perſons diſabled that preach. Explained by 35 Car. 2. c. 6. §. 7.

XXI. And be it further enacted by the Authority aforeſaid, That if any Perſon who is by this Act diſabled to preach any Lecture or Sermon, ſhall during the Time that he ſhall continue and remain ſo diſabled, preach any Sermon or Lecture; that then for every ſuch Offence, the Perſon and Perſons ſo offending ſhall ſuffer three Months Impriſonment in the Common Gaol without Bail or Mainprize; (2) and that any two Juſtices of the Peace of any County of this Kingdom and Places aforeſaid, and the Mayor or other Chief Magiſtrate of any City or Town Corporate within the ſame, upon Certificate from the Ordinary of the Place made to him or them of the Offence committed, ſhall and are hereby required to commit the Perſon or Perſons ſo offending, to the Gaol of the ſame County, City or Town Corporate accordingly.

Common Prayer to be read before every Lecture, and the Lecturer to be preſent.

XXII. Provided always, and be it further enacted by the Authority aforeſaid, That at all and every Time and Times when any Sermon or Lecture is to be preached, the Common Prayers and Service in and by the ſaid Book appointed to be read for that Time of the Day ſhall be openly, publickly and ſolemnly read by ſome Prieſt or Deacon, in the Church, Chapel or Place of publick Worſhip, where the ſaid Sermon or Lecture is to be preached, before ſuch Sermon or Lecture be preached, and that the Lecturer then to preach ſhall be preſent at the Reading thereof.

Proviſo for Sermons and Lectures in the Univerſities.

XXIII. Provided neverthleſs, That this Act ſhall not extend to the Univerſity Churches in the Univerſities of this Realm, or either of them, when or at ſuch Times as any Sermon or Lecture is preached or read in the ſaid Churches, or any of them, for or as the publick Univerſity Sermon or Lecture; but that the ſame Sermons and Lectures may be preached or read in ſuch Sort and Manner as the ſame have been

been heretofore preached or read; this Act, or any Thing herein contained, to the contrary thereof in any wise notwithstanding.

The Laws and Statutes formerly made for Uniformity of Common Prayer, confirmed, and to be executed for punishing Offenders against this Law.

XXIV. And be it further enacted by the Authority aforesaid, That the several good Laws and Statutes of this Realm, which have been formerly made, and are now in Force, for the Uniformity of Prayer and Administration of the Sacraments, within this Realm of *England* and Places aforesaid, shall stand in full Force and Strength, to all Intents and Purposes whatsoever, for the establishing and confirming of the said Book, intituled, *The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of* England; *together with the Psalter or Psalms of* David, *pointed as they are to be sung or said in Churches, and the Form or Manner of making, Ordaining and Consecrating of Bishops, Priests and Deacons*, herein before mentioned to be joined and annexed to this Act; and shall be applied, practised and put in Ure for the punishing of all Offences contrary to the said Laws, with relation to the Book aforesaid, and no other.

Litanies and Collects relating to the King, Queen, &c.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That in all those Prayers, Litanies and Collects, which do any way relate to the King, Queen or Royal Progeny, the Names be altered and changed from Time to Time, and fitted to the present Occasion, according to the Direction of lawful Authority.

True printed Copies of the Book of Common Prayer to be provided in all Parishes and Churches.

XXVI. Provided also, and be it enacted by the Authority aforesaid, That a true printed Copy of the said Book, intituled, *The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of* England, *together with the Psalter or Psalms of* David, *pointed as they are to be sung or said in Churches, and the Form and Manner of Making, Ordaining and Consecrating of Bishops, Priests and Deacons*, shall at the Costs and Charges of the Parishioners of every Parish Church and Chapelry, Cathedral Church, College and Hall be attained and gotten before the Feast-day of Saint *Bartholomew* in the Year of our Lord one thousand six hundred sixty and two; upon Pain of Forfeiture of three Pounds by the Month, for so long Time as they shall then after be unprovided thereof, by every Parish or Chapelry, Cathedral Church, College and Hall, making Default therein.

Proviso for the Bishops of Hereford, St. David's, Asaph, Bangor, Landaff.

XXVII. Provided always, and be it enacted by the Authority aforesaid, That the Bishops of *Hereford*, *St. Davids*, *Asaph*, *Bangor* and *Landaff*, and their Successors, shall take such Order among themselves, for the Souls Health of the Flocks committed to their Charge within *Wales*, that the Book hereunto annexed be truly and exactly translated into the *British* or *Welsh* Tongue; and that the same so translated, and being by them, or any three of them at the least, viewed, perused and allowed, be imprinted to such Number at least, so that one of the said Books so translated and imprinted, may be had for every Cathedral, Collegiate and Parish Church, and Chapel of Ease, in the said respective Dioceses and Places in *Wales*, where the *Welsh* is commonly spoken or used, before the first Day of *May* one thousand six hundred sixty-five; (2) and that from and after the imprinting and publishing of the said Book so translated, the whole Divine Service shall be used and said by the Ministers and Curates throughout all *Wales* within the said Dioceses where the *Welsh* Tongue is commonly used, in the *British* or *Welsh* Tongue, in such Manner and Form as is prescribed according to the Book hereunto annexed to be used in the *English* Tongue, differing nothing in any Order or Form from the said *English* Book; for which Book, so translated and imprinted, the Churchwardens of every the said Parishes shall pay out of the Parish Money in their Hands for the Use of the respective Churches, and be allowed the same on their Account; and that the said Bishops and their Successors, or any three of them at the least, shall set and appoint the Price for which the said Book shall be sold: (3) And one other Book of Common Prayer in the *English* Tongue shall be bought and had in every Church throughout *Wales*, in which the Book of Common Prayer in *Welsh* is to be had by Force of this Act, before the first Day of *May* one thousand six hundred sixty and four, and the same Books to remain in such convenient Places within the said Churches, that such as understand them may resort at all convenient Times to read and peruse the same, and also such as do not understand the said Language, may by conferring both Tongues together, the sooner attain to the Knowledge of the *English* Tongue; any Thing in this Act to the contrary notwithstanding: (4) And until printed Copies of the said Book so to be translated may be had and provided, the Form of Common Prayer established by Parliament before the making of this Act, shall be used as formerly in such Parts of *Wales* where the *English* Tongue is not commonly understood.

True and perfect Copies of this Act, and the Book of Common Prayer, by whom, and how to be had and kept.

XXVIII. And to the End that the true and perfect Copies of this Act, and the said Book hereunto annexed, may be safely kept and perpetually preserved, and for the avoiding of all Disputes for the Time to come; (2) Be it therefore enacted by the Authority aforesaid, That the respective Deans and Chapters of every Cathedral or Collegiate Church within *England* and *Wales* shall at their proper Costs and Charges, before the twenty-fifth Day of *December* one thousand six hundred sixty and two, obtain under the Great Seal of *England* a true and perfect printed Copy of this Act, and of the said Book annexed hereunto, to be by the said Deans and Chapters, and their Successors, kept and preserved in Safety for ever, and to be also produced and shewed forth in any Court of Record, as often as they shall be thereunto lawfully required; (3) and also there shall be delivered true and perfect Copies of this Act and of the same Book, into the respective Courts at *Westminster*, and into the Tower of *London*, to be kept and preserved for ever among the Records of the said Courts, and the Records of the Tower, to be also produced and shewed forth in any Court, as Need shall require; (4) which said Books so to be exemplified under the Great Seal of *England*, shall be examined by such Persons as the King's Majesty shall appoint, under the Great Seal of *England*, for that Purpose, and shall be compared with the Original Book hereunto annexed, and shall have Power to correct and amend in Writing any Error committed by the Printer in the Printing of the same Book, or of any Thing therein contained, and shall certify in Writing under their Hands and Seals, or the Hands and Seals of any three of them, at the End of the same Book, that they have examined and compared the same Book, and find it to be a true and perfect Copy; (5) which said Books, and every one of them, so exemplified under the Great Seal of *England* as aforesaid, shall be deemed, taken, adjudged and expounded to be good and available in the Law, to all Intents and Purposes whatsoever, and shall be accounted as good

Records

Records as this Book it self hereunto annexed; any Law or Custom to the contrary in any wise notwithstanding.

Proviso for the King's Professor of Law in Oxford.

XXIX. Provided also, That this Act, nor any Thing therein contained, shall not be prejudicial or hurtful unto the King's Professor of the Law within the University of *Oxford*, for or concerning the Prebend of *Shipton* within the Cathedral Church of *Sarum*, united and annexed unto the Place of the same King's Professor for the Time being by the late King *James* of blessed Memory.

Proviso concerning the 36th Article agreed in the Convocation, Anno 1562.

XXX. Provided always, That whereas the six and thirtieth Article of the nine and thirty Articles agreed upon by the Archbishops and Bishops of both Provinces, and the whole Clergy, in the Convocation holden at *London* in the Year of our Lord one thousand five hundred sixty-two, for the avoiding of Diversities of Opinions, and for establishing of Consent touching true Religion, is in these Words following, *viz.*

(2) "That the Book of Consecration of Archbishops and Bishops, and Ordaining of Priests and Deacons, lately set forth in the Time of King *Edward* the Sixth, and confirmed at the same Time by Authority of Parliament, doth contain all Things necessary to such Consecration and Ordaining, neither hath it any Thing that of it self is superstitious and ungodly: And therefore whosoever are Consecrated or Ordered according to the Rites of that Book, since the second Year of the aforenamed King *Edward* unto this Time, or hereafter shall be Consecrated or Ordered according to the same Rites, We decree all such to be rightly, orderly and lawfully Consecrated and Ordered;"

XXXI. It be enacted, and be it therefore enacted by the Authority aforesaid, That all Subscriptions hereafter to be had or made unto the said Articles by any Deacon, Priest or Ecclesiastical Person, or other Person whatsoever, who by this Act, or any other Law now in Force, is required to subscribe unto the said Articles, shall be construed, and be taken to extend, and shall be applied (for and touching the said six and thirtieth Article) unto the Book containing the Form and Manner of Making, Ordaining and Consecrating of Bishops, Priests and Deacons, in this Act mentioned, in such Sort and Manner as the same did heretofore extend unto the Book set forth in the Time of King *Edward* the Sixth, mentioned in the said six and thirtieth Article; any Thing in the said Article, or in any Statute, Act or Canon heretofore had or made, to the contrary thereof in any wise notwithstanding.

The Common Prayer used by Authority of Parliament. 1 Eliz. c. 2. 8 Eliz. c. 1. to be used until Bartholomew Day 1662. EXP.

XXXII. Provided also, That the Book of Common Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of this Church of *England*, together with the Form and Manner of Ordaining and Consecrating Bishops, Priests and Deacons, heretofore in Use, and respectively established by Act of Parliament in the first and eighth Years of Queen *Elizabeth*, shall be still used and observed in the Church of *England*, until the Feast of St. *Bartholomew*, which shall be in the Year of our Lord God one thousand six hundred sixty and two. EXP. as to this last Clause.

*Farther Provisions relating hereto, 1 W. & M. St. 1. c. 18. and 23 Geo. 2. c. 28.*

## CAP. V.

### An Act for Regulating the making of Stuffs in *Norfolk* and *Norwich*.

'WHEREAS divers Abuses and Deceits have of late Years been had and used in the making of Worsteds, and other Stuffs commonly called *Norwich* Stuffs, and in the Reeling of Yarns, whereof the said Stuffs are either wholly or in Part made, which tends to the Debasing of the said Manufacture, unto the Prejudice of the Publick; (2) which said Trade of Weaving of Stuffs hath of late Times been very much increased, and great Variety of new Sorts of Stuffs have been invented; so that the Power given by the Statute of the Seventh of *Edward* the Fourth, Chapter the First, is not sufficient for the Regulating of the same; (3) and that the Number of the Wardens by the same Act appointed, being but eight, are too few for the governing and ordering the same Trade; by which Means the same Manufacture will soon be lost, (if not prevented) and carried into Foreign Nations, to the great Diminution of his Majesty's Customs, and turning out of Work many thousands of poor People:'

7 Ed. 4. c. 1.

The Number of Wardens and Assistants of Master Weavers in Norwich, how and when to be chosen.

II. For Prevention of which Abuses, Deceits and Evils, it is enacted by the King's most Excellent Majesty, with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, assembled in Parliament, and by the Authority of the same, That there shall be twelve Wardens and thirty Assistants, all which are to be Master Weavers within the County of the City of *Norwich* and County of *Norfolk*; (2) six of which said Wardens and fifteen of the said Assistants shall be chosen the first *Monday* after *Pentecost* in the Year of our Lord God one thousand six hundred sixty and two, and from thence yearly and every Year on the next *Monday* after *Pentecost*, at some publick Place, by the Master Weavers or the greater Part of them present, of the said City and County of *Norwich*; (3) and the other six Wardens and fifteen Assistants shall be chosen upon the same Day yearly within the City of *Norwich* or County of *Norfolk*, in some publick Place, by the Master Weavers, or the greater Part of them present, of the County of *Norfolk*: (4) And the said Wardens respectively shall within fourteen Days after they shall be so chosen or elected, and Notice thereof given, take the Oath ensuing, to be administred by the Mayor of the said City for the Time being, or his Deputy, and the Steward of the Duchy of *Lancaster* within the said County for the Time being, if it shall happen the said Steward shall be there present, or else before the said Mayor or his Deputy only; which Oath they and every of them are hereby authorized and required from Time to Time to administer accordingly, *viz. I* A. B. *do swear, That I will well, faithfully and honestly perform and discharge the Office of a Warden of the said Trade of Worsted Weavers, according to the best of my Skill, Power and Knowledge:* (5) And that the said Assistants, and every of them, within the Time aforesaid shall take the like Oath before such Person or Persons before whom the Wardens shall be sworn for the Execution of that Office of an Assistant; (6) and that if it shall happen that any of the said Wardens who shall be so chosen, shall refuse to take the said Oath, or after he be sworn shall die before the End of the Year, That then from Time to Time, so often

The Oath to be taken by them.

often as need ſhall be, it ſhall and may be lawful to and for the Maſter-Weavers of the ſaid City, County of the City of *Norwich* and County of *Norfolk* reſpectively, as the Cauſe ſhall require, to chooſe other Warden or Wardens in the Place of him or them ſo dying or refuſing, who ſhall be ſworn in ſuch Manner as aforeſaid.

The Powers in this Act for Regulation of Trade to be put in Execution.

III. And for the Regulation and good Government of the ſaid Trade and Manufacture, the ſaid Wardens and Aſſiſtants, or any thirteen of them, whereof ſeven to be Wardens, ſhall and may from Time to Time meet and conſult together for the Good and Benefit of the ſaid Trade and Manufacture, and for the due Execution of the Powers and Authorities given by this Act, ſo often as to them ſhall ſeem expedient, or when it ſhall be deſired by eight or more of the ſaid Aſſiſtants, at the Place called *Weavers-Hall* in the ſaid City, or at ſuch other Place as they ſhall think fit: (2) And that any thirteen or more of the ſaid Wardens and Aſſiſtants whereof ſeven at the leaſt to be Wardens, ſhall have and hereby have Power and Authority from Time to Time, ſo often as Need ſhall require, to make and ordain By-laws, Rules and Ordinances, for and concerning the Regulation of the ſaid Worſted Stuffs, and other Stuffs now made, and which hereafter ſhall be made, within the ſaid City and County of the City of *Norwich*, and County of *Norfolk*, and in either of them, both in Length, Breadth and Goodneſs, and of ſuch other Particulars as ſhall by the ſaid Wardens and Aſſiſtants ſo met, or the greater Number of them, from Time to Time be adjudged requiſite, for the better regulating the ſaid Trade and Manufacture, and the Artificers of the ſame, in the due Execution of this Act (and to make Seals from Time to Time for the ſealing of the ſame Stuffs;) (3) which By-laws, Rules and Ordinances, being ratified and confirmed by the Mayor, and two Juſtices of the Peace of the ſaid City and County of *Norwich* for the Time being, and three other Juſtices of the Peace of the ſaid County of *Norfolk* (whereof one to be of the *Quorum*) ſhall be publiſhed four Times in the Year at the leaſt, at four publick Aſſemblies for the ſaid Trade and Manufacture, and ſhall be obeyed and kept by the ſeveral Perſons within and under the ſaid Regulation.

Power to make By-laws and Orders.

To be publiſhed at four Aſſemblies to be held yearly.

The Penalty upon Offenders againſt ſuch By-laws and Orders.

IV. And the ſaid Wardens and Aſſiſtants ſhall have and hereby have Power to impoſe a Fine or Penalty upon any Perſon or Perſons under ſuch Regulation, as ſhall not confirm to ſuch Rules, Orders and Ordinances, ſo made and to be made and confirmed as aforeſaid.

V. Provided that the ſaid Fine or Penalty upon any Perſon for not conforming as aforeſaid, ſhall not exceed the Sum of ten Shillings for any one Offence.

Notice of Meeting by the City of Norwich to be given to the Wardens of the County of Norfolk.

VI. And it is further enacted, That the Wardens and Aſſiſtants of the ſaid City and County of the City of *Norwich*, ſhall from Time to Time give Perſonal Notice unto the Wardens of the ſaid County of *Norfolk* or Two of them at the leaſt, of the Time when they intend to conſider of the Making of By-laws, Rules and Ordinances as aforeſaid, and ſhall ſet it up in Writing upon the Door of their Sealing-Hall, fourteen Days at the leaſt before they ſhall proceed to the Making the ſame; to the End, that ſuch of the ſaid Country Weavers as are therein concerned may be there preſent.

Yarns called Worſted Yarns, how to be made.

VII. And for the better Regulation and carrying on the Work aforeſaid, and for Avoiding of all Frauds and Deceits therein, Be it further enacted by the Authority aforeſaid, That all Yarns called Worſted-Yarns, and ſuch other Yarns as are commonly uſed by the Worſted-Weavers, ſhall be made without Fraud, and ſhall be reeled on a Reel of a full Yard about, and every Reel-ſtaff ſhall contain fourteen Leas, and every Lea forty Threads, twelve of which Reel-ſtaffs ſhall make a Dozen, and twelve of thoſe Dozens ſhall make a Groſs: And in Caſe any Perſon or Perſons ſhall ſell or expoſe to ſale, any of the ſaid Yarns made and reeled in any other Manner than as is aforeſaid; that then every ſuch Perſon or Perſons ſhall forfeit the Moiety of the Value of the ſaid Yarns to the Uſe of the ſaid Trade and Manufactures, after Charges of Suit and of Proſecution firſt deducted out of the ſame; which Forfeiture ſhall be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any of the King's Majeſty's Courts of Record, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed for the Defendant.

View and Search to be made of Manufactures in Fairs and Markets.

VIII. And that it ſhall and may be lawful to and for the Wardens and Aſſiſtants of the ſaid Trade and Manufactures or any Two of them, from Time to Time to view and ſearch in all Fairs and Markets and other publick Places of Sale of Yarns within the ſaid City of *Norwich* and County of the ſame, and County of *Norfolk*, and either of them, all Yarns which ſhall be there expoſed to Sale; (2) and ſuch of the ſaid Yarns as they ſhall find defective, contrary to the Rules herein before ſet, that then it ſhall and may be lawful to and for the ſame Wardens and Aſſiſtants or any Two of them, to ſeize the ſame Yarns, and bring the ſame within twenty Days next after the Seizure thereof, to Trial by a Jury, and to be proceeded in and fined in ſuch Manner and Form as in this preſent Act is limited and appointed for defective Stuffs; which ſaid Jury ſhall have and hereby have Power to ſet ſuch Fine or Fines upon the ſaid Yarns, as they ſhall in their Diſcretions ſee Cauſe; the ſame Fines not to exceed the Moiety of the Yarn ſo found defective; (3) and the ſame Fines to go to the Poor of the ſame Trade and Manufacture as aforeſaid.

IX. Provided always, That no Perſon or Perſons ſhall be doubly puniſhed for any one Offence touching Yarns (that is to ſay) by this and the former Clauſe in this Act.

All Woollen Stuffs and Weavers to be under the Government of the ſaid Wardens and Aſſiſtants.

X. And it is hereby further enacted, That all Sorts of Stuffs, whether woven of Woollen only or of Wool and other Materials, within the City and County of *Norwich* and the County of *Norfolk*, and the Makers and Weavers of the ſame Stuffs, ſhall be under the Power Government and Regulation of the ſaid Wardens and Aſſiſtants, in ſuch Manner as by this and other Acts of Parliament, and the By-laws made and to be made by Virtue thereof, are or ſhall be eſtabliſhed, (except ſuch Stuffs as are under the Regulation of the Wardens and Fellowſhip of the Myſtery of Ruſſel-Sattens, Sattens-Reverſes and Fuſtians of *Norwich*-Making, within the City of *Norwich*:) (2) And that all Stuffs made and to be made under the Regulation aforeſaid, before the ſame ſhall be offered or put to ſale, ſhall be brought to Weavers-Hall for the Time being within the County of the City of *Norwich*, to be viewed and ſearched by the ſaid Wardens or any Two of them; (3) And if the ſame ſhall be found to be well and ſufficiently made and wrought according to the Rules and Ordinances of the ſaid Trade, then all ſuch Stuffs ſhall be by the Wardens, or any Two of them, ſealed and allowed accordingly, without any Sum of Money paid or to be

Good and ſufficient ſhall be ſealed.

paid

Defective Stuffs shall be seized and tried by a Jury.

paid for the same; (4) and if upon Search and View thereof, any such Stuffs shall be found and appear to be defective, contrary to the Rules and Ordinances of the said Wardens and Assistants; then all such defective Stuffs shall be seized by the said Wardens or any Two of them, and tried by a Jury of twelve Artificers of the said Regulation of Worsted-weavers, Six whereof to be of the City of *Norwich*, and Six to be of the County of *Norfolk*, who shall be from Time to Time impanelled by a Precept under the Hand and Seal of the Mayor of the City of *Norwich* for the Time being or his Deputy; (5) and if any who shall be so impanelled shall fail in Appearance, the Number to be made up either of the Master-Weavers of the City of *Norwich* or of the County of *Norfolk*, by a Precept from the said Mayor; (6) which Jury so impanelled or taken and sworn before the Mayor of the said City for the Time being, shall try the said Stuffs, and find whether they be made according to this Act and the By-laws and Ordinances made by Virtue thereof or of any other Act of Parliament; (7) and shall have Power to impose a moderate Fine according to the Nature of the Offence, not exceeding the Moiety of the Value of the defective Stuffs so seized and tried, the same Fines to go to the Use of the Trade and Manufacture; (8) and those Stuffs which shall be found defective to be detained until the Fine or Fines set upon them by the Jury be paid; (9) which if the Owner of the same Stuffs shall not pay to the said Wardens or some of them, within forty Days after the Trial, then the same Stuffs to be sold by any Two of the said Wardens, and the Overplus of the Monies thereof coming after the Fines deducted to be restored to the Owner upon Demand.

The Penalty for sealing defective Stuffs.

XI. And it is further enacted, That if any Warden or Wardens shall at any Time seal, or cause to be sealed, any Stuffs made under the said Regulation which shall afterwards be discovered by any Person to be defective, contrary to this present Act and the By-laws, Rules and Ordinances thereupon made or hereafter to be made, or any of them, and found so to be by a Jury of twelve Artificers of the said Trade, from Time to Time to be impanelled and sworn before the said Mayor or his Deputy, and the said Steward of the Duchy of *Lancaster* for the Time being if he be there present, and if the said Steward be absent, then before the said Mayor or his Deputy only, of which Jury Six shall be of the said City Weavers, and the other Six of the said Country Weavers, who shall have and hereby have Power to set and impose a Fine upon the Warden or Wardens of the said Trade offending, for every Piece of defective Stuff so sealed, as the same Jury in their Discretions shall think fit; the same Fine not exceeding the Sum of forty Shillings, which shall be to the Use of the King's Majesty; (2) and that the same Jury or any other such like Jury from Time to Time to be impanelled by and sworn before the Persons aforesaid, or any of them, shall likewise enquire into all and every other the Frauds, Abuses and Miscarriages of the Wardens and Assistants and every of them, in the Execution of their Offices, and correct and punish them and every of them for their several Offences, in such Manner as is herein before-mentioned to be done against any other Offenders who are under the said Regulation.

Persons unjustly molested to have double Damages.

XII. Provided, That if the said Wardens or any of them shall be unjustly molested, and that if such Stuffs upon Trial shall be found by the Jury to be good and duly made, or that they or the Assistants, or any of them, are not guilty of any such Frauds, Miscarriages or Abuses, as they are complained of for, the Person or Persons so causelessly molesting shall pay to the Wardens or Assistants or any of them so unjustly molested, double the Damages they or any of them shall or may sustain by any such Molestation.

None may buy Stuffs unsealed. Saving for the King's Aulnage.

XIII. And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons to buy any Piece or Pieces of Stuffs before the same be sealed by the Wardens of the said Trade: Saving to the King's Majesty, his Heirs and Successors, all such Right of Customs, Subsidies and Aulnage of *Norfolk* and *Norwich* Stuffs or Worsteds or any of them, as he or they might lawfully have claimed before the Making of this Act: (2) And that if any Piece or Pieces of Stuffs shall be found in the Possession of any Person or Persons unsealed, except in the Possession of the first Owner or Maker thereof, the Person or Persons in whose Custody the same shall be found, shall be adjudged guilty of Deceit, and shall forfeit for every such Piece of Stuff which be so found in his or their Possession unsealed as aforesaid, the Sum of four Shillings; (3) and the Maker and Seller of the same who shall deliver the same out of his or their Possession before the same be sealed, shall likewise forfeit for every such Piece, other four Shillings, to the Use of the Poor of the said Trade and Manufacture.

The Penalty for buying unsealed Stuffs.

The Penalty for counterfeiting any Seal of the said Trade.

XIV. And that if any Person shall counterfeit any Seal of the said Trade, or shall Seal any Piece of Stuff under the Regulation with any counterfeit Seal, or shall remove a Seal off one Piece, and set it unto another Piece which hath not been sealed by the Wardens, every Person so offending and being thereof convicted by his own Confession, or by the Oath of Two or more Witnesses, to be taken before the Mayor of the said City or his Deputy, or any one Justice of the Peace of the City of *Norwich* or County of *Norfolk*, who respectively have hereby Power to administer an Oath for that Purpose, shall forfeit for every such Offence the Sum of twenty Pounds of lawful *English* Money, to the Use of the King's Majesty.

None may use the said Trade but such as have been Apprentices seven Years. The Penalty.

XV. And be it further enacted by the Authority aforesaid, That no Person or Persons shall use or exercise the same Trade as a Weaver, unless he hath served to the same Trade as an Apprentice by the Space of seven Years; (2) upon Pain of forfeiting forty Shillings for every Month he shall use or exercise the same Trade, not having served thereunto as aforesaid; the one Half thereof to the King's Majesty, and the other Half thereof to the Person or Persons who will sue or prosecute for the same by Action of Debt, Bill, Plaint, Indictment or Information, in any of his Majesty's Courts of Record.

Every one shall weave his own Mark in his Stuff.

XVI. And that every Person under the said Regulation shall weave his proper Stuff-mark into every Piece of Stuff which he shall weave or cause to be woven, at the Head-end of the same Piece; upon Pain of forfeiting three Shillings for every Piece that shall be woven without such Mark, to the Use of the Poor of the said Trade and Manufacture.

The Wardens and Assistants may enter Houses, Work-houses and Ware-houses to search Stuffs.

XVII. And the said Wardens and Assistants, or any two or more of them, shall have and hereby have Power to enter into and search the Houses and Work-houses of any Artificers within the City of *Norwich* and County of *Norfolk* under the Regulation of the said Wardens and Assistants, and the Shops, Houses and Ware-houses of any Merchant, common Buyer, Dealer in and Retailer of any the said Stuffs,

and into the Houſe and Work-houſe of any Dyer, Sheer-man, Callender, or other Workman's Houſe and Place of Sale and dreſſing of the ſaid Stuffs, at all Times of the Day and uſual Times of Working, and may there ſearch and view the Stuffs there found, whether they be ordered and made according to this preſent Act, and the Laws, Orders and Ordinances of the ſaid Trade; (2) and that if any ſuch Stuff as aforeſaid ſhall be found faulty or defective, that then they, or any two of them, ſhall ſeize, take and carry away the ſame, to be ordered and brought to Trial, and proceeded againſt, in Manner and Form as is before in this preſent Act mentioned and appointed for defective Stuffs.

Faulty and defective Stuffs to be ſeized and tried.

XVIII. And for the better providing that poor Journeymen who have ſerved in the ſaid Trade, and are not able to ſet up for themſelves, may be imployed in Work, it is hereby enacted, That whatſoever Perſon under the Regulation of the ſaid Trade, who ſhall imploy two Apprentices in the ſaid Trade, ſhall likewiſe imploy and ſet on work two Journeymen in the ſaid Trade, during the Time he imploys two Apprentices; (2) and that no Maſter-Weaver under the Regulation of the ſaid Trade, ſhall at any Time have, imploy or ſet on work above two Apprentices, or any Week-boy, to weave in a Loom in the ſaid Trade in Worſted-weaving, upon Pain that every Perſon ſhall forfeit for every Month ſo offending as aforeſaid, the Sum of five Pounds to the Uſe of the King's Majeſty.

Proviſo for poor Journeymen.

XIX. And be it further enacted, That all Perſons who are or may be concerned in any Thing contained in this preſent Act, are hereby ſtrictly enjoined and required to yield due Obedience thereunto, according to the true Intent and Meaning of this preſent Act; (2) and that if any Perſon or Perſons ſhall refuſe, hinder or will not permit the ſaid Wardens or Aſſiſtants, or any two or more of them, to execute their Office according to the Tenor of this Act; That then every Perſon ſo offending, being thereof convicted by the Oath of one or more credible Witneſſes, before the Mayor of the ſaid City or his Deputy, or any one Juſtice of the Peace of the ſaid City of *Norwich*, or County of *Norfolk* reſpectively, who are hereby authorized to adminiſter ſuch Oath, ſhall forfeit the Sum of forty Shillings to the Uſe of the King's Majeſty.

Obedience and Conformity to this Act.

Penalty upon ſuch as ſhall refuſe or hinder the Execution.

XX. And if any Perſon lawfully ſummoned to appear upon any Jury or Trial, according to the Tenor of this Act, ſhall refuſe or neglect to appear and proceed upon the ſame, every Perſon ſo refuſing or neglecting ſhall forfeit for every ſuch Neglect or Refuſal the Sum of five Shillings, to the Uſe of the Poor of the ſaid Trade and Manufacture: (2) Which ſaid Penalties and Forfeitures, together with all other Fines and Penalties which are appointed to go to the Poor of the Trade and Manufacture or for the Uſe thereof, mentioned in this Act, the Means of Recovery of which is not already otherwiſe herein provided and ſet forth, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant to be granted by the ſaid Mayor, or his Deputy for the Time being, or any one Juſtice of Peace of the City of *Norwich* or County of *Norfolk*, rendring the Overplus of ſuch Diſtreſs to the Owner thereof, if any ſhall be, and the ſame ſhall be by him demanded, or otherwiſe to be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any his Majeſty's Courts of Record, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed to the Defendant as aforeſaid.

The Penalty for not appearing upon a Jury or Trial.

'XXI. And whereas the Cuſtom hath been retained Time out of Mind, and found expedient, that 'there ſhould be a Ceſſation of Weaving every Year in the Time of Harveſt, in regard the Spinners of 'Yarn which the ſaid Weavers do uſe, are at that Time chiefly imployed in Harveſt-work;' Be it enacted, That no Weaver under the Regulation of the ſaid Trade and Manufacture, ſhall ſet any Loom on work for the Weaving of any Stuffs under the ſaid Regulation, in the Time of Harveſt-yearly, from the fifteenth Day of *Auguſt* in every Year until the fifteenth Day of *September* then next following, upon Pain of forfeiting to the King's Majeſty the Sum of forty Shillings for every Loom which ſhall be uſed in work within the ſaid Time.

No Weaving of Stuffs in Time of Harveſt.

XXII. And be it further enacted by the Authority aforeſaid, That a true Account ſhall be made at the four Aſſemblies (to be held quarterly as aforeſaid) by the Wardens, before the Mayor of the City of *Norwich* for the Time being, and one of the Juſtices of the Peace of the ſaid City and County of *Norwich*, and two Juſtices of the Peace of the County of *Norfolk*, of all ſuch Fines and Forfeitures as ſhall be received and had, belonging to the ſaid Trade and Manufacture, and of the neceſſary Charges and Diſburſements touching the ſame Trade and Manufacture; (2) and that the Overplus which ſhall remain after the ſaid neceſſary Charges and Diſburſements are deducted, ſhall be divided into two equal Parts; the one Moiety thereof to be diſpoſed of by the Wardens and Aſſiſtants of the ſaid City of *Norwich*, or the greater Part of them; and the other Moiety thereof by the Wardens and Aſſiſtants of the ſaid County of *Norfolk*, or the greater Part of them, for the Uſe of the Poor of the ſaid Trade and Manufacture, in ſuch Manner as the ſaid Mayor and Juſtices aforeſaid reſpectively ſhall order and direct, and no other; any Thing in this Act to the contrary thereof in any wiſe notwithſtanding.

True Accounts to be made at the four Aſſemblies of all Fines and Forfeitures.

XXIII. And that all Mayors, Juſtices, Sheriffs, Bailiffs, Conſtables, and all other Officers, ſhall be Aiding and Aſſiſting to the ſaid Wardens and Aſſiſtants, or any of them, as often as they ſhall be thereunto required: (2) And in all Actions and Suits that ſhall be brought againſt any Perſon or Perſons, for acting in any Thing according to the true Intent and Meaning of this Act, the Perſon or Perſons ſo ſued or moleſted, ſhall or may plead the General Iſſue of Not guilty, and give the ſpecial Matter in Evidence; (3) and ſhall recover double Coſts in every ſuch Caſe, if the Verdict paſs for ſuch Perſon or Perſons, or that the Plaintiff or Plaintiffs be nonſuit therein.

All Mayors, Bailiffs, &c. to be aiding and aſſiſting.

Defendant may plead the General Iſſue.

Double Coſts.

XXIV. Provided always, That this Act, nor any Thing therein contained, ſhall extend to compel the Weavers of the Towns of Great *Yarmouth* and *Lyn* in the ſaid County of *Norfolk*, to bring their Wares to *Norwich* to be ſealed, or be prejudicial to the Weavers of the ſaid Towns, or either of them, to deprive them or either of them of ſuch Liberties or Privileges as are granted unto them by an Act of Parliament made in the fourteenth Year of King *Henry* the Eighth, or by any other Act of Parliament, or Grant or Charter whatſoever. This Act to begin and take Effect from the fifteenth Day of *May* one thouſand ſix hundred ſixty and two.

Proviſo for the Weavers of Great Yarmouth and Lyn.

14 & 15 H. 8. c. 3.

## CAP. VI.

2 & 3 Ph. & M. c. 8. 22 Car. 2. c. 12. §. 12. 5 Eliz. c. 13. 18 Eliz. c. 10. Repealed in part by 30 Car. 2. Stat. 1. c. 5. 22 Car. 2. c. 12. § 3. 7 & 8 W. 3. c. 29. 6 Annæ, c. 29. 9 Annæ, c. 18. 1 Geo. 1. Stat. 2. c. 11. 5 Geo. 1. c. 12. 6 Geo. 1. c. 6. 43 Eliz. c. 4. 14 & 15 H. 8. c. 6. 39 Eliz. c. 19.

An Act for enlarging and repairing of common Highways. Surveyors of the Highways to be choſen yearly the *Monday* or *Tueſday* in *Eaſter* Week. The Duty of the Surveyors. How and upon whom to lay Aſſeſſment for mending or enlarging the Highways. The Surveyors may charge Carts and Workmen. Penalty upon ſuch as refuſe or neglect. In what Caſes Highways may be enlarged out of Mens Lands next adjoining. Digging for Gravel in Waſtes and Commons. In what Caſes Gravel, Stones, *&c.* may be digged in Mens ſeveral Grounds. What Number of Horſes or Oxen may be uſed in Carts and Carriages upon the Highways. And what Weight. No Wheels are to be under four Inches Breadth in the Tyre. The Penalty, and how to be diſpoſed. The Offences declared common Nuſances. All Suits upon this Act ſhall be laid in their proper County, and the Defendant may plead the General Iſſue. All Monies raiſed by Aſſeſſment, Iſſues forfeited, *&c.* ſhall be levied and imployed for mending the Highways. Accounts to be given by the Surveyors yearly of all Money raiſed for mending the Highways. Who may enquire, hear and determine Offences againſt this Act. Appeals allowed to Perſons grieved. In what Caſes only a *Certiorari* may be allowed to remove any Indictment, *&c.* upon this Act, ſee 22 *Car.* 2. *c.* 12. §. 4. 5 & 6 *W.* & *M.* *c.* 11. Bridges to have ſufficient Walls, or Poſts and Rails. Tenants to bear the Charges of Aſſeſſments for Highways. To have Continuance to the next Parliament. EXP. The Penalties are applied to certain Caſes in 22 *Car.* 2. *c.* 12. §. 12. But thoſe Penalties are not in Uſe, others being appointed by ſubſequent Acts.

## CAP. VII.

### An Act to reſtrain the Exportation of Leather and raw Hides out of the Realm of *England*.

5 & 6 Ed. 6. c. 15. 5 Eliz. c. 22. 8 Eliz. c. 14. 18 Eliz. c. 9.

'WHEREAS notwithſtanding the many good Laws before this Time made, and ſtill in Force, prohibiting the Exportation of Leather out of this Realm, and the Penalty by thoſe Acts impoſed, by the Cunning and Subtilty of ſome Perſons, and the Neglect of others who ought to take Care thereof; there are ſuch Quantities of Leather daily exported to foreign Parts, that the Price of Leather is grown to thoſe exceſſive Rates, that many Artificers working Leather, cannot furniſh themſelves with ſufficient Store thereof, for the carrying on of their Trades; and the poor Sort of People are not able to buy thoſe Things made of Leather, which of Neceſſity they muſt make Uſe of:'

*Burn, V.* 3—120. What Skins or Hides tanned may not be tranſported. Tanned Leather may be tranſported into Scotland, &c. 20 Car. 2. c. 5.

II. For Redreſs of which Griefs, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, That from and after the firſt Day of *May* now next enſuing, no Perſon or Perſons whatſoever ſhall carry or tranſport, or cauſe to be carried or tranſported, out of *England* into *Scotland*, *Ireland*, or into any of the Iſles belonging to this Kingdom, or to any Parts beyond the Seas, the Skins or Hides tanned or untanned of any Ox, Steer, Bull, Cow or Calf, otherwiſe, or in any other Manner, than is by this preſent Act directed.

The Penalty.

III. And be it further enacted by the Authority aforeſaid, That none of the Skins or Hides aforeſaid, which ſhall happen to be taken from any of the Beaſts aforeſaid, within any Iſland whatſoever, belonging to the Kingdom of *England*, (except *Ireland*) ſhall be tranſported out of that Iſland to any other Place, but into the Kingdom of *England*; (2) upon Pain of Forfeiture for every ſuch Offence, double the Value of Skins or Hides ſo to be tranſported out of the ſaid Iſlands, or any of them, to any other Place than into the Kingdom of *England*; the ſame Forfeiture to be ſued for and diſpoſed as hereafter in this Act is directed.

What Leather muſt be bought only in open Fairs or Markets for ſelling Leather. The Penalty.

IV. And for the better preventing of ſuch Miſchiefs as are intended to be remedied by this Act, Be it enacted by the Authority aforeſaid, That all red tanned Leather made of the Hides or Skins of any of the Beaſts aforeſaid, of what Kind or Nature ſoever, ſhall be bought only in the open and common Fair or Market uſed for the putting of Leather to Sale, and not in any Houſe, Tanner's Yard, Shop or other Place whatſoever; (2) on Pain that ſuch Perſon or Perſons that ſhall not accordingly do the ſame, ſhall for every ſuch Offence forfeit the ſame Leather, or the Value thereof, and the Contract for the Sale thereof ſhall be void; (3) and all ſuch Leather ſhall be ſearched and ſealed by the Searchers and Sealers thereunto appointed, before the ſame be put to Sale, and upon ſuch Sale ſhall be regiſtred, and a true Entry thereof made both by the Buyer and Seller, who are both to be preſent at ſuch regiſtring thereof, and both their Names and Places of Abode entred into the Book of the ſaid Regiſter; on Pain that every ſuch Buyer or Seller that ſhall not accordingly do the ſame, ſhall for every ſuch Offence forfeit the ſame Leather, or the Value thereof, and the Forfeiture ſhall be recovered and employed in ſuch Manner, as hereafter in this Act is directed.

Penalty for Tranſportation of any Leather or raw Hides.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be found guilty of the Tranſportation of any Leather or raw Hides of any of the Beaſts aforeſaid, (excepting ſuch Calve-ſkins and Sheep-ſkins, dreſſed without the Wool, as by Law may be tranſported) contrary to the Proviſion of this Act; he ſhall from thenceforth be diſabled to trade or deal in Leather for the future; (2) and ſhall for every ſuch Offence forfeit the Sum of five hundred Pounds, to be ſued for, and diſpoſed as hereafter in this Act is directed.

5 & 6 Ed. 6. c. 15. §. 5. 1 Ma. Seſſ. 3. c. 8.

VI. Provided nevertheleſs, That this Act, or any Thing therein contained, ſhall not extend to the prohibiting the Tranſportation of any Leather made into Boots, Shoes or Slippers, but that the ſame may be tranſported; any Thing in this Act contained to the contrary notwithſtanding.

Who may ſearch and ſeize Leather or Hides intended to be tranſported.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Maſters and Wardens of the Cordwainers, Sadlers, Girdlers and Curriers of the City of *London*, and their Deputies, and all Cuſtomers, Comptrollers, Farmers of Cuſtoms, Surviſors, Search-

ers, and other Officers belonging to the Customs, and to and for all Justices of the Peace, Mayors, and Chief Officers of Corporations, within this Realm, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, from Time to Time, as well by Land as Water, to search for and seize any Leather, or raw Hides, wrought or unwrought, cut or uncut, packed up or unpacked, intended or purposed to be transported by any Person or Persons into any the Parts beyond the Seas, or into *Scotland*, other than Calve-skins and Sheep-skins as aforesaid.

Shaving of Leather by Tanners.

'VIII. And whereas divers Tanners do shave, cut and rake their Upper-leather Hides all over, and 'the Necks of their Backs and Butts, to the great impairing thereof, and the extreme Prejudice of the 'Kingdom;' (2) Be it therefore enacted by the Authority aforesaid, That every Tanner, who after the nine and twentieth Day of *September* in the Year of our Lord one thousand six hundred sixty and two, shall commit any such Offence as aforesaid, shall forfeit all the said Leather, Backs, Butts or Calve-skins so shaved, cut or raked, or the Value thereof, and it shall be lawful for the Searchers and Sealers of Leather to seize the same.

The Penalty.

Leaden-Hall, London.

IX. And be it further enacted, That the Market for Leather in *Leaden-Hall* in *London*, shall be kept on the Tuesday, as now it is; any Law, Usage or Custom to the contrary in any wise notwithstanding.

How the Penalties shall be recovered.

X. And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures, and every Sum and Sums of Money, for any Offence or Offences herein before mentioned, shall be recovered by Action of Debt, Bill, Plaint, or Information, to be brought for the same in any Court or Courts at *Westminster*, or in any Court or Courts of Record in the City, Town, County or Place where the said Offence shall be committed, wherein no Wager of Law, Protection or Essoin shall be admitted, neither shall the same be removed out of the said County, City or Town Corporate; (2) the one Half of the said Forfeitures to be to the Use of the King's Majesty, his Heirs and Successors, and the other Half thereof to the Use of the Informer or Informers that shall sue for the same.

Transportation of Leather declared a common Nusance.

XI. Provided also, and be it enacted, That all such Exportation or Transportation of any Hides or Leather contrary to this Act, is hereby adjudged and declared to be a common and publick Nusance.

Leather for necessary Use of Ships in Voyages.

XII. Provided nevertheless, That this Act shall not extend, or be construed, to prohibit the carrying or conveying of any such Hides or Leather which shall be used or employed for the necessary Use or Provision of any Ship or Vessel in any Voyage beyond the Seas, and which shall not be sold in any Foreign Parts, so as the Number do not exceed six raw Hides, and three tanned Hides.

Artificers dealing in cutting of Leather in London, or within three Miles thereof.

XIII. Provided always nevertheless, and be it further enacted by the Authority aforesaid, That all and every Artificer dealing in cutting of Leather, or other Person or Persons whatsoever, which shall hereafter buy any red tanned Leather within the City of *London*, or three Miles thereof, shall before the next Market-Day within the said Place for Sale of Leather, give Notice thereof to one or more of the Company of Curriers then exercising and using the Art and Mystery of a Currier within the said City of *London*, and three Miles thereof, and within three Weeks after such Notice shall deliver, or cause to be delivered, the said Leather so bought, except such Part thereof as shall be used for Soals without being Curried, Tallowed or Dressed, unto the said Currier or Curriers to whom such Notice was given, to the Intent that the same may be Curried, Tallowed or otherwise Dressed, as is directed and appointed by one Act made in the first Year of King *James*, Chapter twenty-second, touching the Duty of Tanners, Curriers, Shoe-makers and others; (2) upon Penalty of the Forfeiture of six Shillings eight Pence for every Back, Butt, Hide or Calve-skin so bought and not delivered as aforesaid, for the Uses, and to be recovered, as aforesaid.

1 Jac. 1. c. 22.

Leather used in London, or within three Miles, to be searched and allowed by the Wardens of the Curriers there.

The Penalty.

'XIV. And whereas it is enacted amongst other Things, by the said Act made in the first Year of 'King *James*, That no Person or Persons shall by any Means occupy, or put in any made Wares within 'the City of *London*, or three Miles of the same City, any curried Leather, before the same shall be 'searched and allowed by the Wardens of the Curriers of *London* for the Time being, or such Persons 'as they shall thereto assign, and be sealed with a Seal therefore to be prepared; upon Pain that every 'Shoe-maker and other Artificer Cutter of Leather, offending against that Article, should forfeit for every 'Hide or Skin otherwise curried or employed as is aforesaid, six Shillings eight Pence, and the Value of 'every such Hide or Skin;' (2) Be it therefore further enacted by the Authority aforesaid, That the Master and Wardens of the Company of Curriers for the Time being, or such Persons as they shall thereto assign, shall from Time to Time, and at all seasonable Times in the Day-time, enter into any Warehouse, Shop, Cellar or other Place within the said City of *London*, or three Miles of the same City, belonging unto any of the said Cordwainers, Sadlers, Girdlers, or other Person or Persons, being Artificers dealing in cutting Leather, and in the Presence of any two or more of them, to search for and seize all such Leather intended to be prohibited to be used by the said Clause, Branch or Article, as aforesaid, as also for all Wares made of such Leather; (3) and if any such Person or Persons, Artificers or Dealers as aforesaid, shall oppose, or refuse to permit the said Master and Wardens of the Company of Curriers, or such Persons as they shall thereto assign, to make any such Search or Seizure as aforesaid, he or they shall forfeit for every such Offence the Sum of twenty Pounds for the Uses, and to be recovered, as aforesaid; (4) and if any of the said Artificers and Dealers in cutting of Leather, do refuse to be present with the said Searchers, whensoever the same shall be desired by the said Master and Wardens of the Company of the Curriers, or such Persons thereto assigned by them as aforesaid, then for every such Default the Persons so refusing shall forfeit the Sum of ten Pounds for the Uses, and to be recovered, as aforesaid.

Penalties for opposing the Searching.

*Farther Provisions relating hereto, 1 W. & M. Sess. 1. c. 33. 9 Ann. c. 6 & 11. 10 Ann. c. 26. 12 Ann. St. 2. c. 9. 3 Geo. 1. c. 4. 5 Geo. 1. c. 2. and 12 Geo. 2. c. 25.*

## CAP. VIII.

An Act for Distribution of threescore thousand Pounds amongst the truly Loyal and Indigent Commission Officers, and for assessing of Offices, and distributing the Monies thereby raised for their further Supply.

EXP. 22 & 23 *Car.* 2. *cap.* 21.

## CAP. IX.

EXP. An Act for the Relief of poor and maimed Officers and Soldiers, who have faithfully ſerved his Majeſty and his Royal Father in the late Wars.

## CAP. X.

Hearth-money. Repealed by 1 W. & M. Seſſ. 1. c. 20. An Act for eſtabliſhing an additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better Support of his and their Crown and Dignity.

## CAP. XI.

### An Act for preventing Frauds, and regulating Abuſes in his Majeſty's Cuſtoms.

12 Car. 2. c. 19. 'FOraſmuch as it appears, that ſeveral unlawful and indirect Means and Devices are daily put in 'Practice, to export and import Goods and Merchandizes prohibited by the Laws and Statutes of 'this Kingdom, as alſo to Defraud the King's moſt Excellent Majeſty of his Dues, Cuſtoms and Subſi-'dies, as well by ſecret and deceitful Deſigns, as by open Force and Violence uſed againſt the King's 'Majeſty's Officers employed in the Affairs of the Cuſtoms:'

Ships and Veſſels arriving from beyond the Seas at Graveſend. II. For the better Preventing of which Frauds and Violences in Time to come, it is enacted and ordained by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and be it enacted and ordained by the Authority thereof, That no Ship or Veſſel arriving from the Parts beyond the Seas, ſhall be above three Days coming from *Graveſend* to the Place of her Diſcharge (within the River of *Thames*) without touching or ſtaying at any Wharf, Key or Place adjoining to either Shore between *Graveſend* and *Cheſter's Key*, (unleſs apparently hindred by contrary Winds, Draught of Water, or other juſt Impediment to be allowed by ſuch Perſon or Perſons as are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Collectors Inwards, or other principal Officers of the Cuſtoms;) (2) and then or before, the Maſter or Purſer (for that Voyage) of ſuch Ship or Veſſel, ſhall make a juſt and true Entry upon Oath of the Burthen, Contents and Lading of every ſuch Ship or Veſſel, with the particular Marks, Numbers, Qualities and Contents of every Parcel of Goods therein laden, to the beſt of his Knowledge; alſo where and in what Port ſhe took in her Lading, of what Country built, how manned, who was Maſter during the Voyage, and who are Owners thereof; (3) and in all Out-Ports or Members, to come directly up to the Place of Unlading, as the Condition of the Port requires and will admit, and making Entries, as aforeſaid, upon the Penalty of the Forfeiture of one hundred Pounds.

*Burn, V.* 1.--319.

True Entries of lading to be made upon Oath.

The Penalty.

The Duty of Captains, Maſters and others, taking Charge of Ships and Veſſels bound for Parts beyond the Seas. To take in no Engliſh Goods till Entry thereof be made at the Cuſtom houſe. III. And be it further enacted by the Authority aforeſaid, That no Captain, Maſter, Purſer, or any other Perſon or Perſons taking Charge of any Ship or Veſſel bound for the Parts beyond the Seas, or into the Kingdom of *Scotland*, whether the ſame Ship or Veſſel ſhall have Commiſſion from or belong unto the King's Majeſty that now is, his Heirs or Succeſſors, or ſhall belong to or have Commiſſion from any foreign Prince or State, or otherwiſe, ſhall take in, or ſuffer to be taken into, or laden aboard any ſuch Ship or Veſſel, any *Engliſh* Goods, Wares or Merchandize, to be exported into the Parts beyond the Seas, or into the Kingdom of *Scotland*, until ſuch Captain, Maſter, Purſer or other Perſon as aforeſaid, ſhall have entred ſuch Ship or Ships in the Book of the Commiſſioners, Cuſtomer or Collector and Comptroller Outwards of ſuch Port where he ſhall load or take in Goods, together with the Name of ſuch Captain or Maſter, the Burden of ſuch Ship or Veſſel, the Number of Guns and Ammunition ſhe carries, and to what Port or Place ſhe intends to paſs or ſail; (2) and before he or they ſhall depart with his or their Ship or Veſſel out of ſuch Port or Place, ſhall bring and deliver unto the ſaid Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller of ſuch Port or Place, a Content in Writing under his or their Hands, of the Names of every Merchant, and other Perſon or Perſons that ſhall have laden and put on board any ſuch Ship or Veſſel, any ſuch Goods or Merchandize, together with the Marks and Numbers of ſuch Goods and Merchandize; (3) and ſhall likewiſe publickly in the open Cuſtom-houſe, upon his corporal Oath, to the beſt of his Knowledge, have anſwered to ſuch Queſtion or Queſtions as ſhall be demanded of him by the ſaid Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller, or their Deputies, concerning ſuch Goods and Merchandize as ſhall be aboard ſuch Ship or Veſſel; (4) upon Pain of Forfeiture of one hundred Pounds: (5) And that no ſuch Captain, Maſter, Purſer, or other Perſon or Perſons taking Charge of any Ship or Veſſel of War, as aforeſaid, wherein any Goods, Wares or Merchandizes ſhall have been laden or brought from the Ports beyond the Seas, or out of the Realm of *Scotland*, ſhall unload or put on Board any Lighter, Boat or Bottom, or lay on Land, or ſuffer to be diſcharged or put into any Lighter, Boat or Bottom, or to be laid on Land, out of any Ship or Veſſel, as aforeſaid, any Goods, Wares or Merchandize whatſoever, before ſuch Captain, Maſter, Purſer, or other Perſon taking Charge of the Ship or Merchants Goods for that Voyage, as aforeſaid, ſhall have ſignified and declared in Writing under his or their Hands, unto the Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller Inwards of the Port where he arriveth, the Names of every Merchant or Lader of any Goods or Merchandizes aboard the ſaid Ship or Veſſel, together with the Number and Marks, and the Quantity and Quality of every Parcel of Goods and Merchandizes, to the beſt of his Knowledge, and ſhall have anſwered upon his or their corporal Oath, to ſuch Queſtions concerning ſuch Goods and Merchandizes, as ſhall be publickly adminiſtred unto him in the open Cuſtom-houſe, by ſuch Perſon or Perſons which are or ſhall be appointed for managing the Cuſtoms, Cuſtomer or Collector and Comptroller, or their Deputies, and ſhall be liable to all Searches and other Rules which Merchants Ships are ſubject unto, by the Uſage of his Majeſty's Cuſtom-houſe (Victualling-Bills and

Ships or Veſſels of War bringing Goods.

Entring

Entring excepted) upon Pain to forfeit one hundred Pounds; (6) and upon Refuſal to make ſuch Entries as aforeſaid, as well Outwards as Inwards, the ſaid Perſon or Perſons which are or ſhall be appointed for managing the Cuſtoms, and Officers of his Majeſty's Cuſtoms, and their Deputies, ſhall and may freely enter and go on Board all and every ſuch Ship or Veſſel of War, and bring from thence on Shore into his Majeſty's Store-houſe belonging to the Port where ſuch Ship ſhall be, all Goods and Merchandizes prohibited or uncuſtomed, which ſhall be found aboard any ſuch Ship, as aforeſaid.

The Power of Officers for managing the Cuſtoms to enter and ſearch Ships and Veſſels.

IV. And be it hereby enacted, That the ſaid Perſon or Perſons which are or ſhall be appointed for managing the Cuſtoms, and Officers of his Majeſty's Cuſtoms, and their Deputies, are hereby authorized and enabled to go and enter aboard any Ship or Veſſel, as well Ships of War as Merchant-Ships, and from thence to bring on Shore all Goods prohibited or uncuſtomed, except Jewels, if they be Outwards bound; (2) and if they be Ships or Veſſels Inwards bound, from thence to bring on Shore into his Majeſty's Store-houſe, as aforeſaid, all ſmall Parcels of fine Goods, or other Goods, which ſhall be found in Cabbins, Cheſts, Trunks or other ſmall Package, or in any private or ſecret Place, in or out of the Hold of the Ship or Veſſel, which may occaſion a juſt Suſpicion that they were intended to be fradulently conveyed away; (3) and all other Sorts of Goods whatſoever, for which the Duties of Tonnage and Poundage were not paid or compounded for within twenty Days after the firſt Entry of the Ship, to be put and remain in the Store-houſe aforeſaid, until his Majeſty's Duties thereupon be juſtly ſatisfied, unleſs the ſaid Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, and Officers of the Cuſtoms, ſhall ſee juſt Cauſe to allow a longer Time, and that the ſaid Perſon or Perſons which are or ſhall be ſo appointed to manage the Cuſtoms, and the Officers of the Cuſtoms, and their Deputies, may freely ſtay and remain aboard, until all the Goods are delivered and diſcharged out of the ſaid Ships or Veſſels: (4) And if any Maſter, Purſer or Boatſwain, or other taking Charge in any Ship or Veſſel, or any other Perſon whatſoever, ſhall ſuffer any Truſs, Bale, Pack, Fardel, Caſk or other Package to be opened aboard the ſaid Ship or Veſſel, and the Goods therein to be imbezilled, carried away, or put in any other Form or Package, after the Ship comes into the Port of her Diſcharge, in every ſuch Caſe the ſaid Maſter, Purſer, Boatſwain or others, ſhall forfeit the Sum of one hundred Pounds.

Goods concealed in any Ship after clearing.

V. And be it further enacted by the Authority aforeſaid, That in Caſe after the Clearing of any Ship or Veſſel, by the Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, or any their Deputies, and diſcharging the Watchmen or Tideſmen from Attendance thereupon, there ſhall be found on board ſuch Ship or Veſſel, any Goods, Wares or Merchandizes, which have been concealed from the Knowledge of the ſaid Perſon or Perſons which are or ſhall be ſo appointed to manage the Cuſtoms, and for which the Cuſtom, Subſidy and other Duties due upon the Importation thereof, have not been paid; then the Maſter, Purſer or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall forfeit the Sum of one hundred Pounds: (2) And it ſhall be lawful to or for any Perſon or Perſons, authorized by Writ of Aſſiſtance under the Seal of his Majeſty's Court of Exchequer, to take a Conſtable, Headborough or other publick Officer inhabiting near unto the Place, and in the Day-time to enter, and go into any Houſe, Shop, Cellar, Warehouſe or Room, or other Place, and in Caſe of Reſiſtance, to break open Doors, Cheſts, Trunks and other Package, there to ſeize, and from thence to bring, any Kind of Goods or Merchandize whatſoever, prohibited and uncuſtomed, and to put and ſecure the ſame in his Majeſty's Store-houſe, in the Port next to the Place where ſuch Seizure ſhall be made.

The Penalty.

Writ of Aſſiſtance under Seal of the Court of Exchequer

An Account to be given of all foreign Ships in all Ports of England.

12 Car. 2. c 18.

VI. And for the better Increaſe of Shipping and Navigation, Be it further enacted, That the Collectors and other Officers of his Majeſty's Cuſtoms in all the Ports of *England*, ſhall forthwith give an Account unto the Collector and Surveyor in the Port of *London*, (appointed by his Majeſty for all Duties and Matters relating to a late Act, intituled, *An Act for encreaſing and encouraging of Shipping and Navigation*,) of all foreign-built Ships in their Ports, owned and belonging to the People of *England*, of what Built and Burthen they are, for which Certificates have been made according to the ſaid Act, and that the ſaid Collector and Surveyor ſhall make a true and perfect Liſt of all ſuch Ships atteſted under their Hands, and tranſmit the ſame into his Majeſty's Court of Exchequer, on or before the Month of *December* in the Year one thouſand ſix hundred ſixty and two, there to remain upon Record: (2) And that no foreign-built Ship (that is to ſay) not built in any of his Majeſty's Dominions of *Aſia*, *Africa* or *America*, or other than ſuch as ſhall (*bona fide*) be bought before the firſt of *October* one thouſand ſix hundred ſixty and two next enſuing, and expreſly named in the ſaid Liſt, ſhall enjoy the Privilege of a Ship belonging to *England* or *Ireland*, although owned or manned by *Engliſh* (except ſuch Ships only as ſhall be taken at Sea by Letters of Mart or Reprizal, and Condemnation made in the Court of Admiralty, as lawful Prize) but all ſuch Ships ſhall be deemed as Aliens Ships, and be liable unto all Duties that Aliens Ships are liable unto by Virtue of the ſaid Act for Increaſe of Shipping and Navigation. (3) And whereas it is required by the ſaid Act, that in ſundry Caſes the Maſter and three Fourths of the Mariners are to be *Engliſh*, it is to be underſtood, that any of his Majeſty's Subjects of *England*, *Ireland*, and his Plantations, are to be accounted *Engliſh*, and no others, and that the Number of Mariners be accounted according to what they ſhall have been during the whole Voyage. (4) And whereas of late ſome of the Perſons appointed by his Majeſty for Managing the Cuſtoms, and the Officers of the Cuſtoms and their Deputies, have been hindred, affronted, abuſed, beaten and wounded, to the Hazard of their Lives, in the due Execution of their ſeveral Truſts and Services in their reſpective Places, by armed Companies and Multitudes of Men, and Goods prohibited and uncuſtomed have by Force and Violence, as well by Land as by Water, been forcibly carried and conveyed away; (5) Be it enacted by the Authority aforeſaid, That where any Officer or Officers ſhall be by any Perſon or Perſons, armed with Club, or any Manner of Weapon, forcibly hindred, affronted, abuſed, beaten or wounded as aforeſaid, either on board any Ship or Veſſel, or upon the Land or Water, in the due Execution of their Office, all and every Perſon and Perſons ſo reſiſting, affronting, abuſing, beating or wounding the ſaid Officer or Officers, or their Deputies, or ſuch as ſhall act in their Aid or Aſſiſtance, ſhall by the next Juſtice of Peace, or other Magiſtrate, be committed to Priſon, there to remain till the next Quarter-Seſſions: (6)

Foreign-built Ships not to have the Privilege of Ships belonging to England or Ireland.

The Puniſhment for beating and abuſing Officers of the Cuſtoms.

And

And the Juſtices of the Peace of the ſaid Quarter-Seſſions ſhall and are hereby impowered to puniſh the Offender by Fine, not exceeding one hundred Pounds, and the Offender is to remain in Priſon till he be diſcharged by Order of the Exchequer, both of the Fine and of the Impriſonment, or diſcover the Perſon that ſet him on work, to the End he may be legally proceeded againſt.

No Goods to be water-born, or landed, but in the Preſence of ſome Officer of the Cuſtoms.

VII. And be it further enacted by the Authority aforeſaid, That if any Wharfinger or Keeper of any Wharf, Crane or Key, or their Servants, or any of them, ſhall take up or land, or knowingly ſuffer to be taken up or landed, or ſhall ſhip off, or ſuffer to be Water-born at or from any of their ſaid Wharfs, Cranes or Keys, any Goods, Wares or Merchandize prohibited, or whereof any Cuſtom, Subſidy or other Duties are due and payable unto the King's Majeſty, without the Preſence of ſome of the Officers of his Majeſty's Cuſtoms thereunto appointed, or at Hours and Times not appointed by Law (except in the Port of *Hull*, as in the Statute of the firſt Year of Queen *Elizabeth*, Chapter the Eleventh, is excepted, and not otherwiſe) or Goods paſſing by Certificates, Waſte-Cocquet, or otherwiſe, without the Preſence or Notice given to one or more of his Majeſty's Officers; That in every ſuch Caſe all and every ſuch Warfinger and Keeper of ſuch Wharf, Crane or Key, ſhall forfeit and pay the Sum of one hundred Pounds; (2) and if any Goods or Merchandize ſhall be laden or taken in from the Shore, into any Bark, Hoy, Lighter, Barge, Wherry or Boat, to be carried aboard any Ship or Veſſel outwards bound for the Parts beyond the Seas, or laden or taken in from or out of any Ship or Veſſel coming in and arriving from foreign Parts, without a Warrant, and the Preſence of one or more Officers of the Cuſtoms; ſuch Bark, Hoy, Lighter, Barge, Boat or Wherry, ſhall be forfeited and loſt, and the Maſter, Purſer, Boatſwain, or other Mariner of any Ship inward bound, knowing and conſenting thereunto, ſhall forfeit the Value of the Goods ſo unſhipped: (3) And further, That in Caſe any Carman, Porter, Waterman or other Perſon or Perſons whatſoever, ſhall aſſiſt in the Taking up, Landing, Shipping off, or Carrying away any ſuch Goods, Wares or Merchandizes, that then ſuch Carman, Porter, Waterman or other Perſon or Perſons ſo offending, being apprehended by Warrant of any Juſtice of the Peace for that County, City or Borough, which the ſaid Juſtices and every of them are hereby authorized to iſſue, and to examine Witneſſes upon Oath concerning ſuch Fact, and the ſame being proved by the Oath of two Witneſſes, the ſaid Offenders for ſuch firſt Offence ſhall and may by ſuch Juſtice of the Peace be committed to the next Gaol, there to remain till he and they find ſufficient Surety to be of the Good Behaviour for ſo long Time, until he and they ſhall be thereof diſcharged by the Lord Treaſurer, Chancellor, Under Treaſurer or Barons of the Exchequer; (4) and in Caſe he or they ſo convicted, ſhall afterwards at any Time offend in the like Kind, then he and they ſhall and may by any Juſtice of the Peace as aforeſaid, be committed to the next Gaol, there to remain for the Space of two Months without Bail or Mainprize, or until he ſhall pay unto the Sheriff of that County the Sum of five Pounds for the Uſe of his Majeſty, or until he ſhall by the Lord Treaſurer, Chancellor, Under-Treaſurer or Court of Exchequer be thence diſcharged: (5) Be it further enacted by the Authority aforeſaid, That if any Goods, Wares or Merchandizes, ſhall be ſhipped or put on Board to be carried forth to the open Sea from any one Port, Creek or Member in the Kingdom of *England*, Dominion of *Wales* or Port and Town of *Berwick*, to be landed at any other Place of this Realm, without a Sufferance or Warrant firſt had and obtained from the ſaid Perſon or Perſons, which are or ſhall be appointed for managing the Cuſtoms, and Officers of his Majeſty's Cuſtoms, all ſuch Wares and Merchandizes ſhall be forfeited and loſt; (6) and that the Maſter of every Ship or Veſſel that ſhall lade or take in any ſuch Goods, Wares or Merchandizes, in any Port, Member or Creek within this Kingdom of *England*, Dominion of *Wales*, or Town and Port of *Berwick*, to be landed and diſcharged in ſome other Port, Member or Creek of the ſaid Kingdom of *England*, Dominion of *Wales*, or Town and Port of *Berwick*, ſhall before the Ship or Veſſel be removed or carried out of the Port (where he ſhall take in his Lading) take out a Cocquet or Cocquets, and become bound to the King's Majeſty with good Security, in the Value of the Goods, Wares and Merchandizes aforeſaid, for Delivery and Diſcharge thereof in the Port or Place for which the ſame ſhall be entred as aforeſaid, or in ſome other Port or Place within the ſaid Kingdom of *England*, Dominion of *Wales*, or Port and Town of *Berwick*; (7) and (the Dangers and Accidents of the Seas excepted) to return a Certificate within ſix Months after the Date of ſuch Cocquet and Cocquets, under the Hands and Seals of the King's Majeſty's Officers, ſigned alſo by ſome of the ſaid Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, or their Deputy or Deputies, in every reſpective Ports, Members or Creeks where the ſame ſhall be landed and diſcharged, to his Majeſty's Officers of the Cuſtoms to whom ſuch Security hath been given as aforeſaid, that ſuch Goods, Wares and Merchandizes were there landed and diſcharged accordingly, upon the Penalty of the Forfeiture of the Bond and Security aforeſaid.

1 Eliz. c. 11.

The Penalty.

Goods carried from one Port to another in England or Wales.

Certificates are to be indorſed on theſe Bonds. 1 Annæ, Stat. 1. c. 26. §. 3.

VIII. And be it hereby further enacted, That if any Officer of any Port, Member or Creek, ſhall grant or make any falſe Certificate of any Goods or Merchandizes which ſhould have been landed out of any Ship or Veſſel, That ſuch Officer ſhall loſe his Imployment, and moreover forfeit the Sum of fifty Pounds, and ſuffer one Year's Impriſonment without Bail or Mainprize, and be incapable of ſerving his Majeſty in any Place of Truſt concerning his Cuſtoms, and be further liable to ſuch corporal Puniſhment as the Court of *Exchequer* ſhall think fit: (2) And if any Perſon whatſoever ſhall counterfeit, raſe or falſify any Cocquet, Certificate or Return, Tranſire, Let-paſs, or any other Cuſtom-houſe Warrant, he ſhall forfeit one hundred Pounds, and the Cocquet, Certificate or Return ſhall be invalid and of none Effect: (3) And if any Goods, Wares or Merchandizes brought or coming into any Port, Haven or Creek within the Kingdom of *England*, Dominion of *Wales*, or Port and Town of *Berwick*, from any other Port, Haven or Creek, within the Kingdom of *England* or Dominions aforeſaid, by Port-Cocquet, Tranſire, Let-paſs or Certificate, in Ships or Veſſels, ſhall be landed or put on ſhore before ſuch Cocquet, Tranſire, Let-paſs or Certificate ſhall be delivered to ſuch Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, the Cuſtomer or Collector and Comptroller of the Port or Place of their Arrival, or to their Deputy or Deputies, and a Warrant or Sufferance made and given from ſuch Perſon or Perſons, Cuſtomer or Collector and Comptroller, or their Deputy and Deputies aforeſaid, for the Landing and Diſcharging thereof.

Officers of any Port making falſe Certificate.

The Penalty.

Counterfeiting Cocquets, Certificates, &c.

The Penalty.

IX. And

IX. And be it further enacted by the Authority aforesaid, That if any Goods, Wares or Merchandizes, for which the Duties of Subsidy or Custom are due and payable to the King's Majesty, shall be secretly conveyed on Board any Ship or Vessel before the Custom and Subsidy thereof be duly answered and paid, and shall escape the Discovery thereof by the Officers of the Customs or others, and be carried into the Parts beyond the Seas; in such Case the Owners or Proprietors of such Goods, Wares or Merchandizes, or other Person or Persons who shall have so shipped, or caused the same to be shipped and transported, shall forfeit the double Value of the Goods, computed according to the Book of Rates, except for Coal, which so secretly exported as aforesaid, shall pay double the Custom and Duty, to be collected and levied in such Manner as by the Act of Tonnage and Poundage is directed and appointed. Goods secretly conveyed beyond Sea uncustomed and undiscovered by the Officers. The Penalty, 12 Car. 2. c. 4.

X. Be it further enacted by the Authority aforesaid, That for Preventing of Frauds in colouring of Strangers Goods, and otherwise, every Merchant or other passing any Goods, Wares or Merchandizes, inwards or outwards, shall by himself or his known Servant, Factor or Agent, subscribe one of his Bills of every Entry, with the Mark, Number and Contents of every Parcel of such Goods as are rated to pay by the Piece or Measure, and Weight of the whole Parcel of such Goods as are rated to pay by the Weight, without which the Officers of the Customs shall not suffer any Entry to pass; and that no Children of Aliens under the Age of twenty-one Years, be permitted to be Traders, or any Goods or Merchandizes to be entred in their Names. For preventing Frauds in colouring Strangers Goods.

XI. Be it also hereby enacted, That upon any Actions, Suits and Informations that shall be brought, commenced, or entred upon any Law or Statute concerning the King's Majesty's Subsidies of Tonnage and Poundage, or Ships or Goods to be forfeited by Reason of unlawful Importation or Exportation, there shall not be any Party-Jury, but such only as are the natural and free born Subjects of the King, his Heirs or Successors. There shall be no Party Jury in Actions or Suits concerning Customs.

'XII. And whereas Allowance is given to Merchants and others for Defects and Damages upon Goods, 'and five *per Cent.* generally upon all Goods imported, and twelve *per Centum* upon Wines;' every Merchant or others having the aforesaid Allowances inwards, shall in Person, upon Oath by himself or by his known Servant or Factor, demand and receive the Monies due upon Debentures for such foreign Goods exported by Certificate, with such Abatements and Allowances as were made and given to him upon the Importation; (2) and if he be found fraudulently to ship out less in Quantity or Value than is expressed in his Certificate, the Goods therein mentioned, or the Value thereof, shall be forfeited, and the Owner or Merchant shall lose the Benefit of receiving back any Part of the Subsidy for those Goods; (3) and if any Goods shipped out by Certificate as aforesaid, shall be landed again in the same, or any other Port or Place within the Kingdom of *England*, Dominion of *Wales* and Town and Port of *Berwick* (unless in Case of Distress to save the Goods from Perishing, which shall be presently made known to the Person or Persons which are or shall be appointed by his Majesty to manage his Customs, and principal Officers of the Port) no Allowance shall be demanded or made for those Goods, and the said Goods or Value thereof shall be forfeited and lost. Allowances for Defects and Damages in Goods, how to be made.

XIII. Be it further enacted by the Authority aforesaid, That all Goods, Wares or Merchandize, that shall be brought out of or carried into the Kingdom of *Scotland* by Land, into or out of the Kingdom of *England*, Dominion of *Wales* or Port and Town of *Berwick*, shall pass and be carried by and through some of the Towns and Passages hereafter named, (that is to say) by and through *Berwick* or *Carlisle*, and then and there pay the Custom and Subsidy granted and due to the King's Majesty, by an Act of this present Parliament, intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported*; (2) and if any Goods, Wares or Merchandize prohibited or uncustomed, coming out of *Scotland* into *England*, or going out of *England* into *Scotland*, shall pass by or beyond the Towns, Ports and Places aforenamed, without due Entry and Payment of the Customs, That then all such Goods, Wares and Merchandize, or the Value thereof, shall be forfeited and lost. Goods brought from, or carried into, Scotland by Land, shall pass through Berwick or Carlisle. 12 Car. 2. c. 4.

'XIV. And whereas in and by an Act of Parliament in the first Year of Queen *Elizabeth*, of famous Me- 'mory, directing when and where Merchandize shall be landed and Customs paid, it is amongst divers other 'Things enacted and ordained, That no Goods, Wares or Merchandize shall be shipped or loaden aboard 'any Ship or Vessel, or landed or discharged out of or from any Ship or Vessel, but in or upon some such 'open Place, Key or Wharf, Places, Keys or Wharfs, (except the Port of *Hull*) as her Highness, her Heirs 'and Successors should therefore assign and appoint by Virtue of her Highness Commission or Commis- 'sions within the Port of *London*, and in all Ports, Creeks, Havens or Roads; as in and by the said Act doth 'and may at large appear: (2) And whereas, notwithstanding the aforesaid Act, there are some Ports, 'Creeks and Places, where Customers, Collectors and Comptrollers and Searchers and their Servants, had 'then, Time out of Mind, been resident, to which no such Commissions were sent, nor Places, Keys nor 'Wharfs appointed, as by the said Act was directed: And whereas also since that Time, by Reason of the 'Alteration of Rivers, Streams, Channels and Sands, some Places then appointed are become unfit and 'useless, and others much more convenient and commodious, as well for Traffick and Commerce as for 'Landing and Discharging, Lading and Shipping of Goods, Wares and Merchandize;' (3) It is enacted 'and ordained, and be it enacted and ordained by the Authority aforesaid, That the King's Majesty may 'from Time to Time by his Highness Commission or Commissions out of his Court of Exchequer, assign 'and appoint all such further Places, Ports, Members and Creeks, (except the Town of *Hull*) as shall be 'lawful for the Landing and Discharging, Lading or Shipping of any Goods, Wares or Merchandize, 'within the Kingdom of *England*, Dominion of *Wales* or Port or Town of *Berwick* upon *Tweed*, and to 'what ancient and Head Ports respectively such Places, Members or Creeks shall belong and appertain: (4) 'And where any such Member, Creek or Place shall be so (as aforesaid) appointed by Virtue of the said 'Commission or Commissions, the Customer, Collector, Comptroller and Searcher of the Head-Port, shall 'by themselves or their sufficient Deputy or Deputies, Servant or Servants, reside and inhabit, for the En- 'tring, Clearing and Passing, Shipping and Discharging of Ships, Goods and Merchandize; (5) and by 1 Eliz. c. 11. When and where Merchandize shall be landed, and Custom paid.

'Virtue

Virtue of the aforeſaid Commiſſion or Commiſſions, may likewiſe ſet down and appoint the Extents, Bounds and Limits of every Port, Haven or Creek within his Majeſty's Kingdom of *England*, Dominion of *Wales* and Town and Port of *Berwick*, whereby the Extents, Limits and Privileges of every Port, Haven or Creek, may be aſcertained and known: (6) And it ſhall not be lawful for any Perſon or Perſons whatſoever, to lade or put, or cauſe to be laden or put off or from any Key, Wharf or other Place on the Land into any Ship, Veſſel, Lighter, Boat or Bottom, any Goods, Wares or Merchandize whatſoever, (Fiſh taken by his Majeſty's Subjects, Sea-coal, Stone and Beſtials only excepted) to be tranſported into any Place of the Parts beyond the Seas, or carried by Land into the Realm of *Scotland*; (7) or to take up, diſcharge or lay on Land, or cauſe or procure to be taken up, diſcharged and laid on Land, out of any Boat, Lighter, Ship, Veſſel or Bottom (being not in Leak or Wreck) any Goods, Wares, Merchandize whatſoever (Fiſh taken by his Majeſty's Subjects, Beſtials and Salt only excepted,) to be brought from any of the Parts beyond the Seas, or by Land from the Realm of *Scotland*, by way of Merchandize, but only upon ſuch open Place, Key or Wharf, Places, Keys or Wharfs, as his Majeſty ſhall from Time to Time aſſign and appoint by Virtue of ſuch Commiſſion and Commiſſions as aforeſaid, in his Majeſty Port of *London*, and the Members and Liberties thereof, in any other Port, Place, Member or Creek, within his Majeſty's Kingdom of *England*, Dominion of *Wales* and Town and Port of *Berwick*, without ſpecial Sufferance and Leave firſt had from the Commiſſioners and Officers of his Majeſty's Cuſtoms; upon the Penalty of the Forfeiture of all ſuch Goods, Wares and Merchandize.

For avoiding Practices between Owners of Goods and Informers, to avoid Payment of Cuſtoms: None to ſeize any Goods but Officers of the Cuſtoms.

'XV. And foraſmuch as it doth appear by daily Experience, That there are great Practices and Combinations between the Importers and Owners of Goods and Merchandizes, and the Seizers and Informers, with Deſign and Intent to defraud the Force of the Law, and his Majeſty of his Duties and Cuſtoms;' (2) Be it enacted by the Authority aforeſaid, That no Ship or Ships, Goods, Wares or Merchandize, ſhall be ſeized as forfeited, for or by Reaſon of unlawful Importation or Exportation, into or out of this Kingdom of *England*, Dominion of *Wales* or Port and Town of *Berwick*, or any the Ports, Members or Creeks thereunto belonging, or for not Payment of any Cuſtoms or Subſides now due or hereafter to be due and payable to his Majeſty, but by the Perſon or Perſons who are or ſhall be appointed by his Majeſty to manage his Cuſtoms, or Officers of his Majeſty's Cuſtoms for the Time being, or ſuch other Perſon or Perſons as ſhall be deputed and authorized thereunto by Warrant from the Lord Treaſurer or Under-Treaſurer, or by ſpecial Commiſſion from his Majeſty under the Great or Privy Seal: (3) And if any Seizure ſhall hereafter be made by any other Perſon or Perſons whatſoever for any the Cauſes aforeſaid, ſuch Seizure ſhall be void and of none Effect; any Statute, Law, Act or Proviſion to the contrary in any wiſe notwithſtanding.

In any Suit againſt Perſons imployed about the Cuſtoms, the Defendant may plead the General Iſſue. 12 Car. 2. c. 18.

XVI. And be it further enacted by the Authority aforeſaid, That in every Action, Suit, Indictment, Information or Proſecution, wherein or whereby the Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms or the Officers of his Majeſty's Cuſtoms, or any Officer or Officers, Perſon or Perſons authorized by his Majeſty to put in Execution the Act of Parliament, *For increaſing and encouraging of Navigation*, their Deputies or Servants, or any others acting in Aid of them, have been, are or ſhall be ſued, indicted, proſecuted or moleſted, it ſhall be lawful for all and every the ſaid Perſons, their Heirs, Executors and Adminiſtrators, to plead the General Iſſue, and to give this or the aforeſaid Acts of Parliament relating to the Cuſtoms and Navigation, in Evidence, in any of his Majeſty's Courts of Juſtice, or other Courts where the ſaid Matter ſhall be depending; and the Judges of the ſaid Courts are hereby ſtrictly enjoined and required to admit the ſame, and to acquit and indemnify them and every of them of and from all ſuch Suits, Indictments, Informations or Proſecutions, for or concerning any Matter or Thing acted or done in the due and neceſſary Performance and Execution of their reſpective Truſts and Imployments therein.

And give this or other Acts relating to Cuſtoms, or Navigation in Evidence.

For avoiding fraudulent Compoſitions by Informers.

XVII. Be it hereby alſo enacted, for avoiding of fraudulent Compoſitions, That if any Seizer, Informer or Officer as aforeſaid, ſhall not proſecute to Effect for the Bringing to Trial and Condemnation the Ships, Goods and Merchandize by them ſeized or informed againſt; That then, and in every ſuch Caſe, it ſhall be lawful to or for any of the Perſon or Perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, or the Officers of the Cuſtoms, or other Perſon or Perſons deputed by them, or thereunto authorized by the Lord Treaſurer or Under-Treaſurer, to make Seizure of or inform againſt ſuch Goods and Merchandize, or bring his Action for the ſame by way of *Devenerunt*, and that they ſhall be eſteemed and adjudged in Law as the true firſt Informers and Seizers, and have the Benefit of ſuch Informers or Seizers; any Law, Statute, Act or Uſage to the contrary in any wiſe notwithſtanding:

XVIII. And that no Informer or Officer be ſuffered to compound under one Third of the appraiſed Value, upon Loſs of his Office:

No Perſon imployed about managing the Cuſtoms may take any Bribe or Reward to connive at any Entry.

XIX. Be it further enacted by the Authority aforeſaid, That if any of the King's Majeſty's Officers or other Perſons appointed to manage his Majeſty's Cuſtoms, Searchers, Waiters or other Perſon or Perſons whatſoever deputed and appointed by and under them or any of them, or any other Authority whatſoever, and imployed in or about the Affairs of the King's Cuſtoms and Subſidies, ſhall directly or indirectly take or receive any Bribe, Recompence or Reward in any Kind whatſoever, or connive at any falſe Entry of any Goods or Merchandizes, whereby the King's Majeſty, his Heirs or Succeſſors, ſhall be defrauded or hindered in or of his Cuſtoms and Subſidies, or other Sums of Money or Goods prohibited by the Law to be imported or exported into or out of the Kingdom of *England*, Dominion of *Wales*, Town and Port of *Berwick*, be ſuffered to paſs either by way of Importation or Exportation, the Perſon or Perſons therein offending ſhall forfeit the Sum of one hundred Pounds, and be for ever afterwards incapable of any Office or Imployment under the King's Majeſty, his Heirs or Succeſſors, or any Authority derived from them; (2) as alſo the Merchant, Mariner or other Perſon or Perſons whatſoever, who ſhall give or pay any ſuch Bribe, Recompence or Reward as aforeſaid, ſhall forfeit the Sum of fifty Pounds.

The Penalty.

XX. Provided nevertheleſs, That if any Perſon or Perſons offending as aforeſaid, ſhall reveal and make

make known such his or their Offence in two Months Time to the Treasurer of *England*, the Chancellor, Under-Treasurer or Barons of the Exchequer, he shall for that Offence be clearly acquitted and discharged. Persons revealing their own Offences within two Months, to be acquitted.

XXI. And be it further enacted, That all foreign Goods and Merchandize, which by the Person or Persons which are or shall be appointed by his Majesty for the Managing of the Customs, and the Customer, Collector and Comptroller, shall be permitted to be landed and taken up by Bills at Sight, Bills at View, or Sufferance, shall be landed at the most convenient Keys or Wharfs where the said Person or Persons so to be appointed Customer or Collector or Comptroller shall appoint, and not elsewhere, and there or in his Majesty's Store-house of the respective Ports, at the Election of the said Person or Persons so to be appointed, and the Officers, shall be measured, weighed and number'd, by and in the Presence of the Officers to be thereunto particularly appointed; (2) which said Officers so appointed, shall perfect the Entry, and thereunto shall subscribe their Names, and the next Day following shall give Account, and make Report of every respective Entry so perfected as aforesaid, to the said Person or Persons which are or shall be appointed to manage his Majesty's Customs, Customer or Collector and Comptroller aforesaid, without reasonable Cause to be allowed by the said Person or Persons, or Officers aforesaid; or in Default thereof, shall forfeit the Sum of one hundred Pounds. Foreign Goods where to be landed, and how weighed and numbered.

XXII. Be it also enacted, That no Ship, Vessel or Boat, appointed and imployed ordinarily for the Carriage of Letters and Pacquets, shall (unless it be in such Cases as shall be allowed by the said Person or Persons which are or shall be appointed to manage his Majesty's Customs, or Officers aforesaid) import or export any Goods or Merchandize into or out of the Parts beyond the Seas, upon the Penalty of the Forfeiture of one hundred Pounds to be paid by the Master of the said Vessel or Boat, with the Loss of his Place, and all Goods and Merchandize that shall be found on Board any such Ship, Vessel or Boat, shall be forfeited and lost. Vessels appointed for carrying Letters may not import nor export Merchandize.

'XXIII. And whereas some Doubts and Disputes have arisen concerning the said late Act, *For increasing and encouraging of Shipping and Navigation*, about some of the Goods therein prohibited to be brought from *Holland* and the Parts and Ports thereabouts;' (2) Be it enacted and declared, That no Sort of Wines, (other than *Rhenish*) no Sort of Spicery, Grocery, Tobacco, Pot-Ashes, Pitch, Tar, Salt, Rozin, Deal-Boards, Fir, Timber, or Olive-Oil, shall be imported into *England*, *Wales* or *Berwick*, from the *Netherlands* or *Germany*, upon any Pretence whatsoever, in any Sort of Ships or Vessels whatsoever; upon Penalty of the Loss of all the said Goods, as also of the Ships and Furniture. An Explanation of 12 Car. 2. c. 18. of Goods prohibited to be brought from Holland. In Part repealed by 6 Geo. 1. c. 15. §. 1.

'XXIV. And whereas also by the said Acts, *For increasing and encouraging of Shipping and Navigation*, an Imposition of five Shillings *per* Ton is laid upon all Ships or Vessels belonging to any Subjects of the *French* King, which shall come into any Port, Harbour, Creek or Road of *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, and shall there lade or unlade any Goods, or take in or set on Shore any Passengers, yet notwithstanding there is great Difficulty in recovering the said Duty, because small Shallops come not into Harbours where Officers are, but either put their Goods and Passengers on Shore, or Boats come out of Harbours, which privately convey them on Shore, there being no Penalty in the Act against such Offenders;' (2) Be it therefore enacted, That any such Ship or Vessel upon which the above-said Imposition of five Shillings *per* Ton is due and payable, which shall either put on Shore, or put over into any Boat, any Goods or Passengers without Payment of Custom and Imposition of Tonnage, at any Time returning into any Harbour, Port or Creek of *England* or *Ireland*, shall not only pay the Duties formerly due, but forfeit the Sum of ten Pounds: (3) And whatsoever Pilot, Waterman or Boatman, which shall from any Harbour, Port or Creek, go out and bring any Goods from on Board such Vessel, shall not only be liable to pay the Duty of Tonnage which the said Vessel should have paid, but forfeit the Sum of forty Pounds. 12 Car. 2. c. 18. Imposition of 5s. per Ton upon French Vessels. How to be recovered, and the Penalty.

XXV. Be it also hereby enacted, That Vinegar, Perry, Rape, Cyder and Cyder-Eager, of any Sort or Kind whatsoever, imported from and after the four and twentieth Day of *June* one thousand six hundred sixty and two, from foreign Parts, is hereby rated to pay to the King's Majesty a Subsidy of Tonnage of four Pounds ten Shillings *per* Ton imported by *English*, and six Pounds imported by Strangers, according to the Rate already imposed and set upon *French* Wines, to be collected and levied for such Time and in such Manner as by the Act of Tonnage and Poundage is directed and appointed; and the same are by Virtue of this Act exonerated and discharged of all further and other Sums heretofore set or charged upon those Commodities, by or under the Name of Subsidy or Poundage; and in Case of Exportation, there shall be repaid and allowed to the *Englishman* Exporter, the Sum of three Pounds ten Shillings *per* Ton, and to the Alien four Pounds fifteen Shilling *per* Ton, to be repaid according to the Rules of the Book of Rates now established. Tonnage upon Vinegar, Perry, Rape, Cyder, and Cyder-eager.

'XXVI. And whereas the ingenious Industry of these Times hath taught the Dyers of *England* the Art of fixing the Colours made of Logwood *alias* Blockwood, so as that by Experience they are found as lasting and serviceable as the Colours made with any other Sort of Dying-Wood whatsoever: And whereas by a Statute made in the three and twentieth Year of the Reign of Queen *Elizabeth* of famous Memory, intituled, *Logwood and Blockwood shall not be used in Dying of Cloth*, &c. And by another Statute made in the nine and thirtieth Year of the aforesaid Queen *Elizabeth*, (intituled, *The Penalty for mixing or using of Logwood in Dying Cloth or other Stuff*) all Logwood *alias* Blockwood, that shall be found within this Kingdom, shall be forfeited, and openly burned, with divers other Pains, Penalties and Forfeitures, upon such as shall use the same in Dying Cloth or other Commodities, as by the said several Acts aforesaid may and doth appear:' (2) Be it therefore enacted by the Authority aforesaid, That the aforesaid Statutes, and either of them, be and are hereby repealed and made void as to all Clauses, Articles, Provisions and Penalties in any wise relating to the Prohibition or Use of Logwood *alias* Blockwood: (3) And that from and after the first Day of *February* one thousand six hundred sixty and one, it shall and may be lawful to and for any Person or Persons, freely to import into this Kingdom of *England*, Dominion of *Wales*, and Town and Port of *Berwick* upon *Tweed*, any Quantities of Logwood *alias* Logwood or Blockwood. 23 Eliz. c. 9. 39 Eliz. c. 11.

Blockwood, and freely to uſe the ſame in Dying or Colouring any Sort of Goods or Manufacture whatſoever; the aforeſaid two Statutes, or any other Law, Statute, Uſage, Cuſtom, Patent of Privilege, Proclamation or other Reſtraint, Matter or Thing, to the contrary thereof in any wiſe notwithſtanding.

Impoſition upon Logwood imported. 12 Car. 2. c. 18.

XXVII. Provided, That ſuch Importation be according to the Rules preſcribed and enjoined in the late Act, intituled, *An Act for encouraging and increaſing of Shipping and Navigation*; (2) and paying a Subſidy to the King's Majeſty, his Heirs and Succeſſors, for every Ton of the ſaid Logwood *alias* Blockwood, ſo to be imported, after the Rate of five Pounds, and after that Rate for any greater or leſſer Quantity, according to ſuch Rules; (3) and under ſuch Penalties, as are provided for all other imported Goods in a late Act, intituled, *An Act of Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported*, excepting only that for all of the ſaid Commodities exported according to the Rules of the Book of Rates, there ſhall be repaid to the Exporter the Sum of four Pounds *per* Ton; the ſaid Rate for Logwood *alias* Blockwood, to be collected and levied for ſuch Time, and in ſuch Manner, as by the Act of Tonnage and Poundage is directed and appointed.

12 Car. 2. c. 18. Claimers to give Security of 30l. &c. 8 Ann. c. 7. §. 63. Onus Probandi of Property of Goods claimed to lie upon the Owner or Claimer.

XXVIII. And be it further enacted, That all Actions, Suits and Informations, to be had and commenced upon the Act *For encouraging and increaſing of Shipping and Navigation*, or any Clauſe or Article therein, may be entred and proſecuted in his Majeſty's Court of Exchequer at *Weſtminſter*; (2) That upon all ſuch Suits and Informations to be brought upon the Act of Tonnage and Poundage, and the Act aforeſaid, or any other Act or Statute concerning the Importation of Goods or Merchandize from the Parts beyond the Seas, if the Property thereof be claimed by any Perſon or Perſons as the Importer thereof; in ſuch Caſe *Onus Probandi* ſhall lie upon the Owner or Claimer thereof.

12 Car. 2. c. 18. Commiſſion and Time to examine Witneſſes beyond the Sea.

XXIX. Provided, That in Caſe the Seizure or Information ſhall be made upon any Clauſe or Thing contained in the late Act, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, that then the Defendant or Defendants ſhall on his or their Requeſt have a Commiſſion out of the High Court of Chancery to examine Witneſſes beyond the Seas, and have a competent Time allowed for the Return thereof before any Trial ſhall be had upon the Caſe, according to the Diſtance of Place where ſuch Commiſſion or Commiſſions are to be executed, and that the Examination of Witneſſes ſo returned ſhall be admitted for Evidence in Law at the Trial, as if it had been given *Viva voce* by the Examinate in Court; any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

In what Caſes Writs of Delivery may be granted.

XXX. And be it alſo enacted and ordained by the Authority aforeſaid, That no Writ of Delivery ſhall be granted out of the Court of Exchequer for Goods ſeized, but upon good Security, and that for Goods periſhable only, or in Caſes where the Informer ſhall defer or delay his coming to as ſpeedy a Trial as the Courſe of that Court will permit, and ſhall be thereby ordered and directed.

XXXI. And be it further enacted by the Authority aforeſaid, That one Moiety of all the Forfeitures before in this Act mentioned and appointed ſhall be to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall ſeize or ſue for the ſame by Bill, Plaint or Information in his Majeſty's Court of Exchequer, or any other his Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

All Officers and Perſons to be aiding the Officers and Perſons for Management of the Cuſtoms.

XXXII. And be it further enacted and ordained, That all Officers belonging to the Admiralty, Captains and Commanders of Ships, Forts, Caſtles and Block-houſes, as alſo all Juſtices of the Peace, Mayors, Sheriffs, Bailiffs, Conſtables and Headboroughs, and all the King's Majeſty's Officers, Miniſters and Subjects whatſoever whom it may concern, ſhall be aiding and aſſiſting to all and every Perſon and Perſons which are or ſhall be appointed by his Majeſty to manage his Cuſtoms, and the Officers of his Majeſty's Cuſtoms, and their reſpective Deputies, in the due Execution of all and every Act and Thing in and by this preſent Act required and enjoined, and all ſuch who ſhall be aiding and aſſiſting unto them in the due Execution hereof, ſhall be defended and ſaved harmleſs by Virtue of this Act.

Clerks and Servants about the Cuſtoms to be ſworn for their Truth and Faithfulneſs therein.

XXXIII. And be it hereby alſo enacted, That all Deputies, Clerks and Servants, which now have or hereafter ſhall have any Place or Office in or about the Cuſtoms and Subſidies by and under the Commiſſioners, or other the King's Officers thereof, ſhall before the firſt Day of *June* next take their reſpective corporal Oath and Oaths for the true and faithful Execution and Diſcharge, to the beſt of their Knowledge and Power, of their ſeveral Truſts and Imployments committed to their Charge and Inſpection: (2) And that no Perſon or Perſons ſhall hereafter be employed or put in Truſt in the Buſineſs of the Cuſtoms, until he ſhall firſt have taken his Oath as aforeſaid; and the Commiſſioners and Principal Officers in the Port of *London*, and the Principal Officers in all other the Out-Ports, or any two of them, are hereby authorized to adminiſter and give to all and every Perſon or Perſons ſuch Oath and Oaths as aforeſaid, and to cauſe the ſame to be entred and regiſtred in the Cuſtom-houſe of every reſpective Port where the Perſon ſo taking the Oath as aforeſaid ſhall have his Reſidence and Imployment.

Perſons employed about the Cuſtoms ſhall not demand nor take any more than the Fees due by Law.

XXXIV. Provided alſo, and be it enacted by the Authority aforeſaid, That if any Perſon employed in his Majeſty's Cuſtoms, ſhall demand or take any other or greater Sum of Money than by Law is now due, or hereafter ſhall become due, or ſhall put any Merchant or other Perſon out of his Turn, without expreſs Order before, or immediate Approbation after, from the Perſon or Perſons who are or ſhall be appointed by his Majeſty to manage his Cuſtoms, or the Superior Officers for the Cuſtoms, or ſhall illegally detain the Goods of any Perſon, or ſhall neglect or refuſe to make Repayments and Allowances which are or ſhall be due ſince the four and twentieth Day of *June* one thouſand ſix hundred and ſixty, or ſhall not, after Notice given, give out and execute his Warrant, ſhall be liable to double Coſts and Damages.

Of what Size and Burden Merchants Ships ſhall be, and what Men and Ammunition they ſhall carry.

XXXV. And for the better Increaſe of good and ſerviceable Shipping, and ſecuring the publick Trade and Commerce, (2) be it enacted by the Authority aforeſaid, That all and every Merchant or other Perſon, that ſhall after the nine and twentieth Day of *September* one thouſand ſix hundred ſixty and two export any Goods or Merchandizes from any Port of this Kingdom, capable of a Ship or Veſſel of two hundred Ton upon an ordinary full Sea, to any Part or Place of the *Mediterranean* Sea beyond the Port of *Malaga*, or import any Goods or Merchandize from the Ports or Places aforeſaid, to any Port of this

ſaid Kingdom, in any Ship or Veſſel that hath not two Decks, and doth carry leſs than ſixteen Pieces of Ordnance mounted, together with two Men for each Gun, and other Ammunition proportionable, ſhall pay to our Sovereign Lord the King for all and every the Wares and Merchandizes ſo exported or imported, one *per Cent.* over and above the Rates and Duties of Subſidy of Tonnage and Poundage otherwiſe due and payable for the ſame; any Thing in this Act before contained to the contrary notwithſtanding. Altered as to the Exportation of Long Cloth and white Woollen Cloth, by 11 & 12 W. 3. c. 20.

XXXVI. Provided always, That it ſhall and may be lawful to export, from any of his Majeſty's Dominions, Fiſh into any of the Ports of the *Mediterranean* Sea aforeſaid, in any *Engliſh* Ship or Veſſel whatſoever, provided that one Moiety of her full Lading be Fiſh only, and in ſuch Caſe to import any Wares or Merchandize in the ſame Ship for that Voyage, without paying any other Rates or Duties of Tonnage or Poundage for the ſame, than were heretofore accuſtomed. 6 Ann. c. 8. 9 Ann. c. 6. 3 Geo. 1. c. 7. Proviſo for Ships exporting Fiſh.

XXXVII. And for the better Encouragement of building good and defenſible Ships, be it enacted, That all and every Perſon or Perſons that ſhall within the Space of ſeven Years from and after the five and twentieth Day of *March* one thouſand ſix hundred ſixty-two, build or cauſe to be built within any of his Majeſty's Dominions any Ship or Veſſel of three Decks, or two Decks and a Half, with a Forecaſtle, and five Foot between each Deck, mounted with thirty Pieces of Ordnance at leaſt, and other Ammunition proportionable, ſhall for the firſt two Voyages which the ſaid Ship or Ships make from his Majeſty's Dominions to any foreign Parts, have and receive to his and their own proper Uſe and Benefit one tenth Part of the Cuſtoms that ſhall be paid to his Majeſty for all ſuch Goods or Merchandizes as ſhall be exported or imported on the ſaid Ship or Ships, to and from this Kingdom; (2) and the Commiſſioners and Officers of his Majeſty's Cuſtoms are hereby impowered and required to pay the ſame to the Owner or Owners of the ſaid Ship or Ships accordingly. Encouragement for building good and defenſible Ships.

XXXVIII. Provided always, and be it hereby declared and enacted, That from and after the four and twentieth Day of *June* one thouſand ſix hundred ſixty and two, all Salt which ſhall be brought out of the Kingdom of *Scotland* into this Kingdom, the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, ſhall yield and pay, and is hereby made chargeable to yield and pay, unto the King's Majeſty, one Half-penny upon every Gallon of ſuch Imported Salt of *Wincheſter* Meaſure, at the Landing thereof; any Thing in this preſent Act, or any former or other Law, Statute or Order, to the contrary thereof in any wiſe notwithſtanding. [Continued by 2 Will. & Mar. Stat. 1. c. 4. §. 3. 1 Ann. Stat. 1. c. 13. §. 2. 3 Geo. 1. c. 7.] Salt brought out of Scotland to pay one Half-penny a Gallon.

*to, 7 & 8 W. 3. c. 22. 5 Geo. 1. c. 11. 6 Geo. 1. c. 21. 7 Geo. 1. St. 1. c. 21. 8 Geo. 1. c. 15, 18 & 31. 9 Geo. 1. c. 21. 11 Geo. 1. c. 28. 1 Geo. 2. St. 2. c. 17. 9 Geo. 2. c. 35. 15 Geo. 2. c. 31. 18 Geo. 2. c. 28. 19 Geo. 2. c. 34. 21 Geo. 2. c. 2. 23 Geo. 2. c. 18 & 29. and 32 Geo. 2. c. 10.* Farther Proviſions relating hereto, c. 7 & 30. 27 Geo. 2. c. 21. 30 Geo. 2.

## CAP. XII.

### An Act for the better Relief of the Poor of this Kingdom.

'WHEREAS the Neceſſity, Number, and continual Increaſe of the Poor, not only within the Cities of *London* and *Weſtminſter*, with the Liberties of each of them, but alſo through the whole Kingdom of *England* and Dominion of *Wales*, is very great and exceeding burthenſome, being occaſioned by reaſon of ſome Defects in the Law concerning the ſettling of the Poor, and for want of a due Proviſion of the Regulations of Relief and Employment in ſuch Pariſhes or Places where they are legally ſettled, which doth enforce many to turn incorrigible Rogues, and others to periſh for Want, together with the neglect of the faithful Execution of ſuch Laws and Statutes as have formerly been made for the apprehending of Rogues and Vagabonds, and for the Good of the Poor:' (2) For Remedy whereof, and for the preventing the periſhing of any of the Poor, whether young or old, for want of ſuch Supplies as are neceſſary, may it pleaſe your moſt Excellent Majeſty, that it may be enacted; (3) And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That whereas by Reaſon of ſome Defects in the Law, poor People are not reſtrained from going from one Pariſh to another, and therefore do endeavour to ſettle themſelves in thoſe Pariſhes where there is the beſt Stock, the largeſt Common's or Waſtes to build Cottages, and the moſt Woods for them to burn and deſtroy, and when they have conſumed it, then to another Pariſh, and at laſt become Rogues and Vagabonds, to the great Diſcouragement of Pariſhes to provide Stocks, where it is liable to be devoured by Strangers; (4) Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful, upon Complaint made by the Churchwardens or Overſeers of the Poor of any Pariſh, to any Juſtice of Peace, within forty Days after any ſuch Perſon or Perſons coming ſo to ſettle as aforeſaid, in any Tenement under the yearly Value of ten Pounds, for any two Juſtices of the Peace, whereof one to be of the *Quorum*, of the Diviſion where any Perſon or Perſons that are likely to be chargeable to the Pariſh ſhall come to inhabit, by their Warrant to remove and convey ſuch Perſon or Perſons to ſuch Pariſh where he or they were laſt legally ſettled, either as a Native, Houſholder, Sojourner, Apprentice or Servant, for the Space of forty Days at the leaſt, unleſs he or they give ſufficient Security for the Diſcharge of the ſaid Pariſh, to be allowed by the ſaid Juſtices.

*Vin. V. 16--414. Burn, V. 2--201.*

The Occaſion of Increaſe of Poor. 43 *El.* c. 2.

Poor People going from one Pariſh to another.

How to be ſettled, coming to any Tenement under ten Pounds yearly Value. Altered and explained by 1 Jac. 2. c. 17. §. 3. 3 & 4 W. & M. c. 11. §. 3.

II. Provided always, That all ſuch Perſons who think themſelves aggrieved by any ſuch Judgment of the ſaid two Juſtices, may appeal to the Juſtices of the Peace of the ſaid County at their next Quarter-Seſſions, who are hereby required to do them Juſtice according to the Merits of their Cauſe.

Perſons grieved may appeal to the Quarter-Seſſions.

III. Provided alſo, That (this Act notwithſtanding) it ſhall and may be lawful for any Perſon or Perſons, to go into any County, Pariſh or Place, to work in Time of Harveſt, or at any Time to work at any other Work, ſo that he or they carry with him or them a Certificate from the Miniſter of the Pariſh and one of the Churchwardens and one of the Overſeers for the Poor for the ſaid Year, that he or they have a Dwelling-houſe or Place in which he or they inhabit, and hath left Wife and Children, or ſome of them there, (or otherwiſe as the Condition of the Perſons ſhall require) and is declared an Inhabitant or Inhabitants there: (2) And in ſuch Caſe, if the Perſon or Perſons ſhall not return to the Place aforeſaid,

Perſons going to work in Harveſt.

ſaid, when his or their Work is finiſhed, or ſhall fall Sick or Impotent whilſt he or they are in the ſaid Work, it ſhall not be accounted a Settlement in the Caſes aboveſaid, but that it ſhall and may be lawful for two Juſtices of the Peace to convey the ſaid Perſon or Perſons to the Place of his or their Habitation as aforeſaid, under the Pains and Penalties in this Act preſcribed: (3) And if ſuch Perſon or Perſons ſhall refuſe to go, or ſhall not remain in ſuch Pariſh where they ought to be ſettled as aforeſaid, but ſhall return of his own Accord to the Pariſh from whence he was removed, it ſhall and may be lawful for any Juſtice of the Peace of the City, County or Town Corporate where the ſaid Offence ſhall be committed, to ſend ſuch Perſon or Perſons offending to the Houſe of Correction, there to be puniſhed as a Vagabond, or to a publick Work-houſe in this preſent Act hereafter mentioned, there to be employed in Work or Labour: (4) And if the Churchwardens and Overſeers of the Poor of the Pariſh to which he or they ſhall be removed, refuſe to receive ſuch Perſon or Perſons, and to provide Work for them, as other Inhabitants of the Pariſh, any Juſtice of Peace of that Diviſion may and ſhall thereupon bind any ſuch Officer or Officers in whom there ſhall be Default, to the Aſſizes or Seſſions, there to be indicted for his or their Contempt in that Behalf.

Corporations or Work houſes in the Cities of London and Weſtminſter, Middleſex, Surrey.

IV. And for the further Redreſs of the Miſchiefs intended to be hereby remedied, Be it enacted by the Authority aforeſaid, That from thenceforth there be, and ſhall be, one or more Corporation or Corporations, Work-houſe or Work-houſes, within the Cities of *London* and *Weſtminſter*, and within the Boroughs, Towns and Places of the County of *Middleſex* and *Surrey*, ſituate, lying and being within the Pariſhes mentioned in the Weekly Bills of Mortality, conſiſting of a Preſident, a Deputy to the Preſident, and a Treaſurer; and that the Lord Mayor of the City of *London* for the Time being be Preſident of the Corporation or Corporations, Work-houſe or Work-houſes within the ſaid City, and the Aſſiſtants to be the Aldermen of the ſaid City of *London* for the Time being, and fifty-two other Citizens to be choſen by the Common Council of the ſaid City: (2) And that the ſaid Preſident and Aſſiſtants, or the major Part of them, ſhall and may elect a Deputy-Preſident and Treaſurer, and all other neceſſary Officers hereby conſtituted and authorized to execute the Powers and Offices by this Act appointed: (3) And that upon the Vacancy by Death or otherwiſe of any Aſſiſtant, the Power to elect in their Rooms be in the ſaid Common Council; and the Election of the Deputy-Preſident or Treaſurer, and all other Officers, in the ſaid Preſident and major Part of the Aſſiſtants as aforeſaid: (4) And that a Preſident, a Deputy-Preſident, a Treaſurer and Aſſiſtants be nominated and appointed by the Lord Chancellor, or Lord Keeper of the Great Seal of *England*, for the Time being, out of the moſt fit Perſons inhabiting in the City of *Weſtminſter* or the Liberties thereof, for the Corporation or Corporations, Work-houſe or Work-houſes within the ſame.

Preſident, Deputy-Preſident, Treaſurer and Aſſiſtants for Middleſex and Surrey, how to be elected.

City of Weſtminſter.

V. And for the ſaid Places within the Weekly Bills of Mortality in the ſaid Counties of *Middleſex* and *Surrey* reſpectively, there ſhall be elected and choſen by the major Part of the Juſtices of the Peace for the ſaid Counties in their reſpective Quarter-Seſſions aſſembled, out of the moſt able and honeſt Inhabitants and Freeholders of every of the ſaid Counties of *Middleſex* and *Surrey* reſpectively, a Preſident, a Deputy-Preſident, a Treaſurer and Aſſiſtants for the Corporation or Corporations, Work-houſe or Work-houſes of the Places aforeſaid in *Middleſex* and *Surrey*; and that upon the Vacancy by Death or otherwiſe, of any of the Preſidents, Deputy-Preſidents, Treaſurers or Aſſiſtants in the City of *Weſtminſter*, and Places aforeſaid in *Middleſex* and *Surrey*, the Power to elect others in their Rooms be in the major Part of the reſpective Juſtices of Peace, who in their General Quarter-Seſſions from Time to Time ſhall accordingly ſupply ſuch vacant Places; (2) and that at every Quarter-Seſſions they ſhall require and take an Account in Writing of all the Receipts, Charges and Diſburſements of the Officers and Treaſurer of ſuch Corporation or Corporations, Work-houſe or Work-houſes, how and how many poor People have been employed and ſet to work in the Year laſt paſt, and what Stock there was and is remaining; (3) which Preſident, Deputy-Preſident and Treaſurer for the Time being reſpectively, ſhall for ever hereafter, in Name and Fact, be Bodies Politick and Corporate in Law, to all Intents and Purpoſes, and ſhall have a perpetual Succeſſion, and may ſue or plead, or be ſued and impleaded, by the Name of the Preſident and Governors for the Poor of the reſpective Places afore mentioned, in all Courts and Places of Judicature within this Kingdom, and the Dominion of *Wales*, and the Town of *Berwick* upon *Tweed*; (4) and by that Name every of the ſaid Corporations ſhall and may without Licence in *Mortmain*, purchaſe or receive any Lands, Tenements or Hereditaments, not exceeding the yearly Value of three thouſand Pounds *per Annum*, of the Gift, Alienation or Deviſe of any Perſon or Perſons, who are hereby without further Licence enabled to give the ſame, and any Goods, Chattels or Sums of Money whatſoever, to the Uſe, Intent and Purpoſes hereafter limited and appointed; (5) and that each reſpective Corporation, or any ſeven of them, ſhall have hereby Power and Authority from Time to Time to meet and keep Courts for the Ends and Purpoſes in this Act expreſſed, at ſuch Time and Place as ſhall be appointed by the ſaid Preſident, his Deputy, or the Treaſurer, who are hereby required upon the Deſire of any four of the ſaid Corporation, at any Time to cauſe a Court to be warned accordingly, and ſhall have hereby Authority from Time to Time to make and appoint a Common Seal for the Uſe of the ſaid Corporation.

The Powers of the ſaid Preſident and Governors of the ſaid Corporations.

VI. And it is further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Preſident and Governors of the ſaid Corporations for the Time being, or any two of them, or to or for any Perſon authorized and appointed by them or any two of them, from Time to Time to apprehend, or cauſe to be apprehended, any Rogues, Vagrants, Sturdy Beggars, or idle and diſorderly Perſons within the ſaid Cities and Liberties, Places, Diviſions and Precincts, and to cauſe them to be kept and ſet to work in the ſeveral and reſpective Corporations or Work-houſes; (2) and it ſhall and may be lawful for the major Part of the Juſtices of Peace in their Quarter-Seſſions, to ſignify unto his Majeſty's Privy Council, the Names of ſuch Rogues, Vagabonds, idle and diſorderly Perſons and Sturdy Beggars, as they ſhall think fit to be tranſported to the *Engliſh* Plantations; (3) and upon the Approbation of his Majeſty's Privy Council to the ſaid Juſtices of Peace ſignified, which Perſons ſhall be tranſported, it ſhall

and

and may be lawful for any two or more of the Juſtices of the Peace, them to tranſport or cauſe to be tranſported from Time to Time, during the Space of three Years next enſuing the End of this preſent Seſſion of Parliament, to any of the *Engliſh* Plantations beyond the Seas, there to be diſpoſed in the uſual way of Servants, for a Term not exceeding ſeven Years.

A Stock for Supply of the Work, how to be provided in London, Weſtminſter, Middleſex, Surrey.

VII. And be it further enacted by the Authority aforeſaid, That if the Preſident and Governors of any of the ſaid Corporations ſhall certify under their Common Seal, their Want and Defect either of a preſent Stock for the Foundation of the Work, or for Supply thereof for the future, and what Sum or Sums of Money they ſhall think fit for the ſame, to the Common Council of the ſaid City of *London*, and the Burgeſſes and Juſtices of Peace in their Quarter-Seſſions of the ſaid City of *Weſtminſter* and the Liberties thereof, or the Juſtices of the reſpective Counties of *Middleſex* and *Surrey* aſſembled in either Quarter-Seſſions; That thereupon the Common Council of the ſaid City of *London*, the Burgeſſes of the ſaid City of *Weſtminſter*, and the Juſtices of Peace of the ſaid Cities and Counties in their Quarter-Seſſions aſſembled, are hereby required from Time to Time to ſet down and aſcertain ſuch competent Sum and Sums of Money for the Purpoſes aforeſaid, not exceeding one Year's Rate from Time to Time uſually ſet upon any Perſon for or towards the Relief of the Poor, and the ſame to proportion out upon the ſeveral Wards, Precincts, Counties, Diviſions, Hundreds, and Pariſhes, as they ſhall think fit: (2) And thereupon the Aldermen, Deputies, and Common Councilmen of every Ward in the City of *London*, and Burgeſſes and Juſtices of the Peace of the City of *Weſtminſter* and the Liberties thereof, and Juſtices of the Peace of the ſaid Counties of *Middleſex* and *Surrey*, ſhall have Power and Authority, and are hereby required, equally and indifferently, according to the Proportions appointed as aforeſaid for the ſeveral Wards, Precincts, Cities and Pariſhes as aforeſaid, to tax and rate the ſeveral Inhabitants within the ſaid reſpective Wards, Precincts and Pariſhes, as well within Liberties as without; (3) with which Tax, if any Perſon or Perſons find him or themſelves aggrieved, ſuppoſing the ſame to be unequal, he or they ſhall and may make their Complaint known to the Juſtices of the Peace at the next open Seſſions, who ſhall take ſuch final Order therein, as in like Caſes is already by the Law provided.

VIII. And it is further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Alderman of the City of *London*, or his Deputy, or the Burgeſſes and Juſtices of Peace of the City of *Weſtminſter* and the Liberties thereof, or any two or more of them, or any two Juſtices of Peace of the reſpective Counties of *Middleſex* and *Surrey*, by their Warrant under their Hands and Seals, to authorize the Church-wardens or Overſeers for the Poor within the Places and Pariſhes aforeſaid, to demand, gather and receive of every Perſon and Perſons, ſuch Sum and Sums of Money as ſhall be aſſeſſed upon them by Virtue of the Taxations and Contributions aforeſaid; (2) and for Default of Payment within ten Days after Demand thereof made, or Notice in Writing left at the Dwelling-houſe or Lodging of every Perſon ſo aſſeſſed, to levy the ſame by Diſtreſs and Sale of the Goods of every ſuch Perſon, and after Satisfaction made, to reſtore the Surpluſage to the Party ſo diſtrained.

Stocks formerly in London for the Relief of the Poor, how to be paid.

IX. And be it enacted by the Authority aforeſaid, That all Stocks raiſed for the Relief and Imployment of the Poor in the City of *London* and Liberties thereof, which was in the Hands of a Corporation heretofore appointed in the ſaid City for that Service, or in the Hands of any other Perſon or Perſons whatſoever, before the nine and twentieth Day of *September* which was in the Year of our Lord one thouſand ſix hundred and ſixty, commonly called the Feaſt of St. *Michael* the Archangel, or at any Time ſince, together with all the Arrears of Money formerly allotted for that Service, or Legacies given to the ſame End, ſhall be payable to the Treaſurer of the Corporation or Corporations, Work-houſe or Work-houſes, to be eſtabliſhed by this preſent Act, who are hereby authorized and impowered by themſelves or their Officers thereunto by them deputed, to collect, gather, receive and recover the ſaid Money and Legacies, which ſhall be due and in arrear as aforeſaid; with which ſaid Arrears and every Part and Parcel thereof the Corporation or Corporations aforeſaid by this Act made, conſtituted and eſtabliſhed, is and ſhall be hereby inveſted and intereſted for the Execution of the Service hereby enjoined them: (2) And all thoſe that have had or now have any of the ſaid Stocks in their or any of their Hands, ſhall be accountable to the ſaid Treaſurer, or to thoſe that ſhall be appointed by the ſaid Corporation or Corporations, or any Seven or more of them, to take the ſaid Account.

X. Provided always, and be it enacted by the Authority aforeſaid, That there ſhall be a full Allowance of all juſt and neceſſary Expences which have been laid out by the ſaid former Corporation for the Relief of the ſaid Poor, and the carrying on of the ſaid Service ſince the Time before expreſſed.

Power to make Orders and By-laws.

XI. And it is further enacted by the Authority aforeſaid, That the reſpective Preſident and Governors, or any Seven of them, ſhall have Power from Time to Time to make and conſtitute Orders and By-laws for the better Relieving, Regulating and ſetting the Poor to work, and the apprehending and puniſhing of Rogues, Vagabonds and Beggars within the Cities, Liberties and Places aforeſaid, that have not wherewith to maintain themſelves, and for other the Matters aforeſaid.

XII. Provided the ſaid Orders and By-laws ſhall from Time to Time be preſented to the Juſtices of Peace in their Quarter-Seſſions aſſembled, to be allowed by the major Part of them, and confirmed by Order of the ſaid Court.

Power to chuſe and entertain Officers.

XIII. And it is further enacted by the Authority aforeſaid, That the Preſident and Governors of any the ſaid Corporation or Corporations, Work-houſe or Work-houſes, or any Fourteen or more of them, being aſſembled together, ſhall have hereby Power to chuſe and entertain all ſuch Officers and others as ſhall be needful to be imployed in and about the Premiſſes, and them or any of them from Time to Time to remove as they ſhall ſee Cauſe, and upon the Death or Removal of them or any of them, to chuſe others in their Places for the carrying on of the Work, and to make and give ſuch reaſonable Allowances unto them or any of them, out of the Stock and Revenue belonging to the ſaid Corporation or Work-houſe, as they ſhall think fit.

All Sheriffs, &c. to be aſſiſting to the ſaid Corporation, and their Officers.

XIV. And it is further enacted by the Authority aforeſaid, That all Sheriffs, Bailiffs, Conſtables and all other Officers and Miniſters of Juſtice, ſhall be aiding and aſſiſting to the ſaid Corporation or Corporations,

rations, and to all such Officers as shall be imployed by them or any of them in the Execution or Performance of the said Service.

Constables, how made, in Default of holding Court Leets.

'XV. And whereas the Laws and Statutes for the apprehending of Rogues and Vagabonds, have not 'been duly executed, sometimes for Want of Officers, by Reason Lords of Manors do not keep Court-'Leets every Year for the Making of them;' (2) Be it therefore enacted by the Authority aforesaid, That in Case any Constable, Headborough or Tithingman shall die or go out of the Parish, any two Justices of the Peace may make and swear a new Constable, Headborough or Tithingman, until the said Lord shall hold a Court or until next Quarter-Sessions, who shall approve of the said Officers so made and sworn as aforesaid, or appoint others as they shall think fit: (3) And if any Officer shall continue above a Year in his or their Office, that then in such Case the Justices of Peace in their Quarter-Sessions may discharge such Officers, and may put another fit Person in his or their Place until the Lord of the said Manor shall hold a Court as aforesaid.

Apprehending Rogues and Vagabonds. 39 Eliz. c. 4. 1 Jac. 1. c. 7.

'XVI. And whereas for Want of some Encouragement to such Person or Persons as shall apprehend 'Rogues, Vagabonds and Sturdy Beggars, the Statutes made in the nine and thirtieth Year of Queen '*Elizabeth* and first Year of King *James*, in which Statutes the Constable, Headborough or Tithingman 'of every Parish that shall not apprehend such Rogues, Vagabonds and Sturdy Beggars which shall pass 'through or be found in their said Parish unapprehended, such Constable, Headborough or Tithingman, 'shall forfeit as in the said Statutes is expressed, are not duly executed;' (2) Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for any Justice of the Peace, to whom any Rogue, Vagabond or Sturdy Beggars so apprehended shall be brought, to reward any Person or Persons that shall apprehend any Rogue, Vagabond or Sturdy Beggar, by granting unto such Person or Persons an Order or Warrant under his Hand and Seal to the Constable, Headborough or Tithingman of such Parish where such Rogue, Vagabond or Sturdy Beggar passed through unapprehended, requiring him to pay such Person or Persons the Sum of two Shillings for every Rogue, Vagabond or Sturdy Beggar which shall be so apprehended: (3) And if such Constable, Headborough or Tithingman, refuse or neglect to pay the two Shillings as aforesaid, that then the said Justices of Peace, or any other Justice or Justices of Peace, shall proceed against any such Constable, Headborough or Tithingman, according to the said Statutes, and to compel him to pay such Sum of Money as he hath forfeited by the Statute of the first Year of King *James* aforesaid, and to allow out of the said Forfeiture the said two Shillings, and such reasonable Means and Allowances for Loss of Time as they shall think fit.

How rewarded.

Rogues and Vagabonds apprehended at the Confines of any County, how to be dealt withal.

XVII. And if any Person or Persons shall apprehend any Rogue, Vagabond or Sturdy Beggar at the Confines of any County, which passed through any Parish of another County unapprehended, it shall be lawful for such Person or Persons to go to some Justice of Peace of that County through which such Rogue, Vagabond or Sturdy Beggar passed unapprehended, who is hereby required (upon a Certificate under the Hand of some Justice of Peace of the County where such Rogue, Vagabond or Sturdy Beggar was so apprehended) to grant his Order or Warrant under his Hand and Seal, requiring the said Constable, Headborough or Tithingman, to pay unto such Person or Persons as aforesaid the Sum of two Shillings, which if he shall refuse or neglect to do, then such Justice is hereby required to proceed against such Constable, Headborough or Tithingman, and to cause him to pay ten Shillings, or so much thereof, for his Expences and Loss of Time, as the said Justice of Peace shall think fit, to such Person or Persons, which he hath forfeited by the Statute aforesaid made in the nine and thirtieth Year of the Queen.

Carthew 293.

'XVIII. And whereas Constables, Headboroughs or Tithingmen, are or may be at great Charge in 'relieving, conveying with Passes, and in carrying Rogues, Vagabonds and Sturdy Beggars to Houses of 'Correction or the Work-houses herein-mentioned, and as yet have no Power by Law to make Rates 'to reimburse themselves:' (2) Be it therefore enacted by the Authority aforesaid, That all Constables, Headboroughs and Tithingmen, so out of Purse as aforesaid, together with the Churchwardens and Overseers of the Poor and other Inhabitants of the said Parish, shall hereby have Power and Authority to make an indifferent Rate, and to tax all the Occupiers of Lands and Inhabitants, and all other Persons chargeable by the Statute of the three and fortieth of *Elizabeth* concerning the Office and Duty of Overseers for the Poor within the said Parish; (3) which Rate being confirmed under the Hands and Seals of any two Justices of Peace as aforesaid, the said Constable, Headborough or Tithingman, shall have Power by Warrant under the Hands and Seals of two Justices of Peace, to levy by Distress and Sale of the Goods of any Person or Persons refusing to pay the same, rendring the Overplus to the Owner if any shall be.

Power to make Rates. 43 Eliz. c. 2. 2 *Salk.* 609.

Putative Fathers of Bastard Children, running away, how to be proceeded against.

'XIX. And whereas the putative Fathers and lewd Mothers of Bastard Children run away out of the 'Parish, and sometimes out of the County, and leave the said Bastard Children upon the Charge of the 'Parish where they are born, although such putative Father and Mother have Estates sufficient to dis-'charge such Parish;' (2) Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for the Churchwardens and Overseers for the Poor of such Parish where any Bastard-Child shall be born, to take and seize so much of the Goods and Chattels, and to receive so much of the Annual Rents or Profits of the Lands of such putative Father or lewd Mother, as shall be ordered by any two Justices of Peace as aforesaid, for or towards the Discharge of the Parish, to be confirmed at the Sessions, for the Bringing up and Providing for such Bastard-Child: (3) And thereupon it shall be lawful for the Sessions to make an Order for the Church-wardens or Overseers for the Poor of such Parish, to dispose of the Goods by Sale or otherwise, or so much of them for the Purposes aforesaid as the Court shall think fit, and to receive the Rents and Profits or so much of them as shall be ordered by the Sessions as aforesaid, of his or her Lands.

Persons sued for Matters in this Act may plead the General Issue.

XX. And if any Person or Persons shall be sued for any Matter or Thing which he shall do in Execution of this Act, he may plead the General Issue and give the special Matter in Evidence; and if the Verdict shall pass for the Defendant, or if the Plaintiff be nonsuited or discontinue his Suit, the Defendant shall recover treble Damages.

'XXI.

'XXI. Whereas the Inhabitants of the Counties of *Lancaſhire*, *Cheſhire*, *Derbyſhire*, *Yorkſhire*, *Northumberland*, the Biſhoprick of *Durham*, *Cumberland* and *Weſtmerland*, and many other Counties in *England* and *Wales*, by Reaſon of the Largeneſs of the Pariſhes within the ſame, have not, nor cannot reap, the Benefit of the Act of Parliament made in the three and fortieth Year of the Reign of the late Queen *Elizabeth* for Relief of the Poor;' (2) Therefore be it enacted by the Authority aforeſaid, That all and every the Poor, Needy, Impotent and Lame Perſon and Perſons within every Townſhip or Village within the ſeveral Counties aforeſaid, ſhall from and after the Paſſing of this Act be maintained, kept, provided for and ſet on Work, within the ſeveral and reſpective Townſhip and Village wherein he, ſhe or they ſhall inhabit, or wherein he, ſhe or they was or were laſt lawfully ſettled, according to the Intent and Meaning of this Act; (3) and that there ſhall be yearly choſen and appointed, according to the Rules and Directions in the ſaid Act of the three and fortieth Year of Queen *Elizabeth* mentioned, two or more Overſeers of the Poor within every of the ſaid Townſhips or Villages, who ſhall from Time to Time do, perform and execute all and every the Acts, Powers and Authorities for the neceſſary Relief of the Poor within the ſaid Townſhip or Village, and ſhall loſe, forfeit and ſuffer all ſuch Pains and Penalties for Non-performance thereof, as is limited, mentioned and appointed in and by the ſaid in Part recited Act.

Lancaſhire, Cheſhire, Derbyſhire, Yorkſhire, Northumberland, Durham, Cumberland, Weſtmerland. 43 Eliz. c. 2. 2 Lev. 142, 143. 1 Salk. 123. 2 *Salk.* 486, 487. *Vin. V.* 16. 420.

XXII. And be it further enacted by the Authority aforeſaid, That the Juſtices of Peace within the ſaid Counties ſhall have and enjoy ſuch and the like Powers and Authorities to raiſe and levy Monies, and to do and execute all and every ſuch other Act and Thing whatſoever, within every Townſhip or Village within the ſaid County where they are Juſtices, as is given, limited and appointed unto and for them to do and execute within any Pariſh or Pariſhes, in and by the ſaid Act made in the ſaid three and fortieth Year of the ſaid late Queen *Elizabeth*, under ſuch and the like Pains and Penalties for the Non-performance of their Duties, to be levied and diſpoſed of as is nominated and expreſſed in the ſaid Act. 43 Eliz. c. 2.

XXIII. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtices of Peace in any of the Counties of *England* and *Wales*, in their Quarter-Seſſions aſſembled, or the major Part of them, to tranſport or cauſe to be tranſported ſuch Rogues, Vagabonds and Sturdy Beggars, as ſhall be duly convicted and adjudged to be incorrigible, to any of the *Engliſh* Plantations beyond the Seas. Power of the Juſtices to tranſport Rogues and Vagabonds.

XXIV. Provided alſo, That neither this Act nor any Thing therein contained ſhall extend to be, or be conſtrued, expounded or taken, to the Prejudice or Infringement of any of the Franchiſes, Rights, Liberties or Privileges heretofore granted by the Kings and Queens of this Realm, his Majeſty's Royal Predeceſſors, to the Dean and Chapter of the Collegiate Church of St. *Peter* in *Weſtminſter*. Proviſo for the Dean and Chapter of Weſtminſter.

XXV. Provided always, That this Act, as to all the Matters therein contained, (excepting what relates unto the Corporations mentioned and conſtituted thereby) ſhall extend and be in Force until the nine and twentieth Day of *May* one thouſand ſix hundred ſixty-five, and the End of the firſt Seſſion of the next Parliament then next enſuing, and no longer. [Made perpetual by 12 Annæ, Stat. 1. c. 18. §. 1. See 17 Geo. 2. c. 5.] The Continuance of divers Parts of this Act. 11 & 12 W. 3. c. 13. *Farther Proviſions concerning Poor*, 22 & 23 *Car.* 2. *c.* 18. 1 *Jac.* 2. *c.* 17. 3 & 4 *W.* & *M. c.* 11. 8 & 9 *W.* 3. *c.* 30. 9 & 10 *W.* 3. *c.* 11. 12 *Ann. St.* 1. *c.* 18. 9 *Geo.* 1. *c.* 7. 2 *Geo.* 2. *c.* 28. 3 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 3, 37 & 38. *and* 31 *Geo.* 2. *c.* 11. 5 *Geo.* 3.

## CAP. XIII.

### An Act prohibiting the Importation of Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons and Needle-work.

'WHEREAS great Numbers of the Inhabitants of this Kingdom are imployed in the making of Bone-lace, Band-ſtrings, Buttons, Needle-work, Fringe and Imbroideries, who by their Induſtry and Labour have attained and gained ſo great Skill and Dexterity in the making thereof, that they make as good of all Sorts thereof, as is made in any foreign Parts, by reaſon whereof, they have been heretofore able to relieve their poor Neighbours, and maintained their Families, and alſo enabled to ſet on Work many poor Children, and other Perſons who have very ſmall Means or Maintenance of Living, other than by their Labours and Endeavours in the ſaid Art: (2) And whereas the Perſons ſo imployed in the ſaid Myſtery have heretofore ſerved moſt Parts of this Kingdom with Bone-lace, Band-ſtrings, Buttons, Needle-work and Imbroidery; and for the carrying on and managing of the ſaid Trade, they have procured great Quantities of Thread and Silk to be brought into the Kingdom from foreign Parts, whereby his Majeſty's Cuſtoms and Revenues have been much advanced, (3) until of late, that great Quantities of foreign Bone-lace, Band-ſtrings, Needle-work, Cut-work, Fringe, Silk, Bone-lace, Buttons and Imbroidery were brought into this Kingdom by Foreigners and Inhabitants of this Kingdom, and ſold to Shopkeepers and others, Dealers in the ſaid Commodity, as well by Wholeſale as Retail, without ever entring of the ſame in any of his Majeſty's Cuſtom-houſes, or paying any Duty or Cuſtom for the ſame; (4) by Means whereof the ſaid Trade and Calling is of late very much decayed, thoſe employed in the ſaid Callings very much impoveriſhed, the Manufacture much decreaſed, and great Quantities thereof already made, left on their Hands that make it, his Majeſty defrauded and deceived in his Cuſtoms, and many thouſand poor People formerly kept on Work in the ſaid Art, like to periſh for Want of Imployment; (5) there being daily great Sums of Money exported out of this Kingdom for the Buying and Fetching in of the ſaid Commodity, to the great Impoveriſhment of the Nation by the Conſumption of the Bullion and Treaſure thereof, and contrary to the ſeveral Statutes made in the firſt of King *Richard* the Third, in the third of King *Edward* the Fourth, in the nineteenth of King *Henry* the Seventh, and the fifth of Queen *Elizabeth*, and to a late Proclamation made by his Majeſty that now is, dated the twentieth Day of *November* laſt, for the Putting the ſaid Laws in Execution:' 3 Ed. 4. c. 4. 1 R. 3. c. 12. 19 H. 7. c. 21. 5 Eliz. c. 7.

II. For Redreſs whereof, and Prevention of the like Miſchiefs for the Future, and the better Relief, Comfort and Subſiſtence of thoſe imployed in the ſaid Art and Manufacture, and for the Quickning, Reviving,

viving, Explaining, Amending, and more effectual Execution of the said Statutes; (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That no Person or Persons whatsoever shall from and after the twenty-fourth Day of *June* one thousand six hundred sixty-two, sell or cause to be sold, or offer to Sale, within the Kingdom of *England* or Dominion of *Wales*, or export any Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons or Needle-work made of Thread, Silk, or any or either of them, in Parts beyond the Seas, or import, bring in, send or convey, or cause to be brought in, sent or conveyed, into the Kingdom of *England* or Dominion of *Wales*, any such Foreign Bone-lace, Cut-work, Fringe, Imbroidery, Band-strings, Buttons or Needle-work made of Thread, Silk, or any or either of them, beyond the Seas, after the first Day of *May*, which shall be in the said Year of our Lord one thousand six hundred sixty and two; (3) upon Pain that all and every Person or Persons who shall sell or cause to be sold, or offered to Sale, any such Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons or Needle-work, shall forfeit and lose for every Offence by him committed contrary to this Act, the Sum of fifty Pounds, and the whole Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons or Needle-work so sold or caused to be sold, or offered to Sale: (4) And upon further Pain, That all and every Person or Persons who shall import, bring in, send or convey, or cause to be brought in, sent or conveyed into this Kingdom of *England* or Dominion of *Wales*, any such Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons or Needle-work, shall forfeit and lose for every Offence by him committed contrary to this Act, the Sum of one hundred Pounds, and the whole Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons or Needle-work, so imported, brought in, sent or conveyed, or caused to be imported, brought in, sent or conveyed, contrary to the Form and Effect of this present Act as aforesaid: (5) The Moieties of all which Forfeitures to be to the Use of our Sovereign Lord the King's Majesty, his Heirs and Successors; and the other Moiety to him or them that shall sue for the same in any of the King's Courts of Record, by Bill, Plaint, Action of Debt, Information or otherwise, wherein no Essoin, Protection or Wager of Law shall be allowed, at every Time and as often as any Person shall be found to offend in selling, importing, conveying or bringing in as aforesaid.

Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, prohibited to be sold, or imported from beyond Seas. This Act enlarged by 4 & 5 W. & M. c. 10. as to Foreign Buttons made of Hair, and repealed by 5 Ann. c. 17. §. 1. as to Foreign Lace made of Thread *in the Spanish low Countries.*

The Penalty.

One Moiety to the King, and the other to the Prosecutor.

Every Justice of Peace may grant Warrants to search for Manufactures prohibited by this Act.

III. And be it further enacted by the Authority aforesaid, That for the Preventing of the Importing of the said Manufactures as aforesaid, upon Complaint and Information given to the Justices of the Peace, or any or either of them, within their respective Counties, Cities and Towns Corporate, at Times reasonable, he or they are hereby authorized and required to issue forth his or their Warrants to the Constables of their respective Counties, Cities and Towns Corporate, to enter and search for such Manufactures in the Shops being open, or Ware-houses and Dwelling-houses of such Person or Persons as shall be suspected to have any such Foreign Bone-laces, Imbroideries, Cut-work, Fringe, Band-strings, Buttons or Needle-work, within their respective Counties, Cities and Towns Corporate, and to seize the same; any Act, Statute or Ordinance to the contrary thereof in any wise notwithstanding.

The Time limited for Actions upon this Act.

IV. Provided always, and be it hereby enacted and declared, That all Informations, Actions and Suits that shall be commenced for any Offence committed against this Law, shall be brought and commenced within twelve Months after the Discovery of such Offence; any former Act or Law to the contrary notwithstanding.

12 Car. 2. c. 11. 13 Car. 2. Stat. 1. c. 7. 13 Car. 2. Stat. 1. c. 3.

## CAP. XIV.

An Act directing the Prosecution of such as are accountable for Prize Goods. EXP.

## CAP. XV.

## An Act for regulating the Trade of Silk-throwing.

The Silk-throwers of London incorporated by Patent, 5 Car. 1. 19 *H.* 7. *c.* 21.

'WHEREAS the Company of Silk-throwers within the City of *London* and Liberties, and all their Servants and Apprentices within four Miles thereof, were *quinto Caroli primi* incorporated and made one Body Politick, and are known by the Name of the Master, Wardens, Assistants and Commonalty of the Trade, Art or Mystery of Silk-throwers of the City of *London*; (2) And whereas the said Trade is of singular Use, and very advantageous to this Common-wealth, by imploying the Poor, there being imployed by the said Company in and about the City of *London* (as is expressed in their Petition) above forty thousand Men, Women and Children, who otherwise would unavoidably be burthensom to the Places of their Abode; (3) and whereas the present Governors of the said Company by their Petition pray an Enlargement of their Charter, whereby they may be the better enabled to avoid the many Deceits and Inconveniencies they daily meet withal by Intruders, who have not been brought up Apprentices to the said Trade, and others who settle themselves beyond the Limits of the said Charter, on Purpose to avoid the Searches and Supervision of the said Governors, by which Means they are at Liberty to make and vend what Wares they please, to the Disparagement of the said Trade, and Discouraging of the Petitioners, and all others of the said Trade that have duly served Apprentice thereto, according to the known Laws of this Nation:'

None shall use the Trade of a Silk-thrower but such as have served as Apprentices seven Years. The Penalty.

II. For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from and after the twenty-fifth Day of *December*, which shall be in the Year of our Lord one thousand six hundred sixty and two, no Person or Persons whatsoever shall directly or indirectly use, exercise, continue or set up the said Trade, Art or Mystery of a Silk-thrower within this Realm of *England*, unless such as are or shall be Apprentices to the said Trade, or shall have served seven Years Apprenticeship thereunto at the least; (2) upon Pain that every Person so offending contrary to this Act shall pay, forfeit and lose the Sum of forty Shillings for every Month the said Person

shall

ſhall uſe or exerciſe the ſaid Trade; the one Moiety thereof to the Uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to ſuch Perſon or Perſons as ſhall ſue for the ſame in any of the Courts of Record within this Realm of *England*, or before any the Juſtices of *Oyer* and *Terminer*, or the Juſtices of the Peace at their Quarter-Seſſions of the Peace, by Action of Debt, Bill, Plaint or Information, or by any other lawful Ways or Means whatſoever, wherein no Protection, Wager of Law or Eſſoin ſhall be allowed. Before whom to be recovered.

III. And for the better enabling of the ſaid Maſter, Wardens, Aſſiſtants and Commonalty of Silk-throwers, and their Succeſſors, in their Government; (2) be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, now uſing or exerciſing as Maſters, the ſaid Art, Trade or Myſtery, or ſuch as have ſerved as Apprentices to the ſaid Trade by the Space of ſeven Years at the leaſt, within the ſaid Cities of *London* and *Weſtminſter*, and the ſeveral Suburbs thereof, or within twenty Miles Compaſs of them, or either of them, ſhall, before the twenty-fifth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, be admitted, and are hereby enjoined to enter themſelves, into the ſaid Society or Corporation, and to perform and be ſubject and obedient to all ſuch Statutes, Laws, Orders, Ordinances and Conſtitutions, as are or ſhall be made or ordained for or concerning the Exerciſe, Regulation or Government of the ſaid Art, Trade or Myſtery, or of any Perſon or Perſons uſing or exerciſing the ſame; (3) upon Pain of Forfeiture of the Sum of forty Shillings for every Month he or they ſhall uſe or exerciſe the ſaid Trade, after the ſaid twenty-fifth Day of *December* one thouſand ſix hundred ſixty and two; the one Moiety thereof to the Uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to ſuch Perſon and Perſons as ſhall ſue for the ſame in any the Courts of Record within this Realm of *England*, or before any the Juſtices of *Oyer* and *Terminer*, or the Juſtices of Peace at their Quarter-Seſſions of the Peace, by Action of Debt, Bill, Plaint or Information, or by any other lawful Ways and Means whatſoever, wherein no Protection, Wager of Law or Eſſoin ſhall be allowed. Every Perſon uſing the Trade in London and Weſtminſter ſhall enter himſelf of the ſaid Corporation, and be ſubject to the Laws and Orders thereof. The Penalty.

IV. Provided, That ſuch Laws, Orders, Ordinances and Conſtitutions ſo made, or which ſhall be made, be not contrary, but agreeable with the Laws and Statutes of this ſaid Realm, and the Cuſtoms of the ſaid City of *London*.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Maſters, Wardens, Aſſiſtants and Commonalty, and their Succeſſors, ſhall and may have and enjoy, and that it ſhall and may be lawful to and for them, from Time to Time, and at all Times hereafter, to do, perform and execute, within the ſaid Cities of *London* and *Weſtminſter*, and the ſeveral Suburbs thereof, or within twenty Miles Compaſs of them, or either of them, all ſuch Grants, Powers, Privileges and Authorities, as by this preſent Act, or in or by the ſaid Letters Patents of Incorporation are given or granted, or mentioned to be given or granted, for or concerning the Regulation, Exerciſe or Government of the ſaid Trade, Art or Myſtery, or any Matter or Thing relating thereunto, or of ſuch Perſon or Perſons as do or ſhall exerciſe the ſame; any Thing in the ſaid Letters Patents, or any Act, Statute or other Matter or Thing to the contrary thereof in any wiſe notwithſtanding. The Power of the Maſters, Wardens and Aſſiſtants.

'VI. And whereas there is a Neceſſity lying upon the Silk-throwers, to deliver to their Winders or 'Doublers conſiderable Quantities of Silk, which being of a good Value, is by evil-diſpoſed Perſons many 'Times unjuſtly, deceitfully and falſly purloined, imbezilled, pawn'd, ſold and detained, to the great 'Damage, and ſometimes the utter Undoing of the Thrower who imploys the ſaid Perſons:' (2) Be it further enacted by the Authority aforeſaid, That every ſuch Silk-winder and Doubler, who ſhall at any Time hereafter unjuſtly or deceitfully and falſly purloin, imbezil, pawn, ſell or detain any Part of Silk delivered or to be delivered by any Silk-thrower or other Perſon, to them or any of them, to wind or double, that in every ſuch Caſe and Caſes, as well the Winder or Journeyman ſo offending, as the Buyer and Buyers, Receiver and Receivers of ſuch Silk, being thereof lawfully convicted, by Confeſſion of the Party or Parties ſo offending, or by one Witneſs upon Oath before one or more of the Juſtices of Peace of the County or Liberty where the ſame Offence or Offences ſhall be committed, or if it be within any City or Town Corporate, before the Mayor, Bailiff or Chief Officer of the ſaid City or Town Corporate, who by Force of this Act are impowered and authorized to miniſter the ſame Oath, and finally to hear and determine all and every the Offences aforeſaid, and to give and make to the Party and Parties grieved ſuch Recompence and Satisfaction for ſuch their Damage and Loſs, and Charges thereabouts, as by the ſaid Juſtice or Juſtices, or Chief Officers, ſhall be ordered and appointed. The Puniſhment of Silk-winders that imbezil Goods delivered to them.

VII. Provided, That no more Damage be given or awarded, than the Party grieved ſhall prove he is damnified, and hath expended, in looking after the ſame; and if the Party or Parties ſo offending ſhall not be able or ſufficient to make Recompence or Satisfaction for the ſaid Offence, nor do make Recompence or Satisfaction for the ſame Offence or Offences within fourteen Days next after ſuch Conviction, in ſuch Manner and Form, as by the Juſtice or Juſtices or Chief Officers ſhall be ordered and appointed, as aforeſaid; then the Party or Parties ſo offending, for the firſt Offence ſhall be apprehended and whipped, or ſet in the Stocks in the Place where the Offence is committed, or in ſome Market-Town in the ſaid County near unto the Place where the Offence or Offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Juſtice or Juſtices of the Peace, or Chief Officers, and for the ſecond Offence to incur the like, or ſuch further Puniſhment, by Whipping or being put in the Stocks, as the ſaid Juſtice or Juſtices of the Peace or Chief Officers ſhall in their Diſcretion think fit and convenient.

VIII. And be it likewiſe enacted by the Authority aforeſaid, That all and every Receiver and Receivers, Buyer and Buyers of any Silk, or ſuch as take to pawn any Silk imbezilled or purloined, contrary to the true Meaning of this Act, (Matter of Fact being proved) ſhall make Satisfaction within the Time aforeſaid, or elſe ſhall be ſubject to like Puniſhment as by this Act is inflicted, or provided to be inflicted, upon ſuch Perſon ſo imbeziling or purloining any ſuch Silk as aforeſaid. Perſons receiving ſuch imbezilled Goods, how to be puniſhed.

IX. Provided always, That it ſhall and may be lawful to and for any Freeman of the ſaid Company of Silk-throwers, to ſet on work and imploy any Perſon or Perſons, being native Subjects to his Majeſty, and What Perſons may be imployed not having ſerved as Apprentices.

and no others, whether they be Men, Women or Children, to turn the Mill, tie Threads, double Silk, and wind Silk, as formerly they have uſed to do, although ſuch Perſon or Perſons who ſhall be ſo ſet on work, and imployed in the Works and Services aforeſaid, ſhall not have ſerved or been bred up as Apprentices to the Trade of Silk-throwing by the Space of ſeven Years; (z) and that all and every the ſaid Perſon and Perſons who ſhall be ſo ſet on work and imployed by any Freemen of the ſaid Company, in the Works and Services aforeſaid, ſhall and may be imployed by any Freeman of the ſaid Company in the Works and Services aforeſaid, or any of them, without any Let or Moleſtation; any Thing in this Act to the contrary notwithſtanding.

The ſaid Corporation may not ſet Rates upon their Workmen.

X. Provided, and be it enacted, That the ſaid Corporation of Silk-throwers ſhall not by Virtue of this Act, nor any Thing therein contained, make any Orders, Ordinances or By-laws, to ſet any Rates or Prices whatſoever upon the Throwing of Silk, to bind or inforce their Members to work at; but that their reſpective Members ſhall be left at Liberty to contract with their reſpective Imploiers, and alſo with the Perſons that they imploy, at ſuch Rates as they and their Imployers and the Perſons imployed ſhall agree upon; any Thing in this Act to the contrary in any wiſe notwithſtanding.

*Farther Proviſions relating hereto,* 20 *Car.* 2. *c.* 6. 2 *W. & M. Stat.* 1. *c.* 9. 5 *W. & M. c.* 3. 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9 & 20. *and* 26 *Geo.* 2. *c.* 21.

## CAP. XVI.

EXP. An Act for the more ſpeedy and effectual bringing thoſe Perſons to account, whoſe Accounts are excepted in the Act of Oblivion.

## CAP. XVII.

### An Act for Relief of Collectors of publick Monies, and their Aſſiſtants and Deputies.

Collectors and others imployed in levying Money by Virtue of any Act of Parliament being ſued, may plead the General Iſſue.

BE it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in Parliament now aſſembled, and by Authority of the ſame, That all Collectors and other Perſons who have levied or collected, or ſhall levy or collect, any Sum or Sums of Money, or other Act done, or ſhall do in order to the ſame, by Virtue of any Act of Parliament now in Force, or of any other Act, Order or Ordinance allowed to be put in Execution by any ſuch Act of Parliament, as aforeſaid, and who is or ſhall be ſued for or concerning the ſame, by any other than the King's Majeſty, his Heirs and Succeſſors, he and they may plead the General Iſſue, and thereupon give the ſpecial Matter in Evidence for his Excuſe and Juſtification: And that all and every Perſon or Perſons already ſued or impleaded for any the Cauſes aforeſaid, may notwithſtanding any Plea or Demurrer already made by any ſuch Defendant, have Liberty to change ſuch his Plea, and to plead the General Iſſue, if he ſhall think fit ſo to do.

12 Car. 2. c. 11.

II. Provided always, That neither this Act, nor any Thing therein contained, ſhall extend or be conſtrued to extend to authorize the Levying or Collecting of any Sum or Sums of Money which are pardoned by the late Act, intituled, *An Act of Free and General Pardon, Indemnity and Oblivion.*

## CAP. XVIII.

### An Act againſt Exporting of Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, Fulling-clay, and Tobacco-pipe-Clay.

'WHEREAS againſt the Laws of this Kingdom great Number of Sheep, and great Quantities of 'Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth or 'Fulling-clay, are ſecretly exported, tranſported, carried and conveyed out of the Kingdom of *England*, 'Dominion of *Wales*, the Town of *Berwick* upon *Tweed*, and Kingdom of *Ireland*, into the Kingdom of '*Scotland*, and into foreign Parts, to the great Decay of the Woollen Manufactures, the Ruin of many Fa'milies, and the Deſtruction of the Navigation and Commerce of the Kingdoms, Town, and Dominion 'aforeſaid, which is like daily to increaſe, if ſome further Remedy be not provided, and further Penalties 'impoſed upon the Offenders therein:'

23 *H.* 8. *c.* 17.

Exporting or carrying of Sheep, Wool, Wool fells, Mortlings, Shorlings, Yarn, Wool-flocks, Fullers-earth, Fulling-clay, out of England, Wales or Ireland. *Burn, V.* 2. 583, &c.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall from and after the firſt Day of *Auguſt* one thouſand ſix hundred ſixty and two, directly or indirectly export, tranſport, carry or convey, or ſhall cauſe to be exported, tranſported, carried or conveyed out of or from the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or after the firſt Day of *January* one thouſand ſix hundred ſixty and two out of the Kingdom of *Ireland*, into any Parts or Places out of the Kingdoms or Dominion aforeſaid, or into the Kingdom of *Scotland*, any Sheep or Wool whatſoever, of the Breed or Growth of the Kingdoms or Dominion aforeſaid, or any Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, or any Fullers-Earth or Fulling-Clay whatſoever, or ſhall directly or indirectly pack or load, or cauſe to be packed or loaden upon any Horſe, Cart or other Carriage, or ſhall load or lay on Board, or cauſe to be loaden or laid on Board, in any Ship or other Veſſel, in any Place within the Kingdoms of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed* aforeſaid, any ſuch Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth or Fulling-Clay, to the Intent or Purpoſe to export, tranſport, carry or convey the ſame, or to cauſe the ſame to be exported, tranſported, carried or conveyed out of the Kingdoms of *England* or *Ireland*, the Dominion of *Wales*, or Town of *Berwick* upon *Tweed* aforeſaid, into the Kingdom of *Scotland* or into any Foreign Parts; that then every ſuch Offence ſhall be adjudged Felony, and the Offender or Offenders being duly convicted, ſhall ſuffer and forfeit as in Caſe of Felony.

Made Felony. In Part repealed by 7 & 8 W. 3. c. 28. §. 4.

III. And be it further enacted by the Authority aforesaid, That every Owner of any such Ship or other Vessel, and every Owner of every Horse, Cart or Carriage, upon which any Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth or Fulling-Clay, shall be so exported, transported, carried or conveyed as aforesaid, or to any such Intent or Purpose as aforesaid, knowing thereof, and being wittingly and willingly aiding, assisting or consenting thereunto, and also every Master and Mariner of or in such Ship or other Vessel, wherein any such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth or Fulling-Clay, shall be so exported, transported, carried or conveyed, or loaden or laid on Board as aforesaid, to any such Intent or Purpose as aforesaid, knowing thereof, and being wittingly and willingly aiding, assisting or consenting thereunto, and also every Factor or Servant, or other Person whatsoever, and every Customer, Comptroller, Waiter, Searcher, Surveyor or other Officer or Person whatsoever, knowing thereof, and being wittingly or willingly aiding, assisting or consenting thereunto, shall be, and shall be adjudged and taken to be, a Felon, and every Offender and Offenders therein, being duly convicted, shall suffer and forfeit as in Case of Felony. Aiders and Assisters therein shall be adjudged Felons.

IV. And be it further enacted by the Authority aforesaid, That every Offence which shall be done or committed contrary to this Act, shall and may be enquired of, and heard, examined, tried and determined in the County where such Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth or Fulling-Clay respectively, shall be so packed, laden, or laid on Board as aforesaid, or else in the County where such Offender shall happen to be apprehended or arrested for such Offence, in such Manner and Form, and to such Effect to all Intents and Purposes, as if the same Offence had been wholly done and committed in the same County. Offences against this Act, where to be examined and tried.

V. Provided also, That every Baron, and other Peer of this Realm, which shall be indicted or accused as Principal or Accessary in or to any Offence made Felony by this Act, shall have his, her or their Trial, by his, her or their Peers, as in Cases of Felony at the Common Law. Peers.

VI. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons whatsoever shall at any Time hereafter be impeached for any Offence made Felony by this Act, unless such Person or Persons shall be thereof indicted within the Space of one Year next ensuing such Offence committed. None to be impeached unless within one Year next after the Offence committed.

'VII. And forasmuch as great Quantities of Wool, Woollen Yarn and Wool-flocks, are close packed 'and pressed together with Screws and other unlawful Engines, into Butts, Pipes, Hogsheads, Chests and 'other Casks and Vessels, and into Sacks, Bags and other Wrappers made of Wool or Linen, and under 'Colour of Bales, Sacks, Bags, Packs and Casks of other Goods, and otherwise, great Quantities of the 'same are daily loaden on Board of Ships or other Vessels, and so are carried, conveyed, exported and 'transported out of the Kingdoms, Town of *Berwick* and Dominion aforesaid; and also great Quantities 'are daily carried and laid at or near the Coasts of the Sea, or some Navigable Rivers, into Store-houses 'and Barns, and by Night are laid on Board of Shallops, and other Vessels belonging to Aliens, and so 'carried and exported out of the Kingdoms, Town of *Berwick* and Dominion aforesaid;' (2) Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *August*, no Person or Persons shall press together with any Screws, Presses or other Engines, into any Sack, Pack, Bag or other Wrapper, or shall put, press, pack or stean any Wool whatsoever, or any Yarn made of Wool, into any Butt, Pipe, Hogshead, Chest or any other Cask or Vessel, upon any Pretence whatsoever, or shall carry or lay, or cause to be carried or laid, at or near the Shore or Coasts of the Sea, or of any Navigable River, or into any House or Place near adjoining thereunto, any such Wool, Wool-flocks or Yarn made of Wool, with Intention to export, transport, carry or convey the same out of the Kingdoms of *England* or *Ireland*, Town of *Berwick* upon *Tweed*, or Dominion of *Wales*, into the Kingdom of *Scotland* or into any Foreign Parts, under the Penalty of the Loss and Forfeiture of all such Wool, Wool-flocks and Yarn made of Wool, as shall be so packed or pressed, or put or laid into Cask, or carried and laid near to the Sea-Shore or to any Navigable River as aforesaid, or the Value thereof. The Prosecution may be within three Years. 9 & 10 W. 3. c. 40. Screws and unlawful Engines for pressing together of Wool not to be used. The Penalty.

'VIII. And whereas great Quantities of Fullers-Earth or Fulling-Clay are daily carried and exported 'under the Colour of Tobacco-pipe-Clay;' (2) Be it therefore enacted by the Authority aforesaid, That no Tobacco-pipe-Clay shall from and after the first Day of *August* one thousand six hundred sixty and two, be exported, transported, carried or conveyed out of or from the Kingdom of *England*, Town of *Berwick* upon *Tweed*, or after the first Day of *January* one thousand six hundred sixty and two, out of or from the Kingdom of *Ireland* or the Dominion of *Wales*, into the Kingdom of *Scotland*, or into any Foreign Parts, or into any Port or Place out of the Kingdom or Dominion aforesaid; under the Penalty of three Shillings for every Pound of Tobacco-pipe-Clay which shall be exported or transported contrary to this Act. Fulling-Clay, Tobacco-pipe-Clay, not to be exported. The Penalty.

IX. And be it further enacted by the Authority aforesaid, That from and after the first Day of *August* one thousand six hundred sixty and two, no Packs, Sacks, Bags or Cask of any Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, Fulling-Clay or Tobacco-pipe-Clay, shall be laid or loaded on any Horse, Cart or other Carriage whatsoever, or shall be carried or conveyed by Land to or from any Place or Places within the Kingdom of *England*, Town of *Berwick* or Dominion aforesaid, nor after the first Day of *January* one thousand six hundred sixty-two, in the Kingdom of *Ireland*, but in the Day-time and at seasonable Hours, (that is to say) from and after the first Day of *March* to the nine and twentieth Day of *September* yearly, between the Hours of four of the Clock in the Morning and eight of the Clock in the Evening; and from the nine and twentieth Day of *September* to the first Day of *March* yearly, between the Hours of seven of the Clock in the Morning and five of the Clock in the Evening, under the Penalty of the Loss and Forfeiture of all such Goods or the Value thereof; (2) the one Moiety of all which Forfeitures mentioned in this Act to be to the Use of the King, his Heirs and Successors, and the other Moiety to him or them that will sue for the same by Action of Debt, Bill, Plaint or Information, in any Court of Record, in which no Essoin, Protection or Wager of Law shall be admitted or allowed. Packs of Wool, Wool-fells, &c. shall not be carried but in the Day-time. The Penalty.

X. Provided nevertheless, That this Act, or any Thing therein contained, shall not extend or be construed to extend to repeal, disannul and make void any the Penalties, Clauses or Provisoes mentioned in Proviso.

12 Car. 2. c. 32. 13 Car. 2. Stat. 1. c. 14.

one Act of this preſent Seſſion of Parliament, made againſt the Tranſportation of Wool, Wool-fells, Fullers-Earth or any Kind of Scouring-Earth; (2) or to the Prohibiting of the Loading on Board of any Ship or Veſſel, of any Weather Sheep, Wool, Wool-flocks or other Goods mentioned in this Act, that by the aforeſaid Act is permitted to be loaden on Board of any Ship or Veſſel, for the neceſſary Uſe or Proviſion of ſuch Ship or Veſſel as aforeſaid; any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

Proviſo for Owners of Ships that have offended, and ſhall firſt diſcover the ſame.

XI. Provided always, That if any Owner of any Ship or Veſſel, or any Maſter or Mariner, knowing of ſuch Tranſportation of ſuch Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth, Fulling-Clay or Tobacco-pipe-Clay, ſhall within three Months next after the Knowledge thereof, or after his Return into the Kingdom of *England* or *Ireland*, or into the ſaid Town of *Berwick* or Dominion of *Wales* aforeſaid, give the firſt Information *bona fide* before any of the Barons of either of the Courts of the Exchequer in *England* or *Ireland* for the Time being, or before the Head-Officer of any Port where he ſhall firſt arrive, upon his or their Oath, of the Number and Quantity of the Goods mentioned in this Act, ſo carried, conveyed and tranſported, and by whom, where and in what Ship or Veſſel, and afterwards ſhall be ready upon reaſonable Warning by Proceſs to juſtify and prove the ſame; That then ſuch Owner and Owners, Maſter, Mariner and Mariners ſhall not be puniſhed for Felony by Virtue of this Act, but ſhall nevertheleſs be ſubject to all other Penalties and Forfeitures in this or any other Act contained for the Offence aforeſaid. (2) And all ſuch Exportation, Tranſportation, Carrying or Conveying of any the Goods, Wares or Commodities in this Act mentioned, is hereby declared and adjudged to be a common and publick Nuſance.

Owners, &c. exempt from Penalties, and intitled to Benefit of former Acts. 1 W. & M. Seſſ. 1. c. 32. §. 8.

Common Nuſance.

Who may hear and determine the ſaid Offences.

XII. And for the better Execution of this Act, Be it further enacted, That all Juſtices of Aſſize, Juſtices of Gaol-delivery and Juſtices of Peace, ſhall enquire of all the Premiſſes in their General Quarter-Seſſions, and hear and determine the ſame; (2) and that all Mayors, Bailiffs and other Head-Officers of Cities, Boroughs and Towns, not having Juriſdiction to try Felony, ſhall enquire of all and every Offence within this Act not made Felony, and hear and determine the ſame.

*Farther Proviſions relating hereto,* 1 *W. & M. Stat.* 1. *c.* 32. 7 & 8 *W.* 3. *c.* 28. 9 & 10 *W.* 3. *c.* 40. 10 & 11 *W.* 3. *c.* 10. 3 *Geo.* 1. *c.* 21. 4 *Geo.* 1. *c.* 11. 5 *Geo.* 1. *c.* 11. 12 *Geo.* 1. *c.* 34. 13 *Geo.* 1. *c.* 23. 5 *Geo.* 2. *c.* 21. 12 *Geo.* 2. *c.* 21. 15 *Geo.* 2. *c.* 27. 25 *Geo.* 2. *c.* 14. 26 *Geo.* 2. *c.* 8 & 11. 29 *Geo.* 2. *c.* 33. *and* 30 *Geo.* 2. *c.* 12.

## CAP. XIX.

### An Act againſt Importing of Foreign Wool-Cards, Card-Wyre or Iron-Wyre.

3 Ed. 4. c. 4. 39 Eliz. c. 14.

'WHEREAS by the Acts of Parliament made in the third Year of King *Edward* the Fourth, and the nine and thirtieth Year of Queen *Elizabeth*, and ſeveral other Statutes before that Time made, It is enacted (amongſt other Things therein contained) that no Cards for Wool, nor Iron-thread (commonly called White-Wyre) ſhall be imported, ſent or conveyed into this Realm of *England*, wherein the beſt Iron-Thread or Wyre for making Wool-Cards is made, and by the ſaid Manufacture of making and drawing of Wyre, and Wool-Cards, very many poor People of this Kingdom, and their Families have been imployed and maintained, and the Wool-Cards made thereof are of great Concernment to this Kingdom for the good making of Woollen Cloth; (2) and whereas contrary to the ſaid Statutes, not only much Foreign Card-Wyre but alſo Foreign Wool-Cards have been in theſe late Times imported into this Kingdom, and alſo within the ſame many old Wool-Cards are by ill-diſpoſed Perſons (for their private Lucre) bought up, and the old Iron-Wyre of the ſaid old Wool-Cards, being very weak and inſufficient for the well-carding of Wool, is put into new Leather and new Boards, and ſo uttered and ſold to ignorant People for new Wool-Cards, to their great Detriment and the Indamaging of their Work, Carding of Wool, and the Cloth made thereof: By all which, very great Inconveniencies have been found by Experience of Clothiers in their Making of *Engliſh* Cloth, which is lately much debaſed and decayed, and wherein this Nation is greatly concerned to uphold and encourage the well-making thereof in and by all Ways and Means in any wiſe conducible thereunto;' (3) Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, aſſembled in Parliament; and it is hereby enacted by the Authority aforeſaid, That no Foreign Wool-Cards or Foreign Card-Wyre or Iron-Wyre for making of Wool-Cards, be imported into this Kingdom of *England*, Dominion of *Wales* or any Parts thereof, nor uſed within the ſame, nor any Card-Wyre taken out of old Cards, be from henceforth put into new Leather and new Card-Boards, nor any ſuch Wool-Cards made thereof be put to ſale; (4) upon the Pains, Penalties and Forfeitures hereafter following, (that is to ſay) Every Perſon or Perſons who ſhall import or bring any Foreign Wool-Cards or Foreign Card-Wyre, or Iron-Wyre for making of Wool-Cards, into this Kingdom of *England*, Dominion of *Wales* or any Parts thereof, or make any Wool-Cards of any ſuch old Wyre as aforeſaid, or put the ſame to ſale, ſhall forfeit the ſaid Wool-Cards and Card-Wyre, or Iron-Wyre for making Wool-Cards, or the Value thereof if the ſame be not ſeized; the one Half-Part thereof to the King's Majeſty, and the other Half-Part thereof to ſuch Perſon or Perſons who ſhall firſt ſeiſe or ſue for the ſame by Action of Debt, Plaint, Bill, Information or Indictment, in any of his Majeſty's Courts of Record at *Weſtminſter*, or within the County, City, Borough or Town Corporate where ſuch Offence ſhall be committed; wherein no Eſſoin, Protection, Wager of Law or Injunction ſhall be allowed or admitted.

No Foreign Wool-Cards, Card-Wyre or Iron-Wyre for Wool-Cards, may be imported.

For Importation of Iron-Wyre, ſee 2 & 3 W. & M. Seſſ. 2. c. 4. §. 16.

The Penalty.

*Burn, V.* 2. 583, &c.

Proviſo for amending of old Wool-Cards. *See the References to the foregoing Chapter.*

II. Provided always, That this Act ſhall not extend to hinder the Owners of any Wool-Cards, to cauſe them to be amended for their own Uſe, or to tranſport or ſell (for Tranſportation only) any their old overworn Wool-Cards, into any Parts beyond the Seas out of his Majeſty's Dominions.

## CAP. XX.

12 Car. 2. c. 24. 4 & 5 W. & M. c. 24.

An Act for providing of Carriage by Land and by Water, for the Uſe of his Majeſty's Navy and Ordnance. How Carriages ſhall be provided for his Majeſty's Navy and Ordnance. The Rates allowed for Carriages. Impreſſing of Perſons, Ships, Veſſels for Carriages. Penalty on ſuch as neglect or refuſe.

fuſe. The Time of Continuance in the Service. Preſent Payment to be made. No Gifts or Rewards may be taken by Juſtices of the Peace to ſpare any Perſon. The Penalty and how to be recovered. None may impreſs, other than Perſons impowered as aforeſaid. The Penalty. Ships and Veſſels fraighted by Charter-party, exempted. The Continuance of this Act. Continued by 11 & 12 *W.* 3. *c.* 13. §. 1. for ſeven Years, from *Sept.* 1700. EXP.

## CAP. XXI.

An Act for preventing the unneceſſary Charge of Sheriffs, and for Eaſe in paſſing their Accounts.

'WHEREAS the Office of Sheriff, as well by Reaſon of the great and unneceſſary Charges in the Time of Aſſizes and other publick Meetings, as by the tedious Attendance and Charge of Sheriffs in paſſing of their Accounts in the Exchequer, hath of late Years been very burthenſome to the Gentry of this your Realm, who in the late Times of Tyranny and Oppreſſion have been great Sufferers, and thereby much impoveriſhed in their Eſtates and Fortunes:' For Remedy wherein, your Majeſty's moſt loyal Subjects, the Knights, Citizens and Burgeſſes aſſembled in Parliament, do moſt humbly beſeech your moſt Excellent Majeſty, that it may be declared and enacted; (2) and be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons being duly ſworn into the Office of Sheriff for any County or Shire within this your Majeſty's Realm, ſhall from and after the firſt Day of *February* next enſuing, in the Time of the Aſſizes held for the ſaid County or Shire during his or their Sheriffalty, keep or maintain, or cauſe to be kept or maintained, one or more Table or Tables, for Receipt or Entertainment of any Perſon or Perſons reſorting to the ſaid Aſſizes, other than thoſe that ſhall be of his own Family or Retinue; (3) nor ſhall make or ſend in any Preſent to any Judge or Judges of Aſſize for his or their Proviſion, nor give any Gratuity to his or their Officers or Servants, or any of them; (4) and alſo that no Sheriff ſhall after the ſaid firſt Day of *February* have more than forty Men-Servants with Liveries attending upon him in the Time of the ſaid Aſſizes, nor under the Number of twenty Men-Servants, in any County whatſoever within the Kingdom of *England*, nor under the Number of twelve Men-Servants in any County within the Dominion of *Wales*; (5) upon Pain that every Sheriff offending in any of the Premiſſes contrary to the true Meaning hereof, ſhall forfeit for every Default the Sum of two hundred Pounds.

13 *Ed.* 1. *c.* 39. 12 *Ed.* 4. *c.* 1.

Sheriffs at the Aſſizes may keep no Tables for others than of their own Family and Retinue.

Nor make no Preſent or Gift to any Judge of Aſſize.

The Number of Servants with Liveries in England, Wales.

Penalty of 200 *l.*

II. Provided that nothing before in this Act contained ſhall in any wiſe extend unto, or any ways concern, the Sheriffs of the City of *London* and *Middleſex*, and the Sheriff of *Weſtmerland*, or either of them, or any of the Sheriffs of or belonging to any City and County, or Town and County within this Realm; but that the ſame Sheriff or Sheriffs ſhall or may do as heretofore hath been uſed or accuſtomed within the ſaid County of *Middleſex* and Cities of *London* and *Weſtminſter*, and ſuch other Cities and Counties, or Towns and Counties aforeſaid; any Thing herein before contained to the contrary in any wiſe notwithſtanding.

Proviſo for Sheriffs of London, Middleſex, Weſtmerland, and Cities and Counties.

'III. And to the End that Sheriffs may for the Time future be eaſed of the great Charge and Trouble 'which they heretofore have been put to in paſſing their Accounts in the Exchequer, occaſioned partly in 'regard that divers Sums of Money have ſtood charged upon them in groſs, without expreſſing from 'what Perſons, for what Cauſe, or out of what Lands or Tenements the ſame are to be particularly le'vied, or out of what Particulars the ſaid Sums in groſs do ariſe, (whereby it cometh to paſs that the ſaid 'Sheriffs do ſtill ſtand charged in groſs with divers Sums of Money, which were heretofore payable by 'Abbots, Priors, Perſons attainted, and ſuch other Perſons, whoſe Eſtates have ſince come to the Crown, 'or are otherwiſe diſcharged or illeviable) and partly by the Account of Seizures or foreign Account, and 'by the Exaction of undue Fees of Sheriffs upon their Appoſal concerning the ſame:

How Sheriffs ſhall be eaſed in paſſing their Accounts in the Exchequer.

IV. For the preventing whereof, and for the future Eaſe of Sheriffs in paſſing their Accounts, be it enacted and declared, That from henceforth every Seizure for or concerning any Lands, Tenements and Hereditaments, now remaining charged in the foreign Account of any Sheriff or Sheriffs within the Kingdom of *England* for the Year ended at *Michaelmas* one thouſand ſix hundred and ſixty, ſhall be from the ſaid foreign Account charged particularly in the Great Roll of the Exchequer; (2) and that the ſeveral Remembrancers of the ſaid Court, or their reſpective Deputies, do in their reſpective Offices forthwith, and ſo from Time to Time for the Future, write and make true and perfect Copies of all and every ſuch other Seizure and Inquiſition as already are or hereafter ſhall be certified into their reſpective Offices, without certifying the Copy of the Writ, or Commiſſion at large, upon which ſuch Seizure or Inquiſition is or ſhall be ſo taken and returned, mentioning only in brief the Date of the ſaid Writ or Commiſſion, and ſhall deliver the ſame Copies well and truly examined and atteſted under his or their Hands, to the Engroſſer of the ſaid Great Roll; (3) and that all ſuch of the ſaid Seizures and Inquiſitions as now are returned into any of their reſpective Offices ſhall be delivered before the firſt Day of *February* next coming: And that all ſuch other Seizures as ſhall hereafter be returned or certified into their reſpective Offices, ſhall be delivered ſo examined and atteſted as aforeſaid, to the ſaid Engroſſer before the firſt Day of the next Term after the ſaid Remembrancers ſhall have received the ſame, ſo as the ſame may be charged in the Great Roll, to the End that the Proceſs of the Court may from thence iſſue for levying the Iſſues and Profits thereof to the Uſe of the Crown; (4) unto which ſaid Remembrancers or their Deputies, ſhall be from Time to Time paid for every Sheet which they, or their reſpective Clerks, ſhall ſo write and deliver, the Sum of eight Pence, the ſame to be paid unto them by the aforeſaid reſpective Sheriffs, who ſhall be allowed the ſame by the Barons upon their reſpective Accounts, out of the Iſſues and Profits ariſing out of the Premiſſes ſo ſeized; (5) and no Sheriff or Sheriffs for this preſent Year one thouſand ſix hundred ſixty and one, nor any Sheriff or Sheriffs to be hereafter made or appointed within this Kingdom of *England*, ſhall be charged in Account to anſwer any illeviable Seizure, Farm, Rent or Debt, or other Seizure, Farm, Rent, Debt, Matter or Thing whatſoever, which was not writ in Proceſs to him or them to be levied, wherein the Perſons of whom, or the Lands or Tenements out of which, together with the Cauſe for

Seizures of Lands remaining charged at Michaelmas 1660.

Seizures hereafter taken or returned.

Fees to the Remembrancers.

Sheriffs ſhall not anſwer illeviable Seizures, Farm, Rents, &c.

for which the ſame ſhall be ſo levied, ſhall be plainly and particularly expreſſed, but ſhall be thereof wholly diſcharged, without Petition, Plea, or other Trouble or Charge whatſoever.

Seizures before 1 Jac. and divers others, to be left out of the Sheriffs Account.

V. And it is hereby further enacted and declared, That all Seizures heretofore made before the firſt Year of the Reign of the late King *James* of ever Bleſſed Memory, now remaining in the Accounts of Sheriffs, and all Seizures and Debts which are pardoned, ſhall be and are hereby fully diſcharged; and that the ſame and every of them ſhall hereafter be left out of Sheriffs Accounts, without further Order, Plea, Petition, or other Charge to any Sheriff or Sheriffs whatſoever; (2) and that no Proceſs ſhall from henceforth be written forth to any Sheriff for the Levying of the ſame, or any of them, nor for any other Rent or Farm, which cannot be explained by ſetting forth the Particulars thereof, or which have been unanſwered by the Space of forty Years laſt paſt; (3) and that all other dead Farms and Seizures, and all deſperate, illeviable, and unintelligible Debts ſhall be removed out of the annual Roll, and Sheriffs Charge, into the Exannual Roll, there to remain, until by Commiſſion they ſhall be revived and made anſwerable.

In ceſs for Debts to be ſent forth in convenient Time.

VI. And to the End that all new Debts ariſing and coming into the Exchequer for the Future may be ſent forth in Proceſs within convenient Time, be it alſo enacted and declared, That the aforeſaid ſeveral Remembrancers do forthwith inrol and certify to the ſaid Ingroſſer of the Great Roll, all ſuch Debts as any Sheriff or Sheriffs of this Realm are or hereafter ſhall be charged withal, either by Virtue of their reſpective Retorns made to the Barons of the ſaid Exchequer upon his Majeſty's Writs of *Fieri facias*, *Levari facias*, *Capias* or other Proceſs; (2) and alſo of all Fines and Amerciaments which are or ſhall be ſet and impoſed by the Court of Exchequer, upon any Sheriff or Sheriffs for his or their Contempts or Neglects; (that is to ſay) That all and every ſuch Debts, Fines and Amerciaments, as now are returned, ſet or impoſed in any of the ſaid Offices, ſhall be delivered as aforeſaid, before the firſt Day of *February* next enſuing: (3) And all ſuch Debts, Fines and Amerciaments as ſhall hereafter be returned, ſet or impoſed in any of the reſpective Offices, ſhall be alſo delivered by the firſt Day of the next Term after ſuch Retorns made, or ſuch Fines and Amerciaments ſo ſet or impoſed; (4) that ſo they may be all charged in the Sheriffs Accounts reſpectively, and comprehended within his or their *Quietus eſt*; (5) upon Pain that every Officer or Officers in the ſaid Exchequer, who ſhall in any Thing offend contrary to this preſent Act, ſhall forfeit the Sum of forty Pounds for every ſuch Offence; whereof one Moiety ſhall be to the King, his Heirs and Succeſſors, and the other Moiety to the Party or Parties who ſhall be thereby aggrieved; to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law ſhall be allowed or admitted.

The Penalty upon Officers for doing any Thing againſt this Act.

9 Ed. 2. Stat. 2. 5 Ed. 3. c. 4.

VII. And it is hereby further provided and ordained, That no Perſon ſhall be aſſigned to be Sheriff of any County within this Realm, except ſuch as have Lands within the ſame County ſufficient to anſwer the King and his People.

21 Jac. 1. c. 5.

A Quietus eſt to be a ſufficient Diſcharge for a Sheriff, if not queſtioned within four Years after Grant thereof.

'VIII. And whereas by an Act made in the one and twentieth Year of the Reign of our late Sovereign 'Lord King *James* over *England*, it was provided, That whenſoever any Sheriff upon paſſing his Accounts, 'ſhould have his *Quietus eſt*, that he ſhould be thereby abſolutely diſcharged of all Sums of Money by him 'levied and received, and pretended not to be accounted for within the ſaid Account whereupon he had 'his *Quietus eſt*, unleſs ſuch Sheriff ſhould be called in queſtion for ſuch Sums of Money ſo pretended to 'be levied, and not accounted for, within four Years after the Time of ſuch Account, and *Quietus eſt*; 'which Act notwithſtanding, divers Sheriffs and their Heirs upon ſuch Pretences have been moleſted and 'troubled many Years after their Accounts, and *Quietus eſt*, and have had Proceſs ſent out againſt them, 'contrary to the true Intent and Meaning of the ſaid Act;' (2) It is hereby further provided and enacted, That when any Sheriff or Sheriffs within the Kingdom of *England* or Dominion of *Wales*, upon paſſing their Accounts ſhall have their *Quietus eſt*, that then ſuch Sheriff and Sheriffs, their Heirs, Executors and Adminiſtrators, Lands, Tenements, Goods and Chattels, ſhall be thereby abſolutely diſcharged of all Manner of Sum or Sums of Money whatſoever by them levied and received, notwithſtanding any ſuch Pretence that the ſame were not accounted for, or other Pretence whatſoever, unleſs ſuch Sheriff or Sheriffs ſhall be called in Queſtion, and that Judgment ſhall be given againſt him or them for the ſame, within four Years next after ſuch Account or *Quietus eſt*; (3) and that every Officer or Miniſter by whom, or by whoſe Default, any Writ or Proceſs contrary to this Act ſhall be ſent out, ſhall incur the like Forfeitures and Penalties, to be recovered and inflicted by ſuch Perſons, and in ſuch Manner, as by the aforeſaid Act is provided.

Cheſter, Lancaſter, Durham, Wales. For Cheſter, ſee 3 Geo. 1. c. 15. §. 23.

IX. Provided always, That this Act, or any Thing therein contained, ſhall not extend to the Counties of *Cheſter*, *Lancaſter*, *Durham*, or the Counties of *Wales* being *County Palatines*, as to their Manner of Accounting, but that the Sheriffs therein ſhall account as formerly before the reſpective Auditors only, and not elſewhere.

Proviſo touching the King's Remembrancer and Lord Treaſurer's Remembrancer.

X. Provided, That this Act, or any Thing therein contained, ſhall not extend to enjoin his Majeſty's Remembrancer, or the Lord Treaſurer's Remembrancer, to tranſcribe and deliver to the Ingroſſer of the Great Roll, any Inquiſitions or Seizures, but ſuch as have been formerly charged in the Foreign Accounts of the Sheriffs; (2) but for all Inquiſitions upon Attainders, or other Forfeitures to the Crown, the ſame ſhall be put in charge as heretofore they have been, according to the conſtant Uſage and Decree of the Court of Exchequer; (3) nor ſhall this Act, or any Thing therein contained, extend to exclude his Majeſty's ſaid Remembrancer of or from the Writing forth Proceſs for or upon any his Majeſty's Debts, Duties, Outlawries, or other Charge whatſoever, or Proceſs of *Levari facias*, at the Proſecution of any Perſon or Perſons, to levy the Iſſues or Profits of any Lands or Tenements ſeiſed or to be ſeized into the King's Hands, or Proceſs of *Venditioni exponas* for Goods ſeized or to be ſeized upon any Debt to his Majeſty, his Heirs or Succeſſors, or upon any Outlawry, or to alter or change the Pleadings or other Proceedings heretofore uſed and accuſtomed in the ſaid Office upon any Pleadings touching the ſaid Debts, Duties and Seizures, or any of them whatſoever; (4) and that no Debt, Duty, Fine, Amerciament or Seizure whatſoever, which ſhall be charged in the ſaid Great Roll of the Pipe upon any Perſon whatſoever, by or from any Record, Proceſs or Proceeding had, made, filed or recorded in the Office of his Majeſty's

jeſty's Remembrancer of his Exchequer, nor any Proceſs or Proceeding thereupon to be had or made by Virtue of this Act, ſhall be reſpited, ſtayed, mitigated, extenuated, compounded, or otherwiſe diſcharged, but by Order, Warrant or Judgment made, filed or entred in the ſaid Office of his Majeſty's Remembrancer, where the Original of ſuch Debt, Duty or Charge as aforeſaid, is and remaineth: (5) And that in Caſe any Proceſs of Summons of the Pipe have been or ſhall be awarded for or upon any ſuch Debt, Duty, Fine, Amerciament or Seizure whatſoever, and the ſame Debt, Duty, Fine, Amerciament or Seizure, ſhall not upon ſuch Summons of the Pipe be levied or anſwered unto his Majeſty; That then the Clerk of the Pipe, or Engroſſer of the Great Roll, ſhall the next Term after the Return of ſuch Summons certify the ſame in a Schedule into the Office of his Majeſty's Remembrancer aforeſaid, to the End that further Proceſs may be from thence written forth, for the Levying and Anſwering thereof; (6) and that this Act, or any Thing therein contained, ſhall not extend unto, nor be conſtrued to be prejudicial to his Majeſty's Remembrancer in his Exchequer, in any juſt, antient and lawful Fees by him claimed, or belonging or incident to his Office, and uſually had and received by him or his Predeceſſors; any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

XI. This Act to continue to the End of the firſt Seſſion of the next Parliament, and no longer. [Made perpetual by 1 Jac. 2. c. 17. §. 4.] The Continuance.

*Farther Proviſions relating hereto, 3 Geo. 1. c. 15. 6 Geo. 1. c. 21. §. 53. 20 Geo. 2. c. 37. 24 Geo. 2. c. 48. §. 12. and 32 Geo. 2. c. 14.*

## CAP. XXII.

### An Act for Preventing of Theft and Rapine upon the Northern Borders of *England*.

'WHEREAS a great Number of lewd, diſorderly and lawleſs Perſons, being Thieves and Robbers, who are commonly called *Moſs-Troopers*, have ſucceſſively for many and ſundry Years laſt paſt been bred, reſided in, and frequented, the Borders of the two reſpective Counties of *Northumberland* and *Cumberland*, and the next adjacent Parts of *Scotland*, and they taking the Opportunity of the large waſte Grounds, Heaths and Moſſes, and the many intricate and dangerous Ways and By-paths in thoſe Parts, do uſually, after the moſt notorious Crimes committed by them, eſcape over from the one Kingdom into the other reſpectively, and ſo avoid the Hand of Juſtice, in regard the Offences done and perpetrated in the one Kingdom cannot be puniſhed in the other.

'II. And whereas ſince the Time of the late unhappy Diſtractions, ſuch Offences and Offenders as aforeſaid have exceedingly more increaſed and abounded, and the ſeveral Inhabitants of the ſaid reſpective Counties have been for divers Years laſt paſt neceſſitated, at their own free and voluntary Charge to maintain ſeveral Parties of Horſe for the neceſſary Defence of their Perſons, Families and Goods, and to the End the aforeſaid evil and pernicious Members might be apprehended and brought to Judgment; (2) and whereas the moſt Part of the Inhabitants of the ſaid Counties, being more remote from the Borders than other Parts, and conſequently not ſo much expoſed to imminent Dangers as others, are therefore unwilling to contribute their proportionable Parts of the aforeſaid Charge, and yet notwithſtanding it cannot probably or poſſibly be avoided, but that thoſe Inhabitants of the reſpective Counties who hold themſelves moſt ſecure, muſt certainly ſuſtain much Damage and Detriment in their Goods and Eſtates, in Caſe the aforeſaid *Moſs-Troopers* be not timely ſuppreſſed, but ſuffered to grow numerous, ſtrong and potent, which they muſt needs do in caſe there be no Reſtraint upon them;' (3) Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority thereof, That from and after the Feaſt of St. *Michael* the Archangel, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, for and during the Term of five Years next enſuing the Date of this preſent Act, it ſhall and may be lawful for the reſpective Juſtices of Peace of the ſaid reſpective Counties, or the major Part of them, at any General Seſſions of the Peace to be holden for the ſaid Counties reſpectively, on the Behalf of the ſaid Counties, or either of them, from Time to Time as they ſhall ſee Occaſion, to make an Order in open Court of Seſſions for Charging, according to their ſeveral Proportions, all and every the ſeveral Inhabitants of the ſaid reſpective Counties, for the Safeguard and Securing of the ſaid ſeveral Counties and Inhabitants thereof, from all Injury, Violence, Spoil and Rapine of the *Moſs-Troopers* aforeſaid.

III. Provided, That the ſaid County of *Northumberland* be not by Force of this Act at any Time charged above the Sum of five hundred Pounds in the Year; nor the ſaid County of *Cumberland* charged above the Sum of two hundred Pounds in the Year: (2) And for this End and Purpoſe, the ſaid ſeveral Juſtices of Peace of the reſpective Counties aforeſaid are hereby impowered and authorized at any their General Quarter-Seſſions aforeſaid, to appoint and imploy from Time to Time, if Occaſion require, any Perſon or Perſons to have the Conduct and Command of a certain Number of Men, not exceeding the Number of thirty Men in the County of *Northumberland*, and twelve in the County of *Cumberland*, whereby the Malefactors aforeſaid may be ſearched out, diſcovered, purſued, apprehended, and brought to Trial of the Law: (3) And all and every the ſaid Juſtices of Peace of the reſpective Counties aforeſaid, or the major Part of them, at any General Seſſions of the Peace to be holden for the ſaid Counties, or either of them reſpectively, are hereby further impowered and authorized by Force of this preſent Act, to make and iſſue forth their reſpective Warrants under their Hands, for the Levying and Collecting any Sum or Sums of Money ordered to be paid for and towards the Safeguard and Securing of the ſaid Counties reſpectively, as aforeſaid, and to give full Power to the ſeveral Conſtables and other Officers, to raiſe, levy and collect the ſaid Money, and all and every the Inhabitants of the ſaid ſeveral Counties, according to their reſpective proportionable Eſtates in Lands or Goods, by Diſtreſs and Sale of Goods, rendring the Overplus, if there be any, to the reſpective Owner or Owners: (4) And the ſaid Juſtices of Peace in the ſaid ſeveral Counties, or any one of them reſpectively, are hereby alſo authorized to examine any Complaint made againſt the Collectors and Conſtables, or any other Officers or Miniſters of Juſtice whatſoever,

ever, or any of them, or any other refractory Perſon or Perſons whatſoever, that at any Time hereafter ſhall refuſe, neglect or fail to give Obedience to this Act, or ſhall do any Act or Acts in Diſturbance or Obſtruction thereof, and to bind over ſuch Perſon or Perſons to the next Quarter-Seſſions according to the known Laws of the Land, to the End ſuch Perſon or Perſons may be proceeded withal according to Juſtice.

IV. And the ſaid reſpective Juſtices of Peace, as aforeſaid, are hereby further impowered and authorized on Behalf of the ſaid ſeveral Counties reſpectively, to appoint a Treaſurer to receive from the ſaid Collectors the Monies by them collected, and to pay over the ſame according to the Orders they ſhall receive from the ſaid Juſtices at the General Seſſions of the Peace to be holden for the ſaid reſpective Counties: (2) And the ſaid Juſtices are alſo impowered to agree and article with ſuch Perſon or Perſons yearly, as they ſhall think fit to imploy in the ſaid Service, and to take ſufficient Security of them for the faithful and moſt effectual Performance thereof, for the beſt Safeguard, Advantage and Benefit of the People, according to the true Intent and Meaning of this Act.

V. And in Caſe any Perſon or Perſons ſhall in Purſuance of this Act be imployed in the Border-Service, and ſhall at any Time hereafter wilfully and corruptly, or for any ſiniſter Reſpect whatſoever, neglect or forbear to diſcover or apprehend, or to bring to Trial any of the ſaid Perſons called *Moſs-Troopers*, as aforeſaid, and ſhall be convicted thereof according to Law, he or they ſhall from thenceforth be diſabled and made uncapable for ever after to manage or take upon him or them the ſaid Imployment, and to ſuffer ſuch Fine and Impriſonment, according to the Quality of his or their Offence, as the Juſtices of Peace at their General Seſſions ſhall think fit to inflict.

VI. Provided nevertheleſs, and be it hereby declared, That it ſhall be lawful for the Juſtices of Peace of either of the ſaid Counties as aforeſaid reſpectively, at any Time hereafter, to moderate or leſſen the ſaid Charge, if they ſee Cauſe.

VII. Provided, That this Act ſhall continue and be in Force for five Years and no longer.

VIII. Provided always, and be it further enacted by the Authority aforeſaid, That for better Suppreſſion and Puniſhment of the ſaid *Moſs-Troopers* flying out of *England* into *Scotland*, or out of *Scotland* into *England*, the Statutes made in the ſeveral Seſſions of Parliament in the fourth and ſeventh Years of King *James* ſhall be revived and put in Execution according to their true Intent. [18 Car. 2. cap. 3. Continued for ſeven Years from the Expiration of this Act. Farther continued for eleven Years by 10 Geo. 1. c. 17. §. 1. Continued till 1 Sept. 1744, &c. by 6 Geo. 2. c. 37. §. 7. and by 17 Geo. 2. c. 40. to 24 June 1751, and to the End of the next Seſſion of Parliament.]

4 Jac. 1. c. 1. 7 Jac. 1. c. 1. 7 & 8 Will. 3. c. 17. 12 Will. 3 c. 6. 12 Ann. c. 10.

## CAP. XXIII.

### An additional Act concerning Matter of Aſſurance uſed amongſt Merchants.

43 Eliz. c. 12.

Encouragements of Merchants and Trade.

*Bac. V.* 3. 598.

WHEREAS by an Act of Parliament made in the three and fortieth Year of the Reign of Queen *Elizabeth* of happy Memory, intituled, *An Act concerning Matters of Aſſurances uſed amongſt Merchants*; the Parliament then taking into Conſideration, by all good Means to comfort and encourage the Merchants of this Kingdom, thereby to advance and increaſe the Wealth of this Realm, her Majeſty's Cuſtoms and the Strength of Shipping, and for preventing of divers Miſchiefs in the ſaid Act mentioned; it was enacted, That it ſhould and might be lawful for the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, to award forth under the Great Seal of *England* one general or ſtanding Commiſſion to be renewed yearly at the leaſt, and otherwiſe ſo often as unto the Lord Chancellor or Lord Keeper ſhould ſeem meet, for the hearing and determining of Cauſes ariſing on Policies of Aſſurance, ſuch as then were, or then after ſhould be entred within the Office of Aſſurance of the City of *London*; (2) which Commiſſions ſhould be directed to the Judge of the Admiralty for the Time being, the Recorder of *London* for the Time being, two Doctors of the Civil Law, two Common Lawyers, and eight grave or diſcreet Merchants, or any five of them; (3) which Commiſſioners, or the greater Part of them which ſhould ſit and meet, ſhould have full Power and Authority to hear, examine, order and decree all and every ſuch Cauſe or Cauſes in a brief and ſummary Courſe without Formalities of Pleadings or Proceedings, with Power to warn Parties to come before them, and to examine upon Oath any Witneſſes that ſhould be produced, and to commit to Priſon any Perſon that ſhould wilfully diſobey their final Orders and Decrees; (4) and the Commiſſioners to ſit once Weekly upon the Execution of the ſaid Commiſſion, with a Liberty in the ſaid Act for any Perſon grieved by any ſuch Sentence or Decree, to exhibit his Bill in Chancery for the Re-examination of ſuch Sentence or Decree, as by the ſaid Act, Relation being thereunto had, more at large may appear: (5) But foraſmuch as by the ſaid recited Act, without five Commiſſioners there cannot be a Court, and without there be a Court they cannot proceed in the Execution of their Commiſſion, ſo much as to ſummon Parties or Witneſſes to appear; and in Caſe of Neglect or Refuſal of any Party or Witneſs to appear, they have no Power to puniſh the Delay or Contempt with Coſts, or otherwiſe; (6) and it is provided by the ſaid Act, That not any Commiſſioner, other than the Judge of the Admiralty, or the Recorder of *London*, ſhall proceed in the Execution of ſuch Commiſſion, before he hath taken his Oath before the Lord Mayor and Court of Aldermen to proceed uprightly and indifferently between Party and Party, which, upon the renewing of the ſaid Commiſſions, often proves a great Delay, there being ſo many Commiſſioners to be ſworn, and the Court of Aldermen not ſitting at ſome Times in the Year when the ſaid Commiſſions have happened to be renewed; (7) and although the ſaid Commiſſioners upon their final Sentence have Power to commit to Priſon any Perſon that ſhall wilfully diſobey their ſaid Sentences or Decrees, yet they have no Power to make any Order againſt the Ship or Goods, which commonly are the Things aſſured; (8) by which Omiſſions, for want of Power given by the ſaid Act, the Benefits intended by the ſaid Act of Parliament are much retarded, and the Miſchiefs by the Act endeavoured to be prevented, much increaſed:

II. For

II. For Remedy whereof, be it enacted and ordained, and it is hereby enacted and ordained by the King' moſt Excellent Majeſty, and by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That from and after the four and twentieth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, it ſhall and may be lawful to and for the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, to iſſue out yearly (or oftener if Need require) one ſtanding Commiſſion under the Great Seal of *England*, thereby impowering and authorizing the ſaid Commiſſioners, or any three of them (whereof a Doctor of the Civil Law, or a Bariſter at Law of five Years ſtanding at the leaſt, to be always one) to meet and ſit, and make a Court, and proceed in all Things in the Execution of the ſaid Commiſſion, as before by the ſaid Act any five might have done; (2) and that the ſaid Commiſſioners, or any ſuch three of them, as aforeſaid, be and hereby are impowered to ſummon Parties and Witneſſes to appear, and in Caſe of Contempt or wilful Delay in the Witneſſes upon the firſt Summons and Tender of reaſonable Charges, and in the Parties upon their ſecond Summons, to puniſh the Offenders by Impriſonment or Coſts for ſuch Time and in ſuch Manner as ſhall be reaſonable, and according to the Nature and Quality of their Offences; (3) and that it ſhall and may be lawful to and for every ſuch Commiſſioner to proceed in the Execution of the ſaid Commiſſion, having firſt taken an Oath before the Lord Mayor of the City of *London* for the Time being only, to proceed uprightly and indifferently between Party and Party; and the ſaid Lord Mayor is hereby authorized to give ſuch Oath; any Thing in the ſaid Act to the contrary notwithſtanding: (4) And that no Perſon ſhall proceed in Execution of the ſaid Commiſſion, before he be firſt ſworn before the Lord Mayor of *London* for the Time being, to proceed uprightly and indifferently between Party and Party, as formerly he ſhould have been before the Lord Mayor and Court of Aldermen.

Three Commiſſioners impowered to act.

1 Shower 396.

Coſts.

Lord Mayor of London may adminiſter the Oath.

III. Be it alſo enacted by the Authority aforeſaid, That in Caſe the ſaid Commiſſioners, or any ſuch three of them as aforeſaid, ſhall find Cauſe to examine Witneſſes beyond the Seas, or any remote Parts of his Majeſty's Dominions, for the clearing of any Doubt or Matter before them depending, that in ſuch Caſe by Direction of the ſaid Commiſſioners, or any ſuch three of them, like Commiſſions or Proceſs ſhall iſſue out of the Court of Admiralty, as have formerly been for the Purpoſes aforeſaid, returnable before the ſaid Commiſſioners; (2) and that the ſaid Commiſſioners, or any ſuch three of them, ſhall have alſo Power to give and paſs their final Sentence, Decree and Executions, as well againſt the Body of the Party evicted, or his Goods, as alſo againſt the Executors and Adminiſtrators of ſuch Party ſo evicted; and to aſſeſs Coſts of Suit upon ſuch Perſon or Perſons as ſhall be condemned by the Decree of the ſaid Court, as to them ſhall ſeem juſt.

Commiſſions out of the Admiralty Court to examine Witneſſes beyond Sea.

' IV. And foraſmuch as many Witneſſes (as Seamen and others) come and ſpeedily go again to Sea, ' before a Court can be ſummoned, by which Means the Aſſured and Aſſurers are many Times much ' damnified;' (2) For the preventing of which Miſchief, be it alſo enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any one of the ſaid Commiſſioners to adminiſter an Oath to any Witneſs legally ſummoned to give Teſtimony, (timely Notice being thereof given to the adverſe Party, and ſet up in the Office before ſuch Examination) to the End ſuch Witneſs or Witneſſes may be croſs-examined.

Witneſſes going to Sea, how to be examined before.

V. Provided always, That the ſaid Commiſſioners ſhall in no Caſe proceed both againſt Perſon and Goods for one and the ſame Debt; (2) and provided alſo, That any Thing in this Act contained ſhall not in any wiſe extend to prejudice the Appeal to the High Court of Chancery given or allowed in the ſaid former Act of Parliament.

Appeal to the Chancery.

43 Eliz. c. 12. *Farther Proviſions relating to Inſurances*, 9 *Ann.* c. 6. 6 *Geo.* 1. c. 18. 7 *Geo.* 1. c. 27. §. 26. 8 *Geo.* 1. c. 15. §. 25. 11 *Geo.* 1. c. 30. §. 44. 19 *Geo.* 2. c. 37. 21 *Geo.* 2. c. 4. *and* 25 *Geo.* 2. c. 26.

## CAP. XXIV.

### An Act Declaratory concerning Bankrupts.

WHEREAS divers Noblemen, Gentlemen and Perſons of Quality, no ways bred up to Trade or Merchandize, do oftentimes put in great Stocks of Money into the *Eaſt-India* Company, or *Guiney* Company, and the Fiſhing Trade, and ſuch other publick Societies, and receive the Procede of thoſe Stocks ſometimes in ready Monies, ſometimes in Commodities which they uſually ſell for Money, or exchange again; by which Means the Trade of thoſe Companies is much encouraged, Fiſhing and Navigation increaſed, and the publick Good of the whole Kingdom very much advanced:

' II. Notwithſtanding which great Advantages to the Publick, there hath been lately ſome Opinion conceived, that ſuch Perſons may and ought to be made ſubject to the Statutes provided againſt Bankrupts;'

34 & 35 H. 8, c. 4.

III. For the better declaring and explaining the Law therein, and to the End ſuch Perſons may not be diſcouraged in thoſe honourable Endeavours for promoting publick Undertakings; (2) Be it declared and enacted by the King's moſt Excellent Majeſty, with the Advice and Aſſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons whatſoever who have adventured or put in, or who hereafter ſhall adventure or put in, any Sum or Sums of Money in the ſaid *Eaſt-India* Company or *Guiney* Company, or into any Joint Stock or Stocks of Money by them or either of them made or raiſed, or to be made and raiſed, for and towards the maintaining and carrying on the Trade by the ſaid *Eaſt-India* Company or *Guiney* Company managed or to be managed, or who have formerly or ſhall hereafter adventure or put in any Sum or Sums of Money into any Stock or Stocks of Money for the managing and carrying on of the ſaid Fiſhing Trade, or the Trade now called the *Royal Fiſhing Trade*, and ſhall receive and take his or their Part or Dividend of Fiſh, Goods or Merchandizes in Specie, and ſhall ſell or exchange the ſame, ſhall for or by reaſon only of ſuch Adventure of Monies ſo put into the ſaid *Eaſt-India* Company or *Guiney* Company, or into any Stock or Stocks for and towards the ſaid Fiſhing Trade, or for or by reaſon only of the receiving and taking ſuch Fiſh, Goods and Merchandizes in Specie, or ſelling for Money, or exchanging the ſame again, be adjudged, taken, eſteemed or reputed a Merchant or Trader within any Statute or Statutes for Bankrupts, or be liable to the ſame.

13 Eliz. c. 7. 1 Jac. 1. c. 15. 21 Jac. 1. c. 19. March 34.

No Perſons for putting in Money to the Eaſt-India or Guiney Company, or the Fiſhing Trade, ſhall be eſteemed a Trader within the Statute of Bankrupts. *Bac. Abr. V.* 1. 247. *Wood, Pt.* 1. 96.

Proviſo for other Trading.

IV. Provided always, and it is hereby declared, That every Perſon or Perſons who ſhall trade, traffique or merchandize in any other Way or Manner than in the ſaid *Royal Fiſhing Trade*, or the Trade managed by the ſaid *Eaſt-India* Company or the *Guiney* Company as aforeſaid, ſhall for and by reaſon of his and their Trading, Traffiquing and Merchandizing, be liable to Commiſſion and Commiſſions againſt Bankrupts, as fully to all Intents and Purpoſes, and not otherwiſe, as if this Act had never been made; any Thing in this Act to the contrary notwithſtanding.

The Judgment concerning Sir John Wolſtenholme made void.

V. And be it further enacted, That a Verdict and Judgment in Replevin heretofore had or given in the Term of *Eaſter* in the Year one thouſand ſix hundred fifty-three, in the King's Bench, betwixt *Phinehas Andrews*, Plaintiff, *Richard Woolward* and *William Meggs*, Defendants, whereby Sir *John Wolſtenholme* Knight, an Adventurer in the ſaid *Eaſt-India* Company, was adjudged and found liable to a Commiſſion of Bankrupts, only for and by reaſon of a Share he had in the joint Stock of the ſaid Company, and a pretended ſelling for Money Part of the Return which he had in Specie for his ſaid Adventure, ſhall be and is hereby declared contrary to Law, and is hereby reverſed and made void and null.

Proviſo for Purchaſers in the Caſe of Sir John Wolſtenholme.

VI. Provided always and be it enacted, That no Act, Sale or Diſpoſition of any the Lands, Tenements and Hereditaments, Goods, Chattels, Debts or Credits of the ſaid Sir *John Wolſtenholme*, or any Diſtribution of the ſame, or of any Money, heretofore made or done by the Commiſſioners of Bankrupts, or any claiming under them or any of them by Virtue or Colour of any Commiſſion or Commiſſions taken out againſt the ſaid Sir *John Wolſtenholme*, and whereof any Perſon or Perſons is by Virtue or Colour of or under any ſuch Act, Sale or Diſpoſition actually ſeized or poſſeſſed, ſhall be hereby impeached or fruſtrated, but that the ſame be enjoyed for and toward Satisfaction of the Debts for which the ſame have been diſpoſed or diſtributed.

*Farther Proviſions relating hereto, 10 Ann. c. 15. 7 Geo. 1. c. 31. 5 Geo. 2. c. 30.*

*(which is continued by 31 Geo. 2. c. 35. to 29 Sept. 1764). 19 Geo. 2. c. 32. and 24 Geo. 2. c. 57. §. 9.*

## CAP. XXV.

### An Act for the reſtoring of all ſuch Advowſons, Rectories Impropriate, Glebe-lands and Tithes, to his Majeſty's loyal Subjects, as were taken from them, and making void certain Charges impoſed on them upon their Compoſitions for Delinquency, by the late uſurped Powers.

'WHEREAS many loyal Subjects of our late Sovereign Lord King *Charles* the Firſt, and of the King's Majeſty that now is, were upon Pretence of Delinquency for adhering unto and faithfully ſerving their ſaid Majeſties according to their Duty and Allegiance, enforced and conſtrained by the pretended Power of the Long Parliament, not only to part with great Sums of Money in Satisfaction of the ſaid ſuppoſed Delinquency, but likewiſe to ſettle all or Part of ſuch Advowſons, Rectories, Glebe-lands and Tithes, Eſtates and Terms, as they, or any in Truſt for them, were then ſeiſed or poſſeſſed of, and to make Grants and Aſſurances of Rents and Annuities to and upon ſuch Truſtees as were appointed by the ſaid Long Parliament, as well for the Augmentation of certain Vicarages, as for the Uſe and Maintenance of preaching Miniſters and Lecturers, without any valuable Conſideration given for the ſame, other than ſome Abatement of thoſe exceſſive Fines impoſed on them for their pretended Delinquency, and exacted from them by thoſe arbitrary Powers, to the Impoveriſhing and Undoing of many of the King's moſt loyal Subjects;' (2) Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That all Grants, Feoffments, Bargains and Sales, Releaſes, Confirmations, and other Conveyances and Aſſurances in the Law, of any higher or lower Nature whatſoever, had or made by any ſuch pretended Delinquents, their Heirs, Executors or Adminiſtrators, or by any Perſon having any Eſtate or Intereſt in Law or Equity in Truſt for them, or by any other Perſon or Perſons having any Eſtate or Intereſt jointly or in common with them, or in Reverſion or Remainder after them, to any Perſon or Perſons, Bodies Politick or Corporate, of any ſuch Advowſons, Rectories impropriate, Glebe-lands, Tithes, Eſtates, Terms, Annuities and Rents as aforeſaid, to or for the Uſes aforeſaid, as Part or in full of their Compoſitions for ſuch pretended Delinquency as aforeſaid, and all Securities touching or concerning the ſame only, be and are hereby adjudged from henceforth null and void in Law to all Intents and Purpoſes whatſoever; ſaving to all Perſons other than the ſaid Truſtees and their Heirs, and all claiming under them, all Right to the ſaid Rectories and Premiſſes as hath accrued unto them before the nineteenth Day of *May* one thouſand ſix hundred ſixty and two.

All Eſtates made by pretended Delinquents of Advowſons, Rectories, &c. for Compoſitions, made void.

Saving other Rights.

How Tenants and Leſſees under ſuch Eſtates ſhall pay their Rents.

II. And be it further enacted by the Authority aforeſaid, That all Tenants, Leſſees and Occupiers of all ſuch Advowſons, Rectories impropriate, Glebe-lands, Tithes and Premiſſes ſo granted or ſettled to or upon ſuch Truſtees as aforeſaid, for the Uſes or Purpoſes aforeſaid, ſhall pay all ſuch Rents as ſhall hereafter grow due and payable to ſuch Perſons only, unto whom the Right and Intereſt of and in the ſame Advowſons, Rectories, Glebe-lands, Tithes and Premiſſes before the ſaid Conveyances or Aſſurances (intended to be annulled and made void by this preſent Act) did or ſhould of Right belong or appertain.

Rents and Sums appointed for Augmentation of certain Vicarages.

'III. And whereas the ſaid Conveyances and Aſſurances in and by this Act intended to be made void, were ſome of them of Eſtates in Fee-ſimple, and ſome of them long Terms for Years made to Truſtees, who Redemiſed the ſame at and under ſuch yearly Rents and Sums of Money as were then appointed to be the Augmentation of certain Vicarages or Maintenance for preaching Miniſters, ſince which Time many of the Rectories and Lands ſo conveyed and leaſed have been abſolutely ſold, and the Re-demiſes thereof granted and aſſigned by the Owners thereof for the Benefit of ſuch Purchaſers;' (2) Be it further enacted and ordained by this preſent Parliament, and by the Authority of the ſame, That the ſaid Purchaſers, their Heirs and Aſſigns, ſhall pay, and the ſaid former Owners of the ſaid Lands and Rectories, their Executors, Adminiſtrators and Aſſigns, ſhall have, hold and enjoy, the ſaid Rents and Sums of Money ſo reſerved for the Augmentation of the ſaid Vicarages, and Maintenance for preaching Miniſters, upon the ſaid ſeveral Re-demiſes, and ſhall have the ſame and the like Remedies by Diſtreſs, or by Action of Debt for the Recovery thereof, as the ſaid Truſtees who Re-demiſed the ſame ſhould or might have had if this Act had not been made.

## CAP. XXVI.

### An Act for Reforming of the Abuſes committed in the Weight and falſe Packing of Butter.

'FOraſmuch as Butter is one of the principal Commodities of the Product of this Kingdom, and is not only of an univerſal Uſe and Expence at Home, but very great Quantities thereof are tranſported beyond the Seas: (2) And whereas, by Cuſtom Time out of Mind uſed, every Kilderkin of Butter ought to weigh one hundred thirty and two Pounds Groſs at the leaſt; that is to ſay, one hundred and twelve Pounds of neat Butter, and the Caſk twenty Pounds: (3) The Firkin of Butter ought to weigh ſixty and four Pounds, *viz.* fifty and ſix Pounds of good and merchantable Butter neat, and the Caſk eight Pounds; (4) and the Pot of Butter ought to weigh twenty Pounds, *viz.* fourteen Pounds of good and merchantable Butter neat, and the Pot ſix Pounds: (5) And whereas great Complaint hath been made by the Traders in Butter and Cheeſe, That by the fraudulent Dealing and Practice of ſeveral Farmers, Owners and Packers of Butter, and by their irregular Manner of weighing with Stones, Iron Wedges, Bricks and other unwarrantable Weights, the ſame Quantities of Butter are not put up into the reſpective Caſk and Pots aforeſaid, and the Kilderkin is commonly made to weigh ſix and twenty Pounds and ſometimes eight and twenty Pounds, and the Firkin to weigh ten Pounds or twelve Pounds, and ſometimes thirteen or fourteen Pounds Weight, and the Pots are made generally to weigh ſeven Pounds, and ſome of them eight Pounds or nine Pounds Weight; (6) and much bad and decayed Butter is mixed and packed up into Kilderkins, Firkins and other Caſk and Pots, with ſound and good Butter, and immoderate Quantities of Salt intermixed, to the Spoil of the ſame, and to the great Wrong and Abuſe of his Majeſty in the Victualling of his Navy, of Merchants in the Victualling of their Ships, and of all Traders in the ſaid Commodity, and of all Houſholders who buy the ſame for their Expence, and to the great Diſhonour of the *Engliſh* Nation in the Parts beyond the Seas, and to the Bringing of the ſaid Commodity into great Diſrepute abroad, whereby it yields not that Price nor is vented there in ſuch Quantities as otherwiſe it would.'

1 & 4 Ed. 6. c. 21.

The Contents of a Kilderkin of Butter.

The Firkin.

The Pot.

II. For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That from and after the firſt Day of *June* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, every Kilderkin of Butter do and ſhall contain one hundred and twelve Pounds neat or above, every Pound containing ſixteen Ounces, beſides the Tare of the Caſk, and not leſs, of good and merchantable Butter: (2) Every Firkin of Butter do and ſhall contain fifty-ſix Pounds neat or above, beſides the Weight of the Caſk, of good and merchantable Butter: (3) and every Pot of Butter do and ſhall contain fourteen Pounds neat or above, beſides the Weight of the Pot, of good and merchantable Butter: (4) And that no Butter which is old or corrupt ſhall be mixed or packed up into any Kilderkin, Firkin or other Caſk, Veſſel or Pot whatſoever, with any Butter which is new and ſound; nor any Whey-Butter ſhall be packed or mixed with any Butter that is made of Cream, but that the ſaid reſpective Sorts of Butter ſhall be packed up ſeverally and apart by themſelves, and ſhall not be mixed one with another; and that every Caſk or Pot of Butter ſhall be of one Sort and Goodneſs throughout ſuch Caſk and Pot; (5) and that no Butter ſhall be ſalted with any great Salt, but that all Butter ſhall be ſalted and ſaved with ſmall Salt, nor more Salt ſhall be intermixed with it than ſhall be needful for its Preſervation; (6) upon Pain and Penalty that every Owner, Farmer or Packer of Butter not putting up in each Kilderkin, Firkin and Pot of Butter to be ſold or to be expoſed to Sale reſpectively, ſuch Quantities as aforeſaid, or offending in falſe packing as aforeſaid, for every ſuch Offence ſhall forfeit the Value of all the Butter ſo falſe packed; (7) and for every Offence where any Kilderkin, Firkin or Pot ſhall be found to contain a leſſer Quantity of Butter than by this Act is appointed, ſix Times the Value of every Pound of Butter that ſhall be wanting in any ſuch Caſk or Pot.

A Kilderkin of Butter ſhall contain 112 lb. beſides the Caſk.

The Firkin 56 lb.

The Pot 14 lb.

No old Butter ſhall be mixed with new, nor Whey Butter.

The Penalty. Amended by 4 W. & M. c. 7.

III. And to the Intent that the Benefit intended by this Act may be extended with full Effect to all Perſons who do either cut out Butter by Retail or expend it, (2) Be it further enacted by the Authority aforeſaid, That every Cheeſemonger or other Perſon whatſoever, which ſhall ſell to any Perſon or Perſons any Kilderkin or Kilderkins, Firkin or Firkins, Pot or Pots, or other Caſk of Butter made after the ſaid firſt Day of *June* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, ſhall deliver in every ſuch Kilderkin, Firkin and other Caſk and Pot reſpectively, the full Quantity and due Quality appointed by this Act and not leſs; or in Default thereof ſhall be liable to make Satisfaction to him or them that buy the ſame, for what ſhall be wanting, according to the Price for which the ſame was ſold. [Farther provided for by 4 & 5 W. & M. c. 7. §. 2.]

Cheeſemongers, and all Sellers of Butter by the Kilderkin, or, &c. ſhall deliver the full Quantity to the Retailer.

See 8 Geo. 1. c. 27.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *June* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, no Cheeſemonger or other Perſon or Perſons whatſoever ſhall repack for Sale any Butter in any Kilderkin, Firkin or other Caſk or Pot whatſoever; (2) upon Pain and Penalty that every Cheeſemonger or other Perſon whatſoever which ſhall repack any Butter into any Kilderkin or Kilderkins, Firkin or Firkins, Caſk or Caſks, Pot or Pots, to ſell the ſame again, ſhall for every Firkin, Caſk or Pot ſo packed, forfeit the Sum of double the Value of all ſuch Butter.

None ſhall repack Butter.

The Penalty.

V. And for the better Diſcovery of all Frauds and Abuſes which ſhall be committed againſt this Act, Be it further enacted by the Authority aforeſaid, That every Farmer and other Perſon and Perſons packing up Butter in Kilderkins, Firkins or any other Caſk whatſoever, for Sale, do from and after the ſaid firſt Day of *June* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and two, pack up his Butter into good and ſufficient Caſk made of ſound, dry and well ſeaſoned Timber, and ſhall ſet upon every Firkin and Caſk whatſoever, when the ſame is throughly and fully ſeaſoned in Water, a continuing viſible Mark of the juſt Weight of the empty Caſk, and do likewiſe ſet upon every Kilderkin, Firkin and Caſk when the ſame is filled with Butter, the firſt Letter of his or their Chriſtian Name and his or their Surname at Length, with an Iron-brand; (2) upon Pain and Penalty that every Farmer or other Perſon or Perſons whatſoever offending in not putting on the Mark of ſuch Weight of Kilderkin, Firkin

Farmers and other Sellers ſhall ſet their Marks of the Weight upon good and ſufficient Caſks, and their Names.

or Caſk after ſeaſoning, or not ſetting the firſt Letter of his or their Chriſtian Name and his or their Surname at Length on every Firkin and Caſk as aforeſaid, ſhall for every ſuch Offence reſpectively forfeit the Sum of ten Shillings for every hundred Weight of Butter, and ſo proportionably for a greater or a leſſer Quantity that ſhall be in every ſuch Caſk.

Potters ſhall ſet the Weight of every Pot burnt, and their Names.

VI. And be it further enacted by the Authority aforeſaid, That every Potter ſhall ſet upon every Pot which he ſhall ſell for packing up of Butter, the juſt Weight which ſhall be of every ſuch Pot when it is burnt, together with the firſt Letter of his or their Chriſtian Name and his or their Surname at Length; (2) upon Pain and Penalty that every Potter which ſhall not ſo do, ſhall forfeit and pay for every Pot which he ſhall expoſe to Sale for the Uſe aforeſaid, whereupon he ſhall not have firſt ſet the juſt Weight, and the firſt Letter of his Chriſtian Name and his Surname at Length as aforeſaid, the Sum of one Shilling; (3) and that no Farmer or other Perſon whatſoever ſhall expoſe to Sale any Butter packed up in any other Pot than ſuch as ſhall be marked by the Potter as aforeſaid, upon Penalty of two Shillings for every Pot of Butter which he ſhall expoſe to Sale as is not ſo marked; (4) all and every of which ſaid Offences are to be enquired of, ſued for, heard and determined in the Seſſions of Peace for the County, City, Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty, wherein ſuch Offence ſhall be committed, by Action of Debt, Indictment, Information or Preſentment, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed to the Defendant; (5) and the one Half of all ſuch Forfeitures ſhall be to the Uſe of the poor People inhabiting within the Pariſh where ſuch Offence ſhall be from Time to Time committed, to be paid to the Churchwardens and Overſeers of the Poor of and in ſuch Pariſh, and the other Half to him or them that will ſue for the ſame, beſides his double Coſts thereby expended.

How to be diſpoſed.

Double Coſts.

Within what Time Suit muſt be begun upon this Act.

VII. Provided, That every Suit and Information which ſhall be brought upon this Act ſhall be commenced within four Months after the Sale of ſuch Butter.

*Concerning Butter ſee farther,* 32 *Car.* 2. *c.* 2. §. 9. 4 *W. & M. c.* 7. 8 *Geo.* 1. *c.* 27.

## CAP. XXVII.

1 Jac. 1. c. 32. An Act for repairing of *Dover* Harbour. EXP. See 11 & 12 *W.* 3. *c.* 5. Duties payable at and towards the Repair of *Dover* Harbour. Who ſhall inſpect and overſee the Repairs. Proviſo for Ships belonging to *Weymouth*, *Melcomb-Regis*, *Lime-Regis*.

## CAP. XXVIII.

An Act for the Regulation of the Pilchard-Fiſhing in the Counties of *Devon* and *Cornwal*.

Fiſhery of great Concernment to this Nation. 13 *Ed.* 1. *c.* 47.

'WHEREAS the publick Honour, Wealth and Safety of this Realm, as well in the Maintenance of Trade and Support of Navigation, as in many other Reſpects, doth in an high Degree depend upon the Improvement and Encouragement of the Fiſhery;

'II. And foraſmuch as of late Years there have divers pernicious Diſorders and Abuſes, by the Licentiouſneſs of the Times crept in, and yet continue, evidently deſtructive to that Trade: For Prevention and Redreſs whereof there is no Law hitherto particularly provided, in the growing Evils occaſioned by Driving-Nets, and other fraudulent and injurious Practices to the extream Damage of the Fiſhery:' (2) Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in Parliament aſſembled, and it is enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *May* one thouſand ſix hundred ſixty and two, no Perſon or Perſons ſhall in any Year from the firſt Day of *June* till the laſt of *November* preſume to take Fiſh in the high Sea, or in any Bay, Port, Creek or Coaſt, of or belonging to *Cornwal* or *Devon*, with any Drift-Net, Trammel or Stream Net or Nets, or any other Nets of that Sort or Kind, unleſs it be at the Diſtance of one League and an Half at leaſt from the reſpective Shores; (3) upon the Penalty of Forfeiture of the ſaid Nets ſo imployed, or the full Value thereof, and one Month's Impriſonment without Bail or Mainprize.

Times prohibited to Fiſh in Cornwall and Devon.

Penalty.

Pilchards and Fumathoes to be bought of the Owners and Adventurers in Fiſhing.

III. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons, being neither Owners, Partners or Adventurers in the Craft of Fiſhery, and in the Boats and Saynes thereunto belonging, ſhall preſume from and after the Day before limited, to make or cauſe to be made any Pilchards or Fumathoes in Caſk to be ſold or tranſported, except he or they ſhall openly buy the aforeſaid Fiſh of the reſpective Owners, Partners and Adventurers in the ſaid Pilchard-Craft, or with their expreſs Allowance, Leave and Conſent, that they ſhall in ſuch Caſe forfeit all and ſingular ſuch Pilchards and Fumathoes ſo made, and every Caſk thereof, or their full Value; the one Half to the King, and the other Half to him or them that ſhall ſo ſue for the ſame by Bill, Plaint or other Information, and upon legal Proof recover the ſame.

IV. And be it further enacted, That if any Owner, Partner or Company, or any other Perſon or Perſons whatſoever, ſhall fraudulently purloin, imbezil, hide, convey, carry away or diſpoſe by Sale or otherwiſe, or cauſe to be purloined, imbezilled, hidden, conveyed, carried away or diſpoſed, out of the Nets, Boats or Cellars, any Pilchard-Fiſh, without the expreſs Leave, Conſent and Allowance of the proper Owners, and major Part of the Company reſpectively; that then every ſuch Perſon and Perſons that ſhall offend therein, upon legal Evidence, ſhall pay treble the Value in Satisfaction to the Parties ſo wronged, and be ſent to the Houſe of Correction for three Months.

Idle and ſuſpicious Perſons flocking about Pilchards-Boats, to depart upon Warning.

V. And be it further enacted by the Authority aforeſaid, That if any idle or ſuſpicious Perſon or Perſons ſhall in the Night aſſemble and flock together about the Boats, Nets or Cellars belonging to any Pilchard-Craft, upon any of the Coaſts of *Cornwal* or *Devon*, having no Buſineſs there to do, and being warned by the Company or Owner of ſuch Boats or Cellars to be gone; that then upon Complaint made unto any one Juſtice of the Peace, every ſuch Perſon or Perſons refuſing ſo to do ſhall pay five Shillings to the Poor of the Pariſh where ſuch Offence was committed, or ſhall be ſet in the Stocks for the Space of five Hours.

*Farther Proviſions concerning Fiſhery,* 30 *Car.* 2. *Stat.* 1. *c.* 9. 4 & 5 *W. & M. c.* 23. 4 *Ann. c.* 21. 9 *Ann. c.* 26. 1 *Geo.* 1. *Stat.* 2. *c.* 18. 5 *Geo.* 1. *c.* 18. 23 *Geo.* 2. *c.* 26. §. 7. 26 *Geo.* 2. *c.* 9. 30 *Geo.* 2. *c.* 21, & 30. *and* 33 *Geo.* 2. *c.* 27.

CAP.

## CAP. XXIX.

### An Act for the Reverſing of the Earl of *Strafford* his Attainder.

The Reaſons and Grounds of repealing the Attainder.

'WHEREAS *Thomas* late Earl of *Strafford* was impeached of High Treaſon, upon Pretence of endeavouring to ſubvert the fundamental Laws, and called to a publick and ſolemn Arraignment and Trial before the Peers in Parliament, where he made a particular Defence to every Article objected againſt him; (2) inſomuch that the turbulent Party then ſeeing no Hopes to effect their unjuſt Deſigns by any ordinary Way and Method of Proceedings, did at laſt reſolve to attempt the Deſtruction and Attainder of the ſaid Earl by an Act of Parliament, to be therefore purpoſely made, to condemn him upon accumulative Treaſon, none of the pretended Crimes being Treaſon a-part, and ſo could not be in the Whole, if they had been proved, as they were not; (3) and alſo judged him guilty of conſtructive Treaſon (that is) of levying War againſt the King, though it was only the commanding an Order of the Council-Board in *Ireland*, to be executed by a Serjeant at Arms and three or four Soldiers, which was the conſtant Practice of the Deputies there for a long Time; (4) to which End they having firſt preſented a Bill for this Intent to the Houſe of Commons, and finding there more Oppoſition than they expected, they cauſed a Multitude of tumultuous Perſons to come down to *Weſtminſter*, armed with Swords and Staves, and to fill both the Palace-Yards, and all the Approaches to both Houſes of Parliament, with Fury and Clamour, and to require Juſtice, ſpeedy Juſtice, againſt the Earl of *Strafford*; (5) and having by theſe and other undue Practices obtained that Bill to paſs in the Houſe of Commons, they cauſed the Names of thoſe reſolute Gentlemen, who in a Caſe of innocent Blood had freely diſcharged their Conſciences, being nine and fifty, to be poſted up in ſeveral Places about the Cities of *London* and *Weſtminſter*, and ſtiled them *Straffordians*, and Enemies to their Country, hoping thereby to deliver them up to the Fury of the People, whom they had endeavoured to incenſe againſt them; (6) and then procured the ſaid Bill to be ſent up to the Houſe of Peers, where it having ſometime reſted under great Deliberation, at laſt in a Time when a great Part of the Peers were abſent by reaſon of the Tumults, and many of thoſe who were preſent proteſted againſt it, the ſaid Bill paſſed in the Houſe of Peers: (7) And at length his late Majeſty King *Charles* the Firſt of Glorious Memory granted a Commiſſion for giving his Royal Aſſent thereunto; which nevertheleſs was done by his ſaid Majeſty with exceeding great Sorrow then, and ever remembred by him with unexpreſſible Grief of Heart, and out of his Majeſty's great Piety he did publickly expreſs it when his own Sacred Life was taken away by the moſt deteſtable Traitors that ever were:'

II. For all which Cauſes, Be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That the Act intituled, *An Act for the Attainder of* Thomas *Earl of* Strafford *of* High Treaſon, and all and every Clauſe, Article and Thing therein contained, being obtained as aforeſaid, is now hereby repealed, revoked and reverſed.

III. And to the End that Right be done to the Memory of the deceaſed Earl of *Strafford* aforeſaid, be it further enacted, That all Records and Proceedings of Parliament relating to the ſaid Attainder, be wholly cancelled, and taken off the File, or otherwiſe defaced and obliterated, to the Intent the ſame may not be viſible in After-ages, or brought into Example to the Prejudice of any Perſon whatſoever.

IV. Provided, That this Act ſhall not extend to the future Queſtioning of any Perſon or Perſons however concerned in this Buſineſs, or who had any Hand in the Tumults, or diſorderly procuring the Act aforeſaid; any Thing herein contained to the contrary thereof notwithſtanding.

## CAP. XXX.

An Act for the Importing Madder pure and unmixed. REP. 15 *Car.* 2. *c.* 16.

## CAP. XXXI.

### An Act to prevent the Inconvenience ariſing by melting the Silver Coin of this Realm.

9 Ed. 3. Stat. 2. c. 3.

'WHEREAS by an Act made in the ninth Year of King *Edward* the Third, it is enacted, That no Sterling Half-peny or Farthing ſhall be moulten to make Veſſel, or any other Thing, by Goldſmiths, or any other, upon Pain of Forfeiture of the Monies ſo moulten; whereas by one other Statute made in the ſeventeenth Year of King *Richard* the Second, it was further enacted, That no Groats or Half-groats ſhall be moulten by any Man to make Veſſel or other Thing thereof, upon the ſame Pain; (2) and whereas divers Perſons do elude the ſaid Statutes, as well Goldſmiths as others, by melting Silver Coins of this Realm above the Value of Groats, to the great Diminiſhing of the Silver Coin of this Realm, and the Hindrance of the Commerce of the ſame;' (3) Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That no Perſon or Perſons whatſoever ſhall after the twentieth Day of *December* one thouſand ſix hundred ſixty-two, wilfully melt, or cauſe to be melted, any of the current Silver Money of this Realm; (4) upon Pain not only of Forfeiture of the ſame, but alſo of the double Value of any ſuch Coin ſo melted; the one Half to his Majeſty, his Heirs and Succeſſors, the other Half to the Informers, who ſhall ſue for the ſame upon Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts at *Weſtminſter*; in which no Eſſoin, Wager of Law or Protection, ſhall be allowed: (5) And moreover, That the ſaid Perſon or Perſons offending contrary to the Tenor of this Act (if he or they be a Freeman or Freemen, or privileged Perſon or Perſons, of any City or Corporations within this Kingdom of *England*) ſhall upon legal Conviction for the ſame be forthwith diſfranchiſed and made uncapable of exerciſing the Trade of a Goldſmith, or any other Myſtery, by Virtue of the Privileges of the City or Corporation of which he or they are Members: (6) And if the ſaid Perſon or Perſons offending, and convict as aforeſaid, ſhall not

17 R. 2. c. 1.

None ſhall melt current Silver Money.

The Penalty.

be

*Farther Provisions relating hereto,* 18 *Car.* 2. *c.* 5. 8 *W.* 3. *c.* 1 & 2. 8 & 9 *W.* 3. *c.* 26. 9 *W.* 3. *c.* 2. 9 & 10 *W.* 3. *c.* 21. 1 *Ann. Stat.* 1. *c.* 9. *and* 15 *Geo.* 2. *c.* 28.

be a Freeman or Freemen, or privileged Person or Persons, of any City or Corporation as aforesaid, the he or they shall suffer Imprisonment without Bail or Mainprize for the Space of six Months next ensuin his or their Conviction as aforesaid.

## CAP. XXXII.

EXP. 21 Jac. 1. c. 18.

An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the West Riding o the County of *York*. A Corporation of Clothiers in the West-Riding of *Yorkshire*. The Oath to b taken by the Master, Wardens and Assistants. Who shall be of the said Corporation for ever, and how called. Times and Places of their Meeting. Power to appoint a Common Seal, and to mak Orders and By-Laws. Penalty for not Conforming to By-Laws. Power to appoint Searchers of Cloth The new Drapery most in Use. The Oath to be taken by Searchers. Penalty upon Searchers. The Authority and Power of the Searchers. None may make Broad Cloth, but such as have served as Apprentices to Clothiers for seven Years, or have been exercised in the Trade for that Time. The Penalty. Housholders and Housewives may not make Cloth to sell, not being free of the said Trade. The Penalty. Power to appoint a Clerk, Register, Treasurer, and other Officers. How the Fines and Forfeitures shall be levied. Counterfeiting the Seal of the Corporation. The Penalty. All Clauses in any other Statute contrary to this Act concerning Clothing, repealed. Persons sued for executing this Act, may plead the General Issue. The Rights and Duties of Aulnage saved. Proviso that Rates of Wages of Workmen may not be set by Colour of this Act. Continuance of this Act to the next Parliament.

## CAP. XXXIII.

An Act for preventing the frequent Abuses in Printing seditious, treasonable and unlicenced Books and Pamphlets, and for Regulating of Printing and Printing-Presses. *See Appendix.*

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# Anno decimo quinto CAROLI secundi Regis.

AT the Parliament begun at *Westminster* the eighth Day of *May* one thousand six hundred sixty-one, and in the thirteenth Year of the Reign of our Sovereign Lord *Charles* the Second, *&c.* Defender of the Faith, *&c.* and by divers Prorogations and Adjournments continued to the twenty-seventh Day of *July* in the fifteenth Year of his said Majesty's Reign; and thence prorogued to the sixteenth Day of *March* next following.

## CAP. I.

PR. This Act continued as to Hertfordshire, from November 1722. for fifteen Years, by 6 Geo. 1. c. 20. §. 1.

An Act for repairing the Highways within the Counties of *Hertford*, *Cambridge* and *Huntington*. The Highway from *London* to *York*, and *Scotland*, *Hertford*, *Cambridge*, *Huntington*. Who may appoint Surveyors of the Highways yearly for *Hertfordshire*, *Cambridgeshire*, *Huntingtonshire*. The Power of the Justices of the Peace in their several Counties. The Power of the Surveyors in the said several Counties, to appoint Receivers and Collectors of Toll, and other needful Officers. Charging of Carts and Carriages. Allowance of Wages to Labourers and Owners. The Penalty for refusing. How far and often Carts and Carriages may be charged. Who may determine Differences about Carriages and Labourers Wages. How Gravel, Chalk, Stones, *&c.* may be taken. Who may appoint the taking of Toll or Custom of all Carriages and Passengers. Places for taking of Toll in *Hertfordshire*, *Cambridgeshire*, *Huntingtonshire*. Power to distrain for Toll refused to be paid. The Toll received to be accounted for and paid to the Surveyors. To whom the said Surveyors shall account for Money received. How the Toll Profits may be engaged for Advance of Money. In what Cases a Rate may be made upon the several Parishes. The Penalty for refusi g to take the Office of Surveyor. Fines and Forfeitures upon this Act, how to be paid and disposed. Suits upon this Act shall be laid in the proper County, and the Defendant may plead the General Issue. Double Costs. Toll not to be paid twice in the same Day. The Continuance of this Act for eleven Years only. Proviso for exempting certain Persons and Things from paying any Toll. Stones, Gravel, *&c.* Hay, Corn in Harvest-time, Ploughs and Implements of Husbandry. Proviso touching Money received Overplus, and remaining at the End of eleven Years. Soldiers in marching and Posts exempted. Proviso for ceasing the Toll within the eleven Years. Continued 16 & 17 *Car.* 2. *c.* 10. and by 6 *Geo.* 1. *c.* 20. from *Nov.* 1722. for fifteen Years. Repealed as to the County of *Hertford* by 6 *Geo.* 2. *c.* 24.

## CAP. II.

An Act for the Punishment of unlawful cutting or stealing, or spoiling of Wood and Underwood, and Destroyers of young Timber-Trees.

43 Eliz. c. 7. 22 & 23 Car. 2. c. 7. 1 Geo. 1. c. 48. The Punishment for cutting and spoiling any Woods.

'WHEREAS in one Act of Parliament made in the three and fortieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act to avoid and prevent divers Misdemeanors in idle and lewd Persons*, among other Things it is enacted, That all and every such lewd Person and Persons that shall cut or spoil any Woods or Underwoods, Poles or Trees standing, and their Procurer or Procurers, Receiver or Receivers, knowing the same, and being thereof lawfully convicted by his or their own Confession, or by the Testimony of one sufficient Witness upon Oath, before some one Justice of Peace, or other Head Officer of the County or Place where such Offence was committed, shall give the Party

or

'or Parties Satisfaction for his or their Damages for the first Fault: (2) And if such Offender or Offenders shall by such Justice of Peace or Head Officer be thought not able or sufficient; or if such Offender or Offenders do not make such Satisfaction as aforesaid, that then the said Justice of Peace or Head Officer shall commit the said Offender or Offenders to the Constable, or other inferior Officer, to receive the Punishment of Whipping, as in the said Act more fully doth appear.

'II. And whereas it is found by daily Experience, especially in and about *London* and other great Towns, where a great Number of such idle and lewd Persons do shelter themselves, that this Act hath not sufficiently prevented the said Mischief of cutting and spoiling of Woods and Underwoods, as was intended, as well because the said Offences are committed in such a close and clandestine Manner, that there is none Witness to them, but such as are Partakers to the Offence; as also because the said Punishment is too small for so great a Fault, which is not only prejudicial and hurtful to the Owners of the said Woods, but very mischievous and damageable to the Commonwealth:' (2) Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the four and twentieth Day of *June* next ensuing, every Constable, Headborough, or any other Person, in every County, City, Town Corporate, or other Place where they shall be Officers or Inhabitants, shall and may by Virtue of this present Act have full Power and Authority to apprehend or cause to be apprehended all and every Person or Persons they shall suspect, having or carrying, or any Ways conveying, any Burthen or Bundles of any Kind of Wood, Underwood, Poles, or young Trees, or Bark or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze; (3) and by Warrant under the Hand and Seal of any one Justice of the Peace directed to any Officer, such Officer shall have Power to enter into and search the Houses, Out-houses, Yards, Gardens, or other Places belonging to the Houses of all and every Person or Persons they shall suspect to have any Kind of Wood, Underwoods, Poles, or young Trees, or Bark or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze; (4) and wheresoever they find any such, to apprehend and cause to be apprehended all and every Person and Persons suspected for the Cutting and Taking of the same, and them and every of them, as well those apprehended carrying or any Ways conveying any Kind of Wood, Underwood, Poles or young Trees, or Bark or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze, as also those in whose Houses or other Places belonging to them, any such Wood, Underwood, Poles or young Trees, or Bark or Bast of any Trees, or any Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze, shall be found, to carry before one Justice of the Peace of the same County, City or Town Corporate: (5) And if the said Person and Persons so suspected, apprehended and carried before the said Justices, do not then and there give a good Account how he and they came by such Wood or Underwood, Poles or young Trees, or Bark or Bast of any Trees, or Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze, by the Consent of the Owner, such as shall satisfy the said Justice, or else shall not within some convenient Time, to be set them by the said Justice, produce the Party or Parties of whom they bought the same Wood, Underwood, Poles or young Trees, or Bark or Bast of Trees, Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze, or some other credible Witness to depose upon Oath such Sale of the said Wood, Underwood, Poles or young Trees, or Bark or Bast of Trees, Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze, (which Oath the said Justice hath hereby Power to administer) That then the said Person or Persons so suspected, and not giving such good Account, nor producing any such Witness upon Oath to testify the said Sale as aforesaid, shall be deemed and adjudged as convicted of the said Offence of cutting and spoiling of the same Woods, Underwoods, Poles or young Trees, or Bark or Bast of Trees, Gates, Stiles, Posts, Pales, Rails or Hedge-wood, Broom or Furze, within the Meaning of the said Statute of Queen *Elizabeth*, and shall be liable to the Punishment therein contained, and to such other Proceedings and Punishments as by this present Act shall be further constituted and appointed on that Behalf.

Who may apprehend Woodstealers.

Search in Houses of suspected Persons.

43 Eliz. c. 7.

III. And be it therefore enacted by the Authority aforesaid, That all and every Person or Persons convicted of the said Offence in Manner and Form before in this Act mentioned, shall for the first Offence give the Owner or Owners such Recompence or Satisfaction for his or their Damages, and within such Time, as the said Justice shall appoint, and over and above pay down presently unto the Overseers for the Use of the Poor of the Parish where the said Offence or Offences were committed, such Sum of Money (not exceeding ten Shillings) as the said Justices shall think meet; (2) and if such Offender or Offenders do not make Recompence or Satisfaction to the said Owner or Owners, and also pay the said Sum to the Poor in Manner and Form aforesaid, then the said Justice shall commit the said Offender or Offenders to the House of Correction, for such Time as the said Justice shall think fit not exceeding one Month, or to be whipped by the Constable or other Officer, as in his Judgment shall seem expedient: (3) And if such Person or Persons shall again commit the said Offence, and be thereof convicted as before, that then they and every of them so offending the second Time and thereof so convicted, shall be sent to the House of Correction for one Month, and be there kept to hard Labour: (4) And if such Person or Persons shall again commit the said Offence, and be thereof convicted as before; that then they and every of them so offending the third Time and thereof so convicted, shall be taken, adjudged and deemed as incorrigible Rogues.

The Punishment for the first Offence.

The second Offence.

IV. Provided always, and it is further enacted by the Authority aforesaid, That whosoever shall buy any Burthens of Wood, or any Poles or Sticks of Wood, or any other the Premisses particularly mentioned in this Bill, which may be justly suspected to have been stoln or unlawfully come by, That it shall and may be lawful to and for the said Justices of the Peace, Mayors, Bailiffs and Head Officers or any one of them, within their respective Jurisdictions, upon Complaint to them thereof made, to examine the said Matter upon Oath, which they and every of them respectively are hereby authorized to administer: (2) And if they shall find that the same was bought of a Person who might justly be suspected to have stoln or unlawfully come by the same, and that the same was stoln or unlawfully come by; That in such Case the said Justices of Peace, Mayors, Bailiffs or other Head Officers, or any one of them respectively,

Buyers of stoln Wood, how to be dealt withal.

ſpectively, ſhall and may award the Party who bought the ſame to pay treble the Value of the ſame to the Party from whom the ſame was ſtolen or unlawfully taken; and in Default of preſent Payment thereof, to iſſue forth their reſpective Warrants to levy the ſame by Diſtreſs and Sale of the Offenders Goods, rendring the Overplus to the Party; and in Default of ſuch Diſtreſs, to commit the Party to the Gaol at his own Charge, there to remain one Month without Bail.

Within what Time Offenders muſt be queſtioned within this Act.

V. Provided always, That no Perſon or Perſons ſhall be queſtioned for any Offence upon this Law that hath been puniſhed for the ſame Offence by any former Law; (2) nor ſhall be puniſhed by this Law, unleſs he be queſtioned within ſix Weeks after the Offence committed.

*Further Proviſions relating hereto,* 9 & 10 *W.* 3. *c.* 36. 1 *Geo.* 1. *c.* 48. 6 *Geo.* 1. *c.* 16. 29 *Geo.* 2. *c.* 36. *and* 31 *Geo.* 2. *c.* 41.

## CAP. III.

An Act to explain and ſupply a former Act for Diſtribution of threeſcore thouſand Pounds amongſt the truly loyal and indigent Commiſſion Officers, and for aſſeſſing of Offices, and diſtributing the Monies thereby raiſed, for their further Supply. 13 & 14 *Car.* 2. *c.* 8. EXP.

## CAP. IV.

An Additional Act for the better Ordering the Forces in the ſeveral Counties of this Kingdom.

4 & 5 P. & M. c. 3.

13 & 14 Car. 2. c. 3.

FOR the better Ordering of the Forces in the ſeveral Counties and Places of *England*, and the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, and for the Supplying and Explaining the late Act, intituled, *An Act for ordering the Forces in the ſeveral Counties of this Kingdom*, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That

Power of the Lieutenants and Deputy-Lieutenants to train and exerciſe.

the ſeveral Lieutenants of the ſeveral Counties, Cities and Places nominated by his Majeſty, his Heirs and Succeſſors reſpectively, and in their Abſence out of the Limits of their reſpective Lieutenancies, or by their Directions when they are not abſent, their Deputy-Lieutenants during their reſpective Deputation, or any two or more of them, ſhall have Power from Time to Time to lead, train, exerciſe and put in Readineſs, or by Warrant under their Hands and Seals to cauſe to be led, trained, exerciſed or put in Readineſs, all or any of the Perſons raiſed, arrayed or weaponed, according to the ſaid Act, to the Intents and Purpoſes, and by the Directions of the ſaid Act, and of this preſent Act.

13 Car. 2. Stat. 1. c. 6. 13 & 14 Car. 2. c. 3.

Allowance of Pay to Troopers 2 s. 6 d. per Diem. Foot-Soldiers 1 s. per Diem.

II. And be it further enacted, That all and every Perſon or Perſons, charged or to be charged by Virtue of either of the ſaid Acts, with Horſe, Horſemen and Arms, or Foot-Soldier and Arms, ſhall under the Penalty of forfeiting five Shillings, pay and allow upon Demand, two Shillings ſix Pence by the Day, to each reſpective Trooper that ſerves with Horſe and Arms, for Maintenance of the Man and Horſe; (2) and ſhall under the Penalty of two Shillings, pay and allow upon demand, one Shilling by the Day to each reſpective Foot-Soldier, for ſo many Days as they or any of them ſhall be abſent from their Dwellings or Callings by Occaſion of Muſter or Exerciſe, according to the Rules of the ſaid Acts; (3) which ſaid Penalty is to be levied as is hereafter expreſſed, unleſs ſome certain Agreement be made to the contrary before good Witneſs; and the ſaid Penalty is to be paid to ſuch Trooper or Foot-Soldier to whom his ſaid Pay was denied; the reſpective Penalties to be demanded within ſix Weeks after each reſpective Default, or at or before the next ſucceeding Muſter, Exerciſe or Training, and not afterwards.

Penalty upon Refuſers to find Arms.

III. And be it further enacted, That if any Perſon or Perſons aſſeſſed or charged according to the ſaid Acts, or either of them, ſhall refuſe or neglect by a reaſonable Time to be appointed, to provide and furniſh ſuch ſufficient Foot-Soldier and Arms, or Foot-Soldiers and Arms, as are accordingly charged upon him or them; That then it ſhall and may be lawful to and for the reſpective Lieutenants and Deputy-Lieutenants, or any three or more of them, for every ſuch Offence from Time to Time to inflict a Penalty upon ſuch Perſon or Perſons, not exceeding five Pounds, to be levied in Manner following, and to be imployed to the ſame Uſes in Default whereof the ſame was impoſed.

Conſtables required to charge Perſons with Foot-Arms.

IV. Be it further enacted, That it ſhall and may be lawful for the reſpective Lieutenants and Deputy-Lieutenants, or any three or more of them, from Time to Time to appoint and require the Conſtable or Conſtables of any Pariſh or Place within this Kingdom, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, to provide and furniſh (at a reaſonable Time and Place to be appointed, upon a Penalty to be impoſed not exceeding forty Shillings for every ſuch Omiſſion) ſo many ſufficient Foot-Arms (with Wages and other incident Charges) as the ſaid Lieutenants and Deputy-Lieutenants, or any three or more of them, ſhall aſſeſs or charge according to the Rules and Proportions of the ſaid Acts, upon Revenues under fifty Pounds *per Annum*, or upon perſonal Eſtates leſs than ſix hundred Pounds, lying or being within any ſuch reſpective Pariſh or Place.

The Penalty for not providing or paying Foot-Arms.

V. And in Order thereunto, if any Perſon or Perſons of or belonging to any ſuch Pariſh or Place, ſhall upon Demand refuſe or neglect to provide a Foot-Soldier or Foot-Soldiers, according to the Proportion aforeſaid, or to pay any Sum of Money whereat he or they ſhall be taxed or aſſeſſed by a Pound-Rate, according to a Liſt ſigned by the reſpective Lieutenants and Deputy-Lieutenants, or any three or more of them, for and towards the Defraying and Satisfying the neceſſary Charge and Expence diſburſt in providing and furniſhing ſuch ſufficient Arms as aforeſaid; that then it ſhall and may be lawful to and for ſuch Conſtable or Conſtables, by Warrant for that Purpoſe to levy ſuch Sum ſo rated or aſſeſſed, by Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons ſo refuſing or neglecting to pay, and ſhall reſtore the Overplus, (if any) the Charge of Diſtraining being firſt deducted: (2) And the Tenant of any Houſe, Land or Revenue, rated or aſſeſſed as aforeſaid, is hereby authorized and required to make Payment of ſuch Sum of Money ſo rated or aſſeſſed, and to deduct ſo much as ſhall be charged upon the Landlord's Rent, out of the next Rent payable to the Landlord; and in Default hereof the Goods of every ſuch Tenant is alſo liable to be diſtrained and ſold in Manner aforeſaid.

What ſhall be paid to the Muſter-Maſters.

VI. And be it further enacted, That once in every Year hereafter, each Soldier liſted or raiſed by Virtue of the ſaid Acts, or either of them, ſhall pay to his reſpective Muſter-Maſter ſuch Sum, not exceeding one Shilling for a Horſeman, and ſix Pence for a Footman, as the reſpective Lieutenants and Deputy-

Lieutenants,

Lieutenants, or any three or more of them, ſhall under their Hands and Seals direct; who have Power hereby to levy the ſame by Diſtreſs and Sale in caſe of Default of Payment, upon the Goods and Chattels of ſuch Perſon or Perſons as are charged with the Finding of the reſpective Horſeman or Foot-Soldier ſo making Default, unleſs the Default be by the Neglect of ſuch Horſeman or Foot-Soldier, who in that Caſe are hereby to be accountable for the ſame, and every ſuch Muſter-Maſter ſhall be an Inhabitant of the reſpective County.

What Ammunition every Muſqueteer ſhall bring with him.

VII. And it is hereby further provided and enacted, That at every Muſter, Training and Exerciſe, every Muſqueteer ſhall bring with him Half a Pound of Powder, and Half a Pound of Bullets; and every Muſqueteer that ſerves with a Match-lock ſhall bring with him three Yards of Match, both which are to be found accordingly at the Charge of ſuch Perſon or Perſons as provide the ſaid Foot-Soldier and Arms; (2) and every Horſeman is to bring with him a Quarter of a Pound of Powder, and a Quarter of a Pound of Bullets, at the Charge of ſuch Perſon or Perſons as provide the ſaid Horſeman and Arms, who are hereby required to find and bear the ſame, upon Pain of forfeiting five Shillings for every Omiſſion thereof. (3) And for the better Diſciplining and Inſtructing of the ſaid Militia in their Duties, as alſo for eaſing them of often and frequent Meetings at ſeveral Times, and for the better Security of the Peace of the Kingdom; (4) be it further enacted, That it ſhall and may be lawful for the ſaid ſeveral Lieutenants, and in their Abſence, or by their Directions, for any two or more of their Deputies, within their reſpective Counties and Precincts for which they are commiſſioned, at any Time or Times during the Space of three Years, from the twenty-fourth Day of *July* in the Year of our Lord one thouſand ſix hundred ſixty and three, to ſummon and continue together ſo many of the ſaid trained Forces within their reſpective Counties and Precincts, and ſo long as they ſhall judge convenient, in Lieu of certain Days appointed for Exerciſe and Muſters by the ſaid Act, intituled, *An Act for Ordering the Forces in the ſeveral Counties of this Kingdom.*

The Penalty.

13 & 14 Car. 2. c. 3.

No Troop to be kept upon Duty above fourteen Days.

VIII. Provided always, and be it enacted, That any Troop, Company or Soldiers, may be ſo kept upon ſuch Duty by Virtue hereof fourteen Days, and no longer, in any one Year.

Commiſſioned Foot-Officers diſcharged from finding Arms.

IX. Provided always, and be it enacted, That every commiſſioned Foot-Officer in the Train-Bands or Militia of this Kingdom (ſettled according to Act of Parliament) ſhall be and is hereby exempted and excuſed from finding and contributing towards the Finding any Horſe, Horſeman or Arms, or Foot-Soldier and Arms, for his whole Eſtate, if at any Time it is charged but with one Horſe, or a leſs Charge, or for ſuch Part of his Eſtate as is or ſhall be charged with one Horſe, if his whole Eſtate be charged with a greater Charge than one Horſe in the County or Lieutenancy where he ſo ſerves as a Foot-Officer, in Reſpect of the Expence which the ſaid Imployment doth neceſſarily engage him in; any Thing in the ſaid Acts to the contrary notwithſtanding.

The Duty of Conſtables in executing Warrants of the Lieutenants or Deputies.

X. Be it alſo enacted and ordained, That each Conſtable, Tithingman, or other Officer of any Pariſh or Place, under the Penalty for every neglect of forfeiting forty Shillings, ſhall and do by Virtue of a Warrant directed to him from the reſpective Lieutenants and Deputy Lieutenants, or any three or more of them, levy all Arrears and Proportions of Money unpaid, that were ſet or charged for the Raiſing, Training and Arraying the Trained-Bands and Forces actually raiſed and in Being before the Paſſing of the ſaid mentioned Act, by the Diſtreſs and Sale of the Goods of any Perſon or Perſons refuſing to pay the ſame, rendring back the Overplus (if any) the Charge of Diſtreſs and Sale being firſt deducted.

Troopers and Soldiers ſhall be ſubject to Exerciſe and Duty.

XI. Be it alſo enacted, That every Trooper or Foot-Soldier at any Time raiſed by Virtue or according to the Directions of this preſent Act, ſhall be ſubject to ſuch Exerciſe and Duty, as others charged or raiſed by the ſaid mentioned Act, and ſhall accordingly upon like Pains and Penalties obſerve and keep all the reſpective Orders and Directions of the ſaid Act, and of this preſent Act, and ſhall ſuffer the ſame Penalties for committing any of the reſpective Crimes and Offences expreſſed in the ſaid Act; which ſaid Pains and Penalties are in the like Caſes to be impoſed and levied in the ſame Manner, and by the ſame Ways and Means, as are ſet down in the ſaid Act.

A fourth Part of a Month's Aſſeſſment, how to be diſpoſed.

'XII. And whereas the fourth Part of one Month's Aſſeſſment in each County, after the Rate of ſe-'venty thouſand Pounds by the Month, is by the ſaid Act yearly appointed for furniſhing Ammunition 'and other Neceſſaries;' (2) Be it enacted and declared by the Authority aforeſaid, That the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall from Time to Time have Power to diſpoſe of ſo much of the ſaid fourth Part to the inferior Officers imployed in or about the ſaid reſpective Forces, for their Pains and Incouragement, as to them the ſaid Lieutenants and Deputies, or any three or more of them, ſhall ſeem expedient.

Perſons ſued for Matters done by this Act may plead the General Iſſue. Double Coſts to the Defendant.

XIII. Provided always, and be it enacted, That it ſhall be lawful to every Perſon and Perſons that ſhall have any Action or Suit brought againſt him or them for any Thing done in Execution of this or the ſaid Act, to plead the General Iſſue, and to give the ſpecial Matter in Evidence; and if Judgment ſhall be given for the Defendant, or if the Plaintiff ſhall become nonſuit, or diſcontinue his Suit, then he ſhall recover double Coſts.

XIV. Provided alſo, and be it enacted, That no Action or Suit ſhall be brought againſt any Perſon for any Thing done in Execution, or by Pretence of the Execution of this or the ſaid Act, unleſs the ſaid Action or Suit be laid in the proper County, and commenced within ſix Months next after ſuch Cauſe of Action.

13 Car. 2. Stat. 1. c. 6.

Fanatick Sectaries.

XV. Provided, and be it further enacted by the Authority aforeſaid, That one Clauſe contained in a certain Act, intituled, *An Act declaring the ſole Right of the Militia to be in the King, and for the preſent Ordering and Diſpoſing of the ſame*; and made for the Indemnifying of all Perſons acting in the Militia, from the four and twentieth of *June* one thouſand ſix hundred and ſixty, to the twentieth of *July* one thouſand ſix hundred ſixty and one, as touching the Aſſaulting, Detaining or Impriſoning any Perſon ſuſpected to be a Fanatick, Sectary or Diſturber of the Peace, or Seizing of Arms, or Searching of Houſes for Arms, or for ſuſpected Perſons, ſhall be conſtrued to commence and take Effect, and ſhall be good and effectual in Law, for the Indemnifying of all Perſons whatſoever acting in the Militia of this Kingdom for any the Matters aforeſaid, betwixt the ſecond Day of *February* one thouſand ſix hundred fifty-nine, and the four and twentieth of *June* one thouſand ſix hundred and ſixty inclusive, by Virtue or Colour of any Autho-

rity or Command whatſoever; any Thing in the ſaid Act, or in any other Act to the contrary thereof in any wiſe notwithſtanding.

How the Forfeitures and Penalties upon this Act may be levied.

XVI. And be it further enacted by the Authority aforeſaid, That the ſeveral Forfeitures, Penalties and Payments by this preſent Act impoſed, ſet or directed, (not otherwiſe by this preſent Act provided to be levied, ſued for or recovered) ſhall or may, in Caſe of Default, be levied or recovered by Warrant under the Hands and Seals of the reſpective Lieutenants and Deputy-Lieutenants, or any three or more of them, upon the Goods and Chattels of the Offender, and by Sale of the ſame, rendring the Party the Overplus, if any be: (2) And if ſufficient of the Goods and Chattels of ſuch Offender cannot be found or had, whereof to levy ſuch Forfeiture, Payment or Penalty, then the ſaid reſpective Lieutenants and Deputy-Lieutenants, or any three or more of them, ſhall have Power, and are hereby authorized, by like Warrant under their Hands and Seals to commit ſuch Offender to Priſon until he ſhall make Satisfaction, according to the ſaid Forfeiture, Payment or Penalty.

XVII. And it is further declared and enacted, That all and every Perſon and Perſons, which ſince the five and twentieth Day of *March* one thouſand ſix hundred ſixty and two have acted or done any Thing in the diſmantling of any Cities or Towns, or demoliſhing of Walls and Fortifications thereof, or relating thereunto, ſhall be and are hereby indemnified and ſaved harmleſs. *And whereas ſome Doubt hath ariſen upon the ſaid Act, what Eſtates ſhall be charged with or towards Foot*;

How Perſons may be charged with Arms, and for what Eſtates.

XVIII. Be it therefore enacted and declared by the Authority aforeſaid, That no Perſon who hath an Eſtate of the yearly Value of two hundred Pounds, or perſonal Eſtate of the Value of two thouſand four hundred Pounds, chargeable by the ſaid Act, ſhall be charged with or toward the Finding any Foot; (2) and it ſhall be lawful for the reſpective Lieutenants and Deputies, or any three or more of them, to charge according to the Proportions in the ſaid Act, any Perſon who hath an Eſtate of the yearly Value of one hundred Pounds, and under the yearly Value of two hundred Pounds, or who hath a perſonal Eſtate of twelve hundred Pounds, and under the Value of two thouſand four hundred Pounds, chargeable by the ſaid Act, with or towards the Finding of Foot, or toward the Finding of Horſe, as to their Judgment ſhall ſeem moſt expedient for his Majeſty's Service; (3) yet nevertheleſs this ſhall not be conſtrued to extend to make any Alteration in the Proviſions in the ſaid or this Act, concerning the Forces to be charged or raiſed in Cities, Corporations and Port-Towns.

The Cinque Ports.

XIX. Provided always, and be it enacted by the Authority aforeſaid, That the Lord Warden of the Cinque Ports, two antient Towns, and their Members, and in his Abſence his Lieutenant or Lieutenants, ſhall and may put in Execution within the ſaid Ports, Towns and Members, all the Powers and Authorities given and granted by this and the ſaid former Act, and to execute and perform all and every the Things therein contained, in the like Manner as the reſpective Lieutenants of the Counties and their Deputies may do, and may keep up and continue the uſual Numbers of Soldiers in the ſaid Ports, Towns and Members, unleſs they find Cauſe to leſſen the ſame: (2) And that the Inhabitants of the ſaid Ports, Towns and Members, being in regard of their Situation on the Sea-Coaſts charged with a greater Proportion of Arms and armed Men, than other Parts of the Kingdom, ſhall not be charged with Arms or armed Men in the Counties adjacent, for their Eſtates there lying, ſave only for ſuch Proportion as they are liable unto, and either are not or ſhall not be charged with within the ſaid Ports, Towns and Members; any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

St. Martin's Pariſh in Stamford-Baron in Lincolnſhire.

XX. Provided always, and be it enacted by the Authority aforeſaid, That the Inhabitants and Revenues of or in the Pariſh of St. *Martin*, called *Stamford-Baron*, in the Suburbs of the Borough and Town of *Stamford*, on the South-ſide of the Waters there called *Welland*, may be aſſeſſed and charged to find and ſerve in the trained Bands in the County of *Lincoln*, as formerly, according to the ſaid mentioned Act and this preſent Act, by the Lieutenant and Deputy-Lieutenants for the County of *Lincoln* for the Time being, in ſuch Manner as any Perſons or Eſtates within the ſaid County of *Lincoln* may be by them aſſeſſed and charged to the Purpoſes aforeſaid; and they of St. *Martin* aforeſaid are hereby declared to be well and legally aſſeſſed and charged by the ſaid Lieutenant and Deputy-Lieutenants reſpectively.

*Farther Proviſions relating hereto*, 10 & 11 *W.* 3. *c.* 12.

1 *Ann. St.* 2. *c.* 23. 1 *Geo.* 1. *St.* 2. *c.* 14. 9 *Geo.* 1. *c.* 8. 7 *Geo.* 2. *c.* 23. 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. *and* 33 *Geo.* 2. *c.* 2, 22, & 24.

## CAP. V.

EXP. An Act for the regulating Select Veſtries.

## CAP. VI.

An Act for Relief of ſuch Perſons as by Sickneſs or other Impediment were diſabled from ſubſcribing the Declaration in the Act of Uniformity, and Explanation of Part of the ſaid Act.

13 & 14 Car. 2. *c.* 4. §. 8.

'WHEREAS by an Act of this preſent Parliament, intituled, *An Act for Uniformity of Publick Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies, and for the Eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons, in the Church of* England, 'It was enacted, That every Dean, Canon and Prebend of every Cathedral or Collegiate Church, and 'all Maſters and Fellows of any College, Hall, Houſe of Learning or Hoſpital, and every Parſon, Vicar, 'Curate, and every other Perſon in Holy Orders, who upon the firſt Day of *May*, which ſhould be in 'the Year of our Lord God one thouſand ſix hundred ſixty and two, or at any Time thereafter ſhould 'be Incumbent or have Poſſeſſion of any Deanry, Canonry, Prebend, Maſterſhip, Fellowſhip, Parſonage, Vicarage, or any other Eccleſiaſtical Dignity or Promotion, ſhould before the Feaſt-Day of Saint '*Bartholomew*, which ſhould be in the Year of our Lord one thouſand ſix hundred ſixty and two, ſubſcribe the Declaration or Acknowledgment in the ſaid Act mentioned and expreſſed, before the reſpective Archbiſhops, Biſhops, Ordinaries or Vice-Chancellors of the reſpective Univerſities; upon Pain 'that all and every of the Perſons aforeſaid, failing in ſuch Subſcription, ſhould loſe and forfeit ſuch reſpective Deanry, Canonry, Prebend, Maſterſhip, Fellowſhip, Parſonage, Vicarage, Eccleſiaſtical Dignity 'or Promotion, and ſhould be utterly diſabled, and *ipſo facto* deprived of the ſame; and that every ſuch

'reſpective

'respective Deanry, Canonry, Prebend, Masterſhip, Fellowſhip, Parſonage, Vicarage, Eccleſiaſtical Dignity or Promotion, ſhould be void, as if ſuch Perſon ſo failing were naturally dead: (2) And that after 'ſuch Subſcription made, every ſuch Parſon, Vicar, Curate and Lecturer, ſhould procure a Certificate 'under the Hand and Seal of the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſe, and ſhould 'publickly and openly read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon 'ſome Lord's Day within three Months then next following, in his Pariſh Church where he was to officiate, 'in the Preſence of the Congregation there aſſembled, in the Time of Divine Service; upon Pain that 'every Perſon failing therein ſhould loſe ſuch Parſonage, Vicarage or Benefice reſpectively, and ſhould be 'utterly diſabled, and *ipſo facto* deprived of the ſame, and that the ſaid Parſonage, Vicarage or Benefice 'ſhould be void, as if he were naturally dead.

'II. And whereas divers Perſons of eminent Loyalty to his Majeſty, and of known Affection to the Liturgy of the Church of *England*, who by the ſaid Act were required to ſubſcribe the ſaid Declaration or 'Acknowledgment, at the Time of the paſſing of the ſaid Act were out of this Realm, in *Ireland*, or other 'Parts beyond the Seas, upon lawful and juſtifiable Occaſions, and had no Knowledge or Notice thereof 'until their Return into *England*, being after the ſaid Feaſt of Saint *Bartholomew*; and divers other of the 'ſaid loyal and well-affected Perſons, by Reaſon of Sickneſs, Impriſonment, Diſability of Body, or otherwiſe, could not or did not reſort unto their reſpective Archbiſhops, Biſhops or Ordinaries, or Vice-Chancellors of the reſpective Univerſities, before whom ſuch Subſcription was appointed by the ſaid Act to be 'made: All which ſaid Perſons are by Force of the ſaid Act utterly diſabled, and *ipſo facto* deprived of 'their reſpective Deanries, Canonries, Prebendaries, Maſterſhips, Fellowſhips, Parſonages, Vicarages, or 'other Eccleſiaſtical Benefices or Promotions, by Reaſon of ſuch their Omiſſion.'

III. For Remedy whereof, and for the Relief of ſuch Perſons, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That all Deans, Canons, Prebendaries, Maſters and Fellows of any Colleges, Halls or other Houſes of Learning, and all Parſons, Vicars and other Eccleſiaſtical Perſons aforeſaid, who at the Time of the paſſing of the ſaid Act being in *Ireland*, or any the Parts beyond the Seas, did not return into this Kingdom before the ſaid Feaſt of Saint *Bartholomew* one thouſand ſix hundred ſixty and two, or who being in *England*, by Impriſonment, Sickneſs, Diſability of Body, or otherwiſe, did not reſort unto their reſpective Archbiſhop, Biſhop, Ordinary or Vice-Chancellor of the ſaid reſpective Univerſities, to ſubſcribe the ſaid Declaration and Acknowledgment, before the ſaid Feaſt in the Year of our Lord aforeſaid, ſhall be and are hereby declared to be reſtored unto and preſerved in their reſpective Deanries, Canonries, Prebendaries, Maſterſhips, Fellowſhips, Parſonages, Vicarages, and other Eccleſiaſtical Benefices and Promotions, whereunto no other Perſon or Perſons before the firſt Day of *Auguſt* in the Year of our Lord one thouſand ſix hundred ſixty and three were or ſhall be lawfully inſtituted, inducted, collated or placed; and ſhall and may hold and enjoy the ſame according to his and their former Right; the aforeſaid Act, or any Thing therein contained, to the contrary notwithſtanding.

IV. Provided, That every ſuch Dean, Canon, Prebendary, Maſter and Fellow of any College, Hall or Houſe of Learning, and all Parſons, Vicars and Curates, and other Eccleſiaſtical Perſons, who are or ſhall by Virtue of this Act be reſtored to or preſerved in their ſaid ſeveral and reſpective Promotions, ſhall before the Feaſt of the Nativity of our Lord next enſuing, if he be in *England*, or if beyond the Seas, within forty Days after his Return into *England*, ſubſcribe the ſaid Declaration or Acknowledgment before the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſe, or Vice-Chancellor aforeſaid reſpectively; (2) and that every ſuch Parſon, Vicar, Curate or Lecturer ſhall procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſe (who are hereby required and enjoined upon Demand to make and deliver ſuch Certificate) and ſhall publickly and openly read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lord's Day within three Months then next following ſuch Subſcription, in his Pariſh Church where he is to officiate, in the Preſence of the Congregation then aſſembled, in the Time of Divine Service.

V. And be it further enacted and declared by the Authority aforeſaid, That every Subſcription already made, or hereafter to be made, before any Vicar General or Chancellor to any Archbiſhop or Biſhop, or Commiſſary to the Archbiſhop of *Canterbury* or any other Biſhop, is and ſhall be as effectual and beneficial in Law to all Intents and Purpoſes to every Perſon and Perſons which have or ſhall make ſuch Subſcription as aforeſaid, as if the ſame had been made before the Archbiſhop or Biſhop of the Province or Dioceſe reſpectively; any Thing in the aforeſaid Act to the contrary notwithſtanding.

VI. Provided alſo, That every Perſon who ſhall have Benefit by this Act, ſhall make ſuch Allowance for ſerving the Cure ſince the twenty-fourth of *Auguſt* one thouſand ſix hundred ſixty-two, as ſhall be judged fit by the Ordinary of the Place, and ſhall pay and diſcharge all Tenths, Penſions and other Charges, wherewith the Benefice to which he is by this Act reſtored, hath been or might be legally charged ſince the Day aforeſaid.

'VII. And whereas ſome Doubt hath ariſen, whether Perſons prohibited to preach by the ſaid Act are 'in the ſame Plight as to Puniſhment, with Perſons diſabled by the ſaid Act to preach;' (2) Be it declared and enacted by the Authority aforeſaid, That the Penalties by the ſaid Act to be inflicted upon any Perſon diſabled by the ſaid Act to preach, for any Offence againſt the ſaid Act, ſhall in like Manner be inflicted upon every Perſon ſo offending, that is prohibited by the ſaid Act to preach; any Thing, Doubt or Ambiguity in the ſaid Act to the contrary notwithſtanding. Perſons prohibited to preach. 13 & 14 Car. 2. c. 4.

## CAP. VII.

### An Act for the Encouragement of Trade.

FOraſmuch as the encouraging of Tillage ought to be in an eſpecial Manner regarded and endeavoured; and the ſureſt and effectualleſt Means of promoting and advancing any Trade, Occupation or Myſtery, being by rendring it profitable to the Uſers thereof; (2) and great Quantities of Land within Tillage,

'this Kingdom for the preſent lying in a Manner waſte, and yielding little, which might thereby be improved to conſiderable Profit and Advantage (if ſufficient Encouragement were given for the laying out of Coſt and Labour on the ſame) and thereby much more Corn produced, greater Numbers of People, Horſes and Cattle imployed, and other Lands alſo rendred more valuable:'

Corn not exceeding certain Rates may be tranſported. *Farther Proviſions relating hereto,* 1 *W. & M. St.* 1. *c.* 12 & 24. 11 & 12 *W.* 3. *c.* 20. 12 & 13 *W.* 3. *c.* 10. 5 *Ann. c.* 29. 2 *Geo.* 2. *c.* 18. 5 *Geo.* 2. *c.* 12. 11 *Geo.* 2. *c.* 22. 24 *Geo.* 2. *c.* 56. *and* 26 *Geo.* 2. *c.* 15. 12 Car. 2. c. 4.

II. Be it enacted by the King's moſt Excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority thereof; and it is hereby enacted, That from and after the firſt Day of *September* in the Year of our Lord one thouſand ſix hundred ſixty and three, and from thenceforward, when the Prices of Corn and Grain *Wincheſter* Meaſure do not exceed the Rates hereafter following, at the Havens or Places where the ſame ſhall be ſhipped or loaden, (*viz.*) The Quarter of Wheat, eight and forty Shillings; the Quarter of Barley or Malt, eight and twenty Shillings; the Quarter of Buck-wheat, eight and twenty Shillings; the Quarter of Oats, thirteen Shillings and four Pence; the Quarter of Rye, two and thirty Shillings; the Quarter of Peaſe or Beans, two and thirty Shillings current *Engliſh* Money; that then it ſhall be lawful for all and every Perſon and Perſons to ſhip, load, carry and tranſport any of the ſaid Corns or Grains from the Havens or Places where they ſhall be of ſuch Prices, unto any Parts beyond the Seas as Merchandize; any Law, Statute or Uſage to the contrary notwithſtanding; paying ſuch Rates for the ſame, and none other, as are to be paid when the ſame might have been tranſported by one Act paſſed this preſent Parliament, intituled, *A Subſidy granted to the King of Tonnage and Poundage.*

When Corn may be imported, and what Cuſtom to be paid.

III. And it is hereby further enacted by the Authority aforeſaid, That when the Prices of the aforeſaid Corns and Grains do not exceed the Rates above-mentioned reſpectively *Wincheſter* Meaſure, at the Haven or Place into which any of them ſhall be imported from any Parts beyond the Seas, there ſhall be paid for the Cuſtom and Poundage of every Quarter of Wheat, five Shillings and four Pence; and for every Quarter of Rye, four Shillings; and for every Quarter of Barley or Malt, two Shillings and eight Pence; and for every Quarter of Buck-wheat, two Shillings; and for every Quarter of Oats, one Shilling four Pence; and for every Quarter of Peaſe or Beans, four Shillings.

IV. And it is hereby further enacted by the Authority aforeſaid, That when the Prices of Corn or Grain *Wincheſter* Meaſure do not exceed the Rates following at the Markets, Havens or Places where the ſame ſhall be bought, (*viz.*) the Quarter of Wheat, eight and forty Shillings; the Quarter of Rye, two and thirty Shillings; the Quarter of Barley or Malt, eight and twenty Shillings; the Quarter of Buck-wheat, eight and twenty Shillings; the Quarter of Oats, thirteen Shillings and four Pence; the Quarter of Peaſe or Beans, two and thirty Shillings; that then it ſhall be lawful for all and every Perſon and Perſons (not foreſtalling nor ſelling the ſame in the ſame Market within three Months after the Buying thereof) to buy in open Market, and to lay up and keep in his or their Granaries or Houſes, and to ſell again, ſuch Corn or Grain of the Kinds aforeſaid, as without Fraud or Covin ſhall have been bought at or under the Prices before expreſſed, without incurring any Penalty; any Law, Statute or Uſage to the contrary notwithſtanding.

Plantations beyond the Sea.

'V. And in regard his Majeſty's Plantations beyond the Seas are inhabited and peopled by his Subjects 'of this his Kingdom of *England*; for the Maintaining a greater Correſpondence and Kindneſs between 'them, and keeping them in a firmer Dependance upon it, and rendring them yet more beneficial and advantagious unto it in the further Imployment and Increaſe of *Engliſh* Shipping and Seamen, Vent of *Engliſh* Woollen and other Manufactures and Commodities, rendring the Navigation to and from the ſame 'more ſafe and cheap, and making this Kingdom a Staple, not only of the Commodities of thoſe Plantations, but alſo of the Commodities of other Countries and Places, for the Supplying of them; and it 'being the Uſage of other Nations to keep their Plantations Trade to themſelves:'

Commodities of the Growth and Manufacture of Europe, how to be imported in Engliſh built Shipping. Repealed as to Iriſh Linen by 3 & 4 Annæ, c. 8. §. 1. 13 & 14 Car. 2. c. 11.

VI. Be it enacted, and it is hereby enacted, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ſixty-four, no Commodity of the Growth, Production or Manufacture of *Europe*, ſhall be imported into any Land, Iſland, Plantation, Colony, Territory or Place to his Majeſty belonging, or which ſhall hereafter belong unto or be in the Poſſeſſion of his Majeſty, his Heirs and Succeſſors, in *Aſia*, *Africa* or *America*, (*Tangier* only excepted) but what ſhall be *bona fide*, and without Fraud, laden and ſhipped in *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, and in *Engliſh* built Shipping, or which were *bona fide* bought before the firſt Day of *October* one thouſand ſix hundred ſixty and two, and had ſuch Certificate thereof as is directed in one Act paſſed the laſt Seſſions of this preſent Parliament, intituled, *An Act for preventing Frauds, and regulating Abuſes in his Majeſty's Cuſtoms*; and whereof the Maſter and three Fourths of the Mariners at leaſt are *Engliſh*, and which ſhall be carried directly thence to the ſaid Lands, Iſlands, Plantations, Colonies, Territories or Places, and from no other Place or Places whatſoever; any Law, Statute or Uſage to the contrary notwithſtanding; (2) under the Penalty of the Loſs of all ſuch Commodities of the Growth, Production or Manufacture of *Europe*, as ſhall be imported into any of them from any other Place whatſoever, by Land or Water; and if by Water, of the Ship or Veſſel alſo in which they were imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel; one third Part to his Majeſty, his Heirs and Succeſſors; one third Part to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory or Place, into which ſuch Goods were imported, if the ſaid Ship, Veſſel or Goods be there ſeized or informed againſt and ſued for; or otherwiſe that third Part alſo to his Majeſty, his Heirs and Succeſſors; and the other third Part to him or them who ſhall ſeize, inform or ſue for the ſame in any of his Majeſty's Courts in ſuch of the ſaid Lands, Iſlands, Colonies, Plantations, Territories or Places where the Offence was committed, or in any Court of Record in *England*, by Bill, Information, Plaint or other Action, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The Penalty.

Salt for Fiſheries. 13 Geo. 1. c. 5.

VII. Provided always, and be it hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to ſhip and lade in ſuch Ships, and ſo navigated, as in the foregoing Clauſe is ſet down and expreſſed, in any Part of *Europe*, Salt for the Fiſheries of *New-England* and *Newfoundland*, and to ſhip and lade in the *Madera's* Wines of the Growth thereof, and to ſhip and lade in the Weſtern Iſlands of *Azores* Wines of the Growth of the ſaid Iſlands, and to ſhip and take in Servants or Horſes in *Scotland* or *Ireland* and to ſhip or lade in *Scotland* all Sorts of Victual of the Growth or Production of *Scotland*, and to ſhip or lade in *Ireland* all Sorts of Victual of the Growth or Production of *Ireland*, and the ſame to tranſport into any of the ſaid Lands, Iſlands, Plantations, Colonies, Territories or Places; any Thing in the foregoing Clauſe to the contrary in any wiſe notwithſtanding.

VIII. And

VIII. And for the better Prevention of Frauds, be it enacted, and it is hereby enacted, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ſixty and four, every Perſon or Perſons importing by Land any Goods or Commodities whatſoever into any the ſaid Lands, Iſlands, Plantations, Colonies, Territories or Places, ſhall deliver to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory or Place, or to ſuch Perſon or Officer as ſhall be by him thereunto authorized and appointed, within four and twenty Hours after ſuch Importation, his and their Names and Surnames, and a true Inventory and Particular of all ſuch Goods or Commodities: (2) And no Ship or Veſſel coming to any ſuch Land, Iſland, Plantation, Colony, Territory or Place, ſhall lade or unlade any Goods or Commodities whatſoever, until the Maſter or Commander of ſuch Ship or Veſſel ſhall firſt have made known to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory or Place, or ſuch other Perſon or Officer as ſhall be by him thereunto authorized and appointed, the Arrival of the ſaid Ship or Veſſel, with her Name, and the Name and Surname of her Maſter or Commander, and have ſhewn to him that ſhe is an *Engliſh*-built Ship, or made good by producing ſuch Certificate, as aboveſaid, that ſhe is a Ship or Veſſel *bona fide* belonging to *England*, *Wales*, or the Town of *Berwick*, and navigated with an *Engliſh* Maſter, and three fourth Parts of the Mariners at leaſt *Engliſhmen*, and have delivered to ſuch Governor or other Perſon or Officer a true and perfect Inventory or Invoice of her Lading, together with the Place or Places in which the ſaid Goods were laden or taken into the ſaid Ship or Veſſel; (3) under the Pain of the Loſs of the Ship or Veſſel, with all her Guns, Ammunition, Tackle, Furniture and Apparel, and of all ſuch Goods of the Growth, Production or Manufacture of *Europe*, as were not *bona fide* laden and taken in in *England*, *Wales*, or the Town of *Berwick*, to be recovered and divided in Manner aforeſaid; (4) and all ſuch as are Governors or Commanders of any the ſaid Lands, Iſlands, Plantations, Colonies, Territories or Places (*Tangier* only excepted) ſhall before the five and twentieth Day of *March* one thouſand ſix hundred ſixty and four, and all ſuch as ſhall hereafter be made Governors or Commanders of any of them, ſhall before their Entrance upon the Execution of ſuch Truſt or Charge, take a ſolemn Oath before ſuch Perſon or Perſons as ſhall be authorized by his Majeſty, his Heirs and Succeſſors, to adminiſter the ſame; to do their utmoſt within their reſpective Governments or Commands, to cauſe to be well and truly obſerved what is in this Act enacted, in Relation to the Trade of ſuch Lands, Iſlands, Plantations, Colonies, Territories and Places, under the Penalty of being removed out of their reſpective Governments and Commands: (5) And if any of them ſhall be found, after the taking of ſuch Oath, to have wittingly and willingly offended contrary to what is by this Act required of them, that they ſhall for ſuch Offence be turned out of their Governments, and be uncapable of the Government of any other Land, Iſland, Plantation or Colony; and moreover, forfeit the Sum of one thouſand Pounds of lawful Money of *England*; the one Moiety to his Majeſty, his Heirs and Succeſſors; and the other Moiety to him or them that ſhall inform or ſue for the ſame in any of his Majeſty's Courts in any of the ſaid Plantations, or in any Court of Record in *England*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Prevention of Frauds.

Farther provided for by 7 & 8 W. 3. c. 22. §. 5.

IX. And it is hereby further enacted, That if any Officer of the Cuſtoms in *England*, *Wales*, or Town of *Berwick* upon *Tweed*, ſhall give any Warrant for, or ſuffer any Sugar, Tobacco, Ginger, Cotton-wool, Indico, Speckle-wood or *Jamaica*-wood, Fuſtick or other Dying-wood of the Growth of any of the ſaid Lands, Iſlands, Colonies, Plantations, Territories or Places, to be carried into any other Country or Place whatſoever, until they have been firſt unladen *bona fide* and put on Shore in ſome Port or Haven in *England* or *Wales*, or in the Town of *Berwick*; That every ſuch Officer for ſuch Offence ſhall forfeit his Place, and the Value of ſuch of the ſaid Goods as he ſhall give Warrant for, or ſuffer to paſs into any other Country or Place; the one Moiety to his Majeſty, his Heirs and Succeſſors; and the other Moiety to him or them that ſhall inform or ſue for the ſame in any Court of Record in *England* or *Wales*, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Penalty upon Officers of the Cuſtoms.

X. And for the better Encouragement of the ſaid Plantations, and the Increaſe of the Shipping and Navigation of this Kingdom, (2) Be it enacted, and it is hereby enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ſixty and four, it ſhall and may be lawful out of any Port of *England* or *Wales*, or out of the Town of *Berwick*, to ſhip and lade Sea-coals for any Part of them, paying for the Chalder, *Newcaſtle*-meaſure, one Shilling eight Pence; and for the Chalder, *London*-meaſure, one Shilling and no more; in full of all Cuſtom and Poundage for the ſame; any Law, Statute or Prohibition to the contrary in any wiſe notwithſtanding.

Encouragement of Plantations, and Increaſe of Shipping. Altered by 9 Annæ, c. 6. §. 7.

XI. Provided, That ſuch Sea-coals be ſhipped in ſuch Shipping, and ſo navigated, as aboveſaid; and that good Security be given to the Officers of the Cuſtoms in ſuch Port in which they are ſhipped, for the Landing them in the ſaid Plantations, and not elſewhere.

'XII. And foraſmuch as ſeveral conſiderable and advantagious Trades cannot be conveniently driven 'and carried on without the Species of Money or Bullion, and that it is found by Experience, that they 'are carried in greateſt Abundance (as to a common Market) to ſuch Places as give free Liberty for ex-'porting the ſame; and the better to keep in and increaſe the current Coins of this Kingdom,' (2) Be it enacted, and it is hereby enacted, That from and after the firſt Day of *Auguſt* one thouſand ſix hundred ſixty and three, it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, to export out of any Port of *England* or *Wales*, in which there is a Cuſtomer or Collector, or out of the Town of *Berwick*, all Sorts of Foreign Coin or Bullion of Gold or Silver, firſt making Entry thereof in ſuch Cuſtom-houſe reſpectively, without paying any Duty, Cuſtom, Poundage or Fee for the ſame; any Law, Statute or Uſage to the contrary notwithſtanding.

Foreign Coin or Bullion may be exported.

'XIII. And laſtly, Whereas a very great Part of the richeſt and beſt Land of this Kingdom is and 'cannot ſo well be otherwiſe imployed and made Uſe of as in the Feeding and Fattening of Cattle; and 'that by the coming in of late of vaſt Numbers of Cattle already fatted, ſuch Lands are in many Places 'much fallen, and like daily to fall more in their Rents and Values, and in Conſequence other Lands 'alſo, to the great Prejudice, Detriment and Impoveriſhment of this Kingdom;' (2) Be it further enacted by the Authority aforeſaid, and it is hereby enacted, That for every Head of great Cattle (except ſuch as are of the Breed of *Scotland*) that ſhall be imported or brought into *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, after the firſt Day of *July*, and before the twentieth Day of *December* in any Year;

Penalties upon Importation of foreign Cattle at certain Times.

and

Farther Provisions relating hereto, 18 Car. 2. c. 2. For Scots Cattle, see 5 Annæ, c. 8. Article 6.

and for every Head of great Cattle of the Breed of *Scotland* that ſhall be imported or brought into *England*, *Wales*, or the Town of *Berwick*, after the four and twentieth Day of *Auguſt*, and before the twentieth Day of *December* in any Year, there ſhall be paid to his Majeſty, his Heirs and Succeſſors, the Sum of twenty Shillings; and the Sum of ten Shillings to him or them that ſhall inform or ſeize the ſame; and the Sum of ten Shillings to the Poor of the Pariſh where ſuch Seizure or Information ſhall be made, to be recovered and levied by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed. EXP.

XIV. And moreover, That there ſhall be paid to his Majeſty, his Heirs and Succeſſors, for every Sheep which ſhall be imported into *England*, *Wales*, or the Town of *Berwick* aforeſaid, after the firſt Day of *Auguſt*, and before the twentieth Day of *December*, in any Year, the Sum of ten Shillings of lawful Money of *England*, to be recovered and levied in Manner aforeſaid.

The Continuance of this Act as to Importation of Cattle.

XV. Provided always, That this Act, in ſo far as it relates to great Cattle or Sheep, ſhall not take Place till the firſt Day of *July* one thouſand ſix hundred ſixty and four, nor continue longer than the End of the firſt Seſſion of the next Parliament.

Encouragement of Herring Fiſheries. Altered by 1 Geo. 1. Stat. 2. c. 18. §. 1.

XVI. And for the Encouragement of the Herring and *North-Sea* Iſland, and *Weſtmony* Fiſheries, (2) be it enacted, and it is hereby enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and four, no Freſh Herring, Freſh Cod or Haddock, Coal-fiſh or Gull-fiſh, ſhall be imported into *England*, *Wales*, or the Town of *Berwick*, but in *Engliſh*-built Ships or Veſſels, or in Ships or Veſſels *bona fide* belonging to *England*, *Wales* or the Town of *Berwick*, and having ſuch Certificate thereof as is aboveſaid, and whereof the Maſter and three Fourths at the leaſt of the Mariners are *Engliſh*, and which hath been fiſhed, caught and taken in ſuch Ships or Veſſels, and ſo navigated, and not being bought or had of any Strangers born, or out of any Strangers Bottoms, under the Pain of the Forfeiture of all ſuch Herring, Cod, Haddock, Coal-fiſh or Gull-fiſh imported contrary to the true Intent and Meaning hereof, and of the Ship or Veſſel in which it was imported; (3) one Moiety of which Forfeitures ſhall be to his Majeſty, his Heirs and Succeſſors; and the other Moiety to him or them that ſhall inform, ſeize or ſue for the ſame, to be recovered by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Duties to be paid upon Importation of ſalted or dried Fiſh.

*See farther concerning Fiſhery*, 30 *Car.* 2. *St.* 1. *c.* 9. 4 & 5 *W.* & *M.* *c.* 23. 4 *Ann.* *c.* 21. 9 *Ann.* *c.* 26. 1 *Geo.* 1. *Stat.* 2. *c.* 18. 5 *Geo.* 1. *c.* 18. 23 *Geo.* 2. *c.* 26. §. 7. 26 *Geo.* 2. *c.* 9. 30 *Geo.* 2. *c.* 21 & 30. *and* 33 *Geo.* 2. *c.* 27.

XVII. And be it further enacted, and it is hereby enacted by the Authority aforeſaid, That for the following Sorts or Kinds of ſalted or dried Fiſh, which from and after the ſaid firſt Day of *Auguſt* ſhall be imported into *England*, *Wales*, or the Town of *Berwick*, in any other Ship or Veſſel than what is *Engliſh*-built or belonging to *England*, *Wales*, or Town of *Berwick*, and having ſuch Certificate thereof as aboveſaid, and whereof the Maſter and three Fourths of the Mariners at leaſt are *Engliſh*, and not having been fiſhed and caught in ſuch Ships or Veſſels, and ſo navigated, there ſhall be paid by Way of Cuſtom and Impoſt the ſeveral Sums of Money herein after particularly mentioned, (that is to ſay) For Cod-fiſh the Barrel, five Shillings; for Cod-fiſh the Laſt, containing twelve Barrels, three Pounds; for Cod-fiſh the Hundred, containing ſixſcore, ten Shillings; for Coal-fiſh the Hundred, containing ſixſcore, five Shillings; for Lings the Hundred, containing ſixſcore, one Pound; for White Herrings the Laſt, containing twelve Barrels, one Pound ſixteen Shillings; for Haddocks the Barrel, two Shillings; for Gull-fiſh the Barrel, two Shillings.

The further Penalty for planting Tobacco in England. 12 Car. 2. c. 34. *Farther Proviſions relating hereto*, 22 & 23 *Car.* 2. *c.* 26. 1 *Jac.* 2. *c.* 4. 7 & 8 *W.* 3. *c.* 10. 10 & 11 *W.* 3. *c.* 21. 2 *Ann.* *c.* 9. 6 *Ann.* *c.* 22. 8 *Ann.* *c.* 13. 12 *Ann.* *St.* 2. *c.* 8. 1 *Geo.* 1. *c.* 46. 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 21. 12 *Geo.* 1. *c.* 26 & 28. 21 *Geo.* 2. *c.* 2. 24 *Geo.* 2. *c.* 41. *and* 26 *Geo.* 2. *c.* 13.

'XVIII. And foraſmuch as planting and making Tobacco within this Kingdom of *England* doth continue and increaſe, to the apparent Loſs of his ſaid Majeſty in his Cuſtoms, the Diſcouragement of the *Engliſh* Plantations in the Parts beyond the Seas, and Prejudice of this Kingdom in general, notwithſtanding an Act of Parliament made in the twelfth Year of his ſaid Majeſty's Reign for Prevention thereof, intituled, *An Act for prohibiting the Planting, Setting or Sowing of Tobacco in* England *and* Ireland: (2) And foraſmuch as it is found by Experience, that the Reaſon why the ſaid Planting and Making of Tobacco doth continue, is, That the Penalties preſcribed and appointed by that Law are ſo little, as have neither Power or Effect over the Tranſgreſſors thereof;' (3) For Remedy therefore of ſo great an Evil, Be it enacted by the Authority aforeſaid, That all and every the Perſon or Perſons whatſoever, that do or ſhall at any Time hereafter ſet, plant or ſow any Tobacco in Seed, Plant or otherwiſe, in or upon any Ground, Field, Earth or Place, within the Kingdom of *England*, Dominion of *Wales*, Iſlands of *Guernſey* and *Jerſey*, or Town of *Berwick* upon *Tweed* or Kingdom of *Ireland*, ſhall, over and above the Penalty of the ſaid Act for that Purpoſe ordained, for every ſuch Offence forfeit and pay the Sum of ten Pounds for every Rod or Pole of Ground that he or they ſhall ſo plant, ſet or ſow with Tobacco, and ſo proportionably for a greater or leſſer Quantity of Ground; one third Part thereof to the King's Majeſty; one other third Part thereof to the Uſe of the Poor of ſuch reſpective Pariſh or Pariſhes wherein ſuch Tobacco ſhall be ſo planted, ſet or ſowed; and the other third Part thereof to him or them that ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his ſaid Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

XIX. And it is hereby further enacted, That in caſe any Perſon or Perſons ſhall reſiſt or make forcible Oppoſition againſt any Perſon or Perſons in the due and through Execution of the ſaid Act of the twelfth of his ſaid Majeſty's Reign, that he, ſhe or they, ſo reſiſting and making forcible Oppoſition, ſhall over and above the Penalties therein mentioned for ſuch Offences, be committed to the Common Goal of the County where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize, until he, ſhe or they, have entred into a Recognizance to his Majeſty, his Heirs and Succeſſors, with two ſufficient Sureties, of ten Pounds Penalty, not to do or commit the like Offence again.

Proviſo for Tobacco planted in Phyſick-Gardens.

XX. Provided always, That this Act, nor any Thing therein contained, ſhall extend to the Hindrance or Prejudice of planting Tobacco in any Phyſick-Garden of either of the Univerſities, or any other private Garden for Chirurgery, ſo as the Quantity ſo planted exceed not the Half of one Pole in any one Place or Garden.

Cattle imported from the Iſle of Man.

XXI. Provided alſo, and be it enacted, That it ſhall and may be lawful to import Cattle of the Breed of the *Iſle of Man*, not exceeding ſix hundred in any one Year, and Corn of the Growth of that Iſland,

out of that Iſland into *England*; ſo as the ſaid Cattle be landed at *Cheſter*, *Liverpool* or *Wire-water*; any Thing in this Act to the contrary thereof in any wiſe notwithſtanding.

## CAP. VIII.

### An Act to prevent the Selling of live fat Cattle by Butchers.

'WHEREAS by an Act made in the third and fourth Years of the Reign of King *Edward* the Sixth, it is enacted, That no Perſon uſing the Craft or Myſtery of a Butcher ſhould buy any fat Oxen, Steers, Runts, Kine, Heifers, Calves or Sheep, and ſell the ſame again alive, upon Pain of Forfeiture of the Cattle ſo ſold; (2) which Law hath not wrought ſuch effectual Reformation as was intended, by Reaſon of the Difficulty in the Proof of ſuch Buying and Selling, being for the moſt part at Places far diſtant, if not in ſeveral Counties, by Means whereof the Parties ſo offending have eſcaped unpuniſhed:' 3 & 4 Ed. 6. c. 19. §. 3. 22 & 23 Car. 2. c. 19. 25 Car. 2. c. 4. 1 Jac. 2. c. 17. 4 & 5 W. & M. c. 24. 11 & 12 W. 3. c. 13. 5 Annæ, c. 14. 7 Annæ, c. 6.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That no Perſon uſing the Trade of a Butcher ſhall at any Time from and after the Feaſt of St. *Michael* the Archangel next enſuing, ſell, offer or expoſe to Sale, in any Market or elſewhere, either by himſelf or any Servant or Agent whatſoever, any fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs alive; (2) upon Pain to forfeit the double Value of the Cattle ſo ſold or offered or expoſed to Sale as aforeſaid; the one Moiety of which Forfeiture ſhall be to the King's Majeſty, his Heirs and Succeſſors; and the other Moiety to him or them that will ſue for the ſame in any of his Majeſty's Courts of Record, by Bill, Plaint, Action of Debt or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed. Penalty upon Butchers for ſelling live fat Cattle.

## CAP. IX.

An Act for granting four entire Subſidies to his Majeſty by the Temporalty. EXP.

## CAP. X.

An Act for confirming of four Subſidies granted by the Clergy. EXP.

## CAP. XI.

### An Additional Act for the better Ordering and Collecting the Duty of Exciſe, and preventing the Abuſes therein.

'FOR the Preventing of the Frauds and Deceits of Brewers and other Perſons who make Beer and Ale, and other Exciſeable Liquors, to ſell, and of the Abuſes committed by the Officers, Collectors and Managers of the Exciſe, to the great Decay of his Majeſty's Revenue of Exciſe, and Obſtruction of the due and orderly Collecting of the ſame, and for Supply and Amendment of certain Defects in the Laws and Statutes relating to the Duty of Exciſe, as well for the Support and Advance of the ſaid Revenue as for the Eaſe of the People;' (2) Be it enacted by the King's moſt Excellent Majeſty, by and with the Conſent of the Lords Spiritual and Temporal, and of the Commons, in this Parliament aſſembled, and by Authority of the ſame, That no Common Brewer, Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any Time after the firſt Day of *September* one thouſand ſix hundred ſixty-three, without firſt giving Notice thereof at the next Office of Exciſe, or to the Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe, or one of them, within the Limits and Juriſdiction of whoſe Office he or they do or ſhall inhabit, erect, ſet up, alter or enlarge any Tun, Fat, Back, Cooler or Copper, and ſhall make Uſe of any of them for the Brewing or Making any Beer or Ale, or Worts, or ſhall make Uſe of or keep any private and concealed Store-houſe, Cellar or other Place for the Laying of any Beer or Ale, or Worts in Caſk, other than ſuch as are already openly ſet up, erected and made Uſe of in his common and uſual Brew-houſe, and now openly diſcovered and known; (3) upon Pain to forfeit the Sum of fifty Pounds for every Tun, Fat, Back, Copper and Cooler ſet up and made Uſe of without ſuch Notice given thereof as aforeſaid, and contrary to the true Intent and Meaning hereof: (4) And that all and every other Perſon or Perſons, in whoſe Occupation any Houſe, Meſſuage, Outhouſe or other Place whatſoever is or ſhall be, where any ſuch private and concealed Tun, Back, Cooler or Store-houſe ſhall be found and diſcovered, ſhall alſo forfeit and loſe the Sum of fifty Pounds, to be levied and recovered in Manner and Form as in and by this preſent Act is hereafter directed and ordained: (5) And moreover, every ſuch private and concealed Tun, Fat, Back, Copper or Cooler, ſo diſcovered and found as aforeſaid, or altered or enlarged, together with all Beer, Ale or Worts therein being, ſhall and may be taken up, ſeized, carried away and delivered to the Overſeers for the Poor, to be ſold for the Uſe of the Poor, or diſtributed amongſt them. 12 Car. 2. c. 24. This Act continued for 99 Years, by 4 & 5 W. & M. c. 3. and enforced by 5 & 6 W. & M. c. 20. §. 11. Notice to be given of all Brewing Veſſels. The Penalty. Explained by 1 W. & M. Seſſ. 1. c. 24. §. 11.

II. And be it further enacted by the Authority aforeſaid, That from and after the eighth Day of *November* in the Year of our Lord one thouſand ſix hundred ſixty and five, no Perſon or Perſons whatſoever nominated by his Majeſty to be in Commiſſion for the Regulating of his Majeſty's Revenue of Exciſe, or for the Exerciſe of any the Powers or Authorities mentioned in an Act, intituled, *A Grant of certain Impoſitions upon Beer, Ale and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life:* Or one other Act, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, by Knights-Service and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*, or in this preſent Act, ſhall preſume to farm the ſaid Revenue of his Majeſty, either directly or indirectly, by obtaining Letters Patents to him or themſelves thereof, or any Perſon or Perſons whatſoever intruſted for him or them, or to or for his or their Uſe, Benefit or Behoof: (2) Nor that any Perſon or Perſons whatſoever, being a Farmer of the ſaid Revenue, ſhall be any way capable to be nominated a Commiſſioner for the Regulating his Majeſty's ſaid Revenue of Exciſe, or exerciſing any Powers or Authorities concerning the ſame: (3) But if any Perſon or Perſons who ſtands thus diſabled as aforeſaid to be nominated a Commiſſioner, ſhall become a Farmer, and ſhall in either of the ſaid Caſes nevertheleſs preſume directly or indirectly to act as a Commiſſioner, Farmer or Sub-Commiſſioner, to execute the Powers and Authorities aforeſaid, either alone or jointly with other Perſons that are Farmers, or elſe with any others who are not Farmers, Commiſſioners may not farm the Exciſe. 12 Car. 2. c. 23. 12 Car. 2. c. 24.

Farmers, ſhall from and after ſuch his Acting, loſe the Benefit of his ſaid Farm, and be thenceforth totally for ever diſabled to be either Farmer of the ſaid Revenue, or Commiſſioner for the Regulating thereof, and exerciſing the Powers aforeſaid: (4) And that all and every Act and Acts done by any Commiſſioner or Commiſſioners, or Sub-Commiſſioners, being Farmer or Farmers, by him or themſelves, or jointly with others who are not Farmers, ſhall be void in Law, and of none Effect; (5) and that all and every Perſon or Perſons any way moleſted or troubled by the Command and Authority of ſuch Commiſſioner or Commiſſioners acting by him or themſelves, or together with others who are not Farmers or Commiſſioners, may bring his Action at Law for the ſame in any of his Majeſty's Courts at *Weſtminſter*, and thereby recover his Damages againſt any ſuch Commiſſioner or Commiſſioners; any Law or Statute to the contrary notwithſtanding.

The Penalty.

III. And that all and every Letters Patents to be made from and after the tenth Day of *April* in the Year of our Lord one thouſand ſix hundred ſixty and three, enabling any Farmer or Farmers of the Exciſe to be Commiſſioner or Commiſſioners, or Sub-Commiſſioners, ſhall be utterly void and of none Effect; any Thing in any of the ſaid Acts to the contrary notwithſtanding.

The Penalty for giving any falſe and corrupt Judgment to the Brewers Damage.

IV. And that if any Commiſſioner or Sub-Commiſſioner, Commiſſioners or Sub-Commiſſioners, who by Colour or Virtue of any Letters Patents are now both Commiſſioners or Sub-Commiſſioners for regulating the ſaid Revenue, and likewiſe Farmers of the ſaid Revenue, ſhall give any falſe and corrupt Judgment in Advancement of the Benefit of his or their ſaid Farm, to the Brewers Damage, contrary to Law, he or they ſhall forfeit for every ſuch Judgment ſo falſly and corruptly given, double Coſts to the Party ſo injured by the ſaid corrupt and falſe Judgment: (2) And in Caſe any Perſon ſhall unjuſtly complain of any Judgment of the Commiſſioners or Sub-Commiſſioners as aforeſaid, and ſo ſhall be found upon his Appeal, the ſaid Party ſhall forfeit double Coſts to the ſaid Commiſſioners for ſuch unjuſt Vexations, to be recovered by Information, Bill or Plaint, in any Court of Record.

The Duty of Gagers in making Entries.

V. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *September* in the Year of our Lord one thouſand ſix hundred ſixty and three, all and every Gager or Gagers of the Exciſe, who ſhall take an Account of any Beer or Ale brewed or made by any common Brewer, ſhall weekly after ſuch common Brewer hath made, or ought to have made his Entry at the Office of Exciſe, and not otherwiſe, make and deliver to ſuch common Brewer at his Houſe, or to ſome of his Servants in his Behalf, a true Copy under his or their Hand of ſuch Return or Report as he or they have made thereof to the Commiſſioners or Sub-Commiſſioners of Exciſe reſpectively, upon Pain to forfeit for every Neglect or Refuſal the Sum of forty Shillings.

Farther provided for by 1 W. & M. Seſſ. 1. c. 24. §. 10.

VI. Provided nevertheleſs, that no ſuch common Brewer or Brewers ſhall be ſued or proſecuted for any Penalty or Forfeiture by him or them incurred, for or by reaſon of any Miſ-entry or ſhort Entry, if he or they ſhall within the Space of one Week after the Delivery of ſuch Copy as aforeſaid, rectify his or their Entry according to the ſaid Return, or otherwiſe diſcharge himſelf.

Two ſkilful Gagers to be appointed, and to take an Oath.

VII. Be it enacted, That from and after the ſaid firſt Day of *September* one thouſand ſix hundred ſixty-three, and as often as there ſhall be Occaſion, two able Artiſts ſhall be appointed, one of them by his Majeſty's Commiſſioners, Farmers or Sub-Commiſſioners, for Exciſe, and the other by the Brewers of any City or Place, which ſaid Artiſts ſhall take an Oath, which Oath any one Juſtice hath hereby Power to adminiſter, to take and compute the juſt Contents and Gage of all Coppers, Fats, Tuns, Backs and Coolers, and all other Brewing Veſſels of that Nature, belonging to all or any Brewer or Brewers of Beer or Ale to ſell, and to deliver and give under their Hands one Copy of the particular Contents of all ſuch Veſſels to the aforeſaid Commiſſioners, Farmers and Sub-Commiſſioners, and another true Copy thereof to each and every ſuch reſpective Brewer; which Computation by the Artiſts aforeſaid ſhall anſwer and be according to the Meaſures and Proportions expreſt in the ſaid former Acts for Exciſe.

Commiſſioners or Farmers not to act as Juſtices of the Peace in Matters touching the Exciſe.

VIII. And be it further enacted, That no Commiſſioner, Farmer or Sub-Commiſſioner for the Exciſe, or common Brewer of Ale or Beer to ſell, or Inn-keeper whatſoever, ſhall from and after the ſaid firſt Day of *September* have Power to act in or execute as a Juſtice of the Peace any of the Powers, Clauſes or Things contained in any of the Laws made for and concerning the Exciſe, or in this preſent Act; and if any of the ſaid Perſons ſhall preſume to act or execute any Thing contrary hereunto, it is hereby further declared, That all ſuch Things ſo acted or executed by any of them, are and ſhall be utterly void and null to all Intents and Purpoſes.

12 Car. 2. c. 23 & 24.

Market-Towns.

'IX. And whereas by the ſaid recited Acts it is enacted, That no Perſon ſhall be compelled by the 'Commiſſioners or Sub-Commiſſioners of Exciſe to travel for the making of his Entries, or Payment of 'the Duties of Exciſe, or other Cauſe whatſoever touching or concerning the ſame, if he live in a Market-'Town, out of the ſaid Town; and if he live out of a Market-Town, then to no other Place than to 'the next Market-Town to his Habitation in the ſame County on the Market-Day; and nevertheleſs the 'Commiſſioners and Sub-Commiſſioners, or their Officers, have not accordingly kept Officers in the 'Market-Towns in many Counties within *England* and *Wales*, whereby ſuch Entries and Payments for 'the Duties of Exciſe might be had and made, and yet do take and levy the Penalties and Forfeitures in 'the ſaid Acts mentioned for Non-entry and Payment of the Duty, and do otherwiſe thereupon grieve 'and vex his Majeſty's Subjects, contrary to the true Intent and Meaning of the ſaid Acts:'

Officers to attend in Market-Towns touching Receipts and Duties of Exciſe.

X. Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *September* in the Year of our Lord one thouſand ſix hundred ſixty and three, the Commiſſioners, Farmers or Sub-Commiſſioners in each County within *England* and *Wales*, ſhall conſtitute and appoint or depute under their Hands and Seals, ſuch Perſon or Perſons as they ſhall think needful in each reſpective Market-Town, to be there upon every Market-Day, in ſome known and publick Place, for the receiving of the ſaid Entries and Duties of Exciſe, and for performing all other Matters and Things touching the ſaid Duty, according to the ſaid Acts, and this preſent Act; (2) which ſaid Perſon and Perſons ſo conſtituted or deputed, and the Place where they intend to hold or keep ſuch Office, being on the next Market-Day after ſuch Conſtitution or Deputation publiſhed in full and open Market, ſhall attend at ſuch Office on every Market-Day, in ſuch Market-Town, and ſhall keep the ſaid Office open from nine of the Clock in the Morning until twelve of the Clock at Noon, and from two of the Clock in the Afternoon until five of the Clock in the Afternoon:

See Page 278 after Page 576

# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tricesimo secundo.

'AT the Parliament summoned to begin at *Westminster* on the seventeenth Day of *October* one thousand six hundred seventy-nine, in the one and thirtieth Year of our Sovereign Lord *Charles* the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and by several Prorogations continued to the one and twentieth Day of *October* one thousand six hundred and eighty, in the thirty-second Year of his said Majesty's Reign; and thence continued to the tenth of *January* next ensuing, on which Day the following Acts passed the Royal Assent.'

## CAP. I.

### An Additional Act for Burying in Woollen.

'WHEREAS in one Act of Parliament passed in the thirtieth Year of his Majesty's Reign that now is, intituled, *An Act for Burying in Woollen*, it was amongst other Things enacted and ordained, That the Affidavits which were to be made of any Person's being interred in Woollen according to the Directions in the said Act, should be made or taken before some one Justice of the Peace or Master of Chancery, Ordinary or Extraordinary, Mayor, Bailiff, or other Chief Officer of the City, County, Borough, Corporation or Market-Town in the County where the said Party was buried, who are thereby authorized and required to administer the said Oath, and to attest the same under their Hands upon such Affidavit, *gratis*.

A Recital of former Acts. 30 Car. 2. Stat. 1. c. 3. §. 5.

'II. And whereas by reason of the Distance of the Habitations of the Persons before whom such Affidavit is to be made, and other Accidents, divers Persons who have had Occasion to make such Affidavits have been necessitated to travel many Miles for the making thereof, to their great Loss of Time, and Hindrance of their Affairs:'

The Hindrance of Affidavits by Distance of Place.

III. Be it therefore enacted, and it is hereby enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the second Day of *February* in the Year of our Lord one thousand six hundred and eighty, (where no Justice of the Peace shall reside or be to be found, in any Parish where any Party shall be interred) the said Oaths or Affidavits may be administred not only by any Justice of the Peace or Master of Chancery, Ordinary or Extraordinary, Mayor, Bailiff or other Chief Officer of the City, County, Borough, Corporation or Market-Town in the County where any Party was buried; but also that the Parsons, Vicars and Curates in every Parish or Chapel of Ease within the County where any Party shall be interred, (except only the Parson, Vicar and Curate of the Parish or Chapel of Ease where the Party is interred, concerning whose Interment in Woollen such Affidavit is to be made) be and are hereby authorized and required to administer the said Oaths or Affidavits, and to attest the same under their Hands *gratis*; (2) and that every such Affidavit taken before them shall be of like Force and Effect, as if the same had been taken and administred by the Persons authorized to administer the same by the Act aforesaid.

Where no Justice resides or is found in the Parish of Burial, the Parson, Vicar, and Curate may take Affidavit of Burial in Woollen only.

Affidavit taken by Parson, &c. as effectual as by 30 Car. 2. Stat. 1. c. 3. §. 5.

## CAP. II.

### An Act prohibiting the Importation of Cattle from *Ireland*.

'WHEREAS an Act of Parliament was made in the eighteenth Year of the Reign of our Sovereign Lord the King that now is, intituled, *An Act against Importing Cattle from* Ireland, *and other Parts beyond the Seas, and Fish taken by Foreigners*; which was to continue until the End of seven Years, and from thence to the End of the first Session of the next Parliament, which is now expired:

A Recital of 18 Car. 2. c. 2. & 3 & 4 Ed. 6. c. 19.

'II. And forasmuch as by long Experience the said Law hath been found to be very beneficial to this Kingdom,' (2) Be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and every Clause, Article and Thing therein contained, together with the Additions and Alterations herein after mentioned and expressed, shall from and after the second Day of *February*, which shall be in the Year of our Lord God one thousand six hundred and eighty, be revived, continue and remain, and is hereby revived and continued in Force, to all Intents, Constructions and Purposes for ever.

The Benefit of it. That 18 Car. 2. c. 2. be revived and continued for ever.

III. And be it further enacted by the Authority aforesaid, That not only the Constables, Officers and Inhabitants mentioned in the aforesaid recited Act, but any and every other Person and Persons whatsoever, shall and may take and seize in any Place or Places whatsoever the Cattle and Goods imported contrary to the said recited Act; (2) and that all and every such Person and Persons that shall seize as aforesaid, shall from Time to Time have the Benefit and Advantage hereafter given by this Act to any Seizor or Seizors whatsoever.

Not only Officers, but all Persons may seize Irish Cattle and Goods imported. All Seizors to have Benefit.

IV. And to prevent all fraudulent Seizures, Sales and Compositions, to be made by any Person or Persons whatsoever, in any Parish or Place whatsoever, where any great Cattle, Sheep or Swine shall be imported

To prevent fraudulent Sales and Compositions.



This is out of place — See the regular series, after page 576.

ported or found contrary to this or the Act aforesaid, and to make the Prohibitions therein more effectual;

Seizor shall cause the Cattle to be killed. Hides and Tallow to be the Seizor's, the Rest to be distributed to the Poor by the Churchwardens, &c.

V. Be it enacted by the Authority aforesaid, That all and every the respective Seizor or Seizors of such Cattle, Sheep or Swine, shall within six Days after Conviction and Forfeiture thereof, cause the said Cattle, Sheep and Swine to be killed; (2) and the Hides and Tallow of such Great Cattle, Sheep and Swine, shall be and remain to the Use of the said Seizor or Seizors, and the Remainder of the said Great Cattle, Sheep and Swine shall be forthwith distributed amongst the Poor of the said Parish, by the Churchwardens and Overseers of the Poor there, or some of them, upon Notice thereof to be given them or any of them, by such Seizor or Seizors as aforesaid; any Thing in the said former Law, or any other Law to the contrary notwithstanding.

Seizors, Churchwardens and Overseers on Neglect forfeit 40 s. for each Great Cattle, and 10 s. for each Sheep or Swine.

VI. And be it further enacted, That in case the said Seizor or Seizors, or the Churchwardens and Overseers of the Poor, shall fail in their respective Duties, in the Execution of this Act, They and every of them respectively, shall forfeit the Sum of forty Shillings for every one of the Great Cattle, and ten Shillings for every Sheep or Swine, which should have been killed and distributed as aforesaid; one Moiety thereof to the Poor of the said Parish, and the other Moiety to the Informer; (2) the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, by Warrant under the Hand and Seal of any Justice of the Peace of the said County or Place where the said Offence shall be committed, upon Confession of the Party, View of the said Justice, or Oath thereof made before such Justice by one or more credible Witness or Witnesses, other than the Informer, which Oath the said Justice hath hereby Power to administer, rendring the Overplus to the Owners thereof, necessary Charges of Distraining being first deducted. (3) And for Want of such Distress, the said Offender or Offenders to be committed to the Common Gaol of the said County or Place, there to remain for the Space of three Months without Bail or Mainprize.

To be levied by Distress and Sale of Chattels by Warrant of any Justice, &c.

For Want of Distress, the Party to be imprisoned without Bail three Months.

Nothing herein to hinder Importation of Stock-fish and Eels.

VII. Provided always, and be it further enacted by the Authority aforesaid, That neither this Act nor any other Act whatsoever heretofore made shall either hinder or be construed to extend to hinder the Importation of Stock-fish or live Eels into this Kingdom of *England*; (2) but that it shall and may be lawful to and for all and every Person and Persons whatsoever to import into this Kingdom of *England* any Stock-fish or live Eels as aforesaid; any Thing in this Act, or any other Law, Statute, Usage or Custom, to the contrary in any wise notwithstanding.

Any Person may import Stock-fish and live Eels.

Altered as to Foreigners, by 1 Geo. 1. Stat. 2. c. 18. §. 1.

'VIII. And whereas the present Laws do not sufficiently provide against the Importation of Mutton and 'Lamb out of *Ireland* and other Parts beyond the Seas into this Kingdom, but that great Quantities thereof 'are daily imported and sold, to the great Loss and Prejudice of this Kingdom;' (2) Be it therefore enacted by the Authority aforesaid, That from and after the said second Day of *February*, no Mutton or Lamb shall be imported into this Kingdom from the Kingdom of *Ireland* or any Foreign Parts: (3) And all Mutton and Lamb imported from *Ireland*, or beyond the Seas, or that shall be exposed to Sale within this Kingdom, shall be subject to the like Seizures, and the Importers and Sellers thereof respectively to the like Penalties, as are provided and appointed in any former Law against any Importer or Seller, or Importation of any Beef, Pork or Bacon, from the Kingdom of *Ireland*, or any Foreign Parts; any Thing in this or any former Law or Statute to the contrary notwithstanding.

Want of sufficient Provision against Importation of Mutton and Lamb.

No Mutton or Lamb shall be imported.

Mutton or Lamb imported or exposed to Sale, subject to former Penalties.

Want of Provision against Importation of Cheese and Butter.

'IX. And whereas the present Laws do not sufficiently provide against the Importation of Butter and 'Cheese out of *Ireland* into this Kingdom, but that great Quantities thereof are daily imported and sold to 'the great Loss and Prejudice of this Kingdom;' (2) Be it therefore enacted by the Authority aforesaid, That from and after the said second Day of *February* no Butter or Cheese shall be imported into this Kingdom from the Kingdom of *Ireland:* (3) And all Butter and Cheese imported from *Ireland*, or that shall be exposed to Sale within this Kingdom, shall be subject to the like Seizures, and the Importers or Sellers thereof respectively, to the like Penalties, as are provided or appointed in any former Law against any Importer or Seller, or Importation of any Beef, Bacon or Pork from the Kingdom of *Ireland*, or any Foreign Parts; any Thing in this or any former Law or Statute to the contrary notwithstanding.

No Butter or Cheese shall be imported.

Butter and Cheese imported and exposed to Sale, subject to former Penalties.

For Execution of 18 Car. 2. c. 2. Seizure to be in any Parish into which Cattle remove.

X. And for the more effectual Execution of this and the aforesaid Act, (2) be it further enacted by the Authority aforesaid, That if any Great Cattle, Sheep or Swine, shall be once or oftner seized in Pursuance of this or the aforesaid Act, and afterwards either by Permission, Connivance, Negligence or otherwise shall be removed into and found alive in any Parish or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, other than such Parish or Place wherein they shall have been respectively seized, that then the said Cattle, Sheep and Swine shall be liable to like Seizure, and the Seizor and Poor of the Parish or Place have like Benefit and Advantage, and the Cattle, Sheep and Swine be forfeited, and the Proof be incumbent upon the Owner, as if such Cattle had never before been seized.

Fraud in intermixing Droves.

'XI. And whereas divers Persons, on purpose to discourage others from making Seizure of *Irish* Cattle, 'have intermixed some few *English* or other Cattle in Droves of *Irish* Cattle, and so created many vexatious 'and chargeable Suits against those that have seized *Irish* Cattle in pursuance of the aforesaid Act;' (2) Be it further enacted by the Authority aforesaid, That if any *English* or other Cattle driven or intermixed with *Irish* Cattle shall be seized together with them, such Cattle so intermixed and seized shall be deemed *Irish* Cattle, and shall be subject to like Forfeiture, and be ordered and disposed of in all Respects, as if they were *Irish* Cattle, and imported contrary to this and the aforesaid Act.

English Cattle driven or intermixed with Irish, to be seised as Irish.

Not to seise Cattle in England before Feb. 2, 1680.

XII. Provided that nothing in this Act shall be construed to extend to the Forfeiture or seising any Cattle that are or shall be in *England* before the said second Day of *February*.

—*Farther Provisions concerning Cattle*, 3 *W. & M. c.* 8. 5 *W. & M. c.* 2. 31 *Geo.* 2. *c.* 40. *and* 32 *Geo.* 2. *c.* 13.

Anno

# Anno primo JACOBI ſecundi.

## STATUTES made in the Parliament begun at *Weſtminſter* the nineteenth Day of *May* in the firſt Year of the Reign of our moſt Gracious Sovereign Lord JAMES the Second, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c.

### CAP. I.

An Act for ſettling the Revenue on his Majeſty for His Life, which was ſettled on His late Majeſty for His Life. Repealed by 2 W. & M. Seſſ. 1. Cap. 3. Sect. 11.

### CAP. II.

An Act to Attaint *James* Duke of *Monmouth* of High-Treaſon.

### CAP. III.

An Act for granting His Majeſty an Impoſition upon all Wines and Vinegar, imported between the four and twentieth Day of *June* one thouſand ſix hundred eighty-five, and the four and twentieth Day of *June* one thouſand ſix hundred ninety and three.

Moſt Gracious Sovereign,

WE Your Majeſty's moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament, towards a Supply for Repairs of the Navy, and providing Stores for the Navy and Ordnance, and other Your Majeſty's weighty and important Occaſions; and with an humble and thankful Acknowledgment of Your Majeſty's favourable and tender Regard of us your Commons, have cheerfully and unanimouſly given and granted unto Your Majeſty an Aid and Aſſiſtance to be raiſed and levied upon all Wines and Vinegar to be imported into this Your Majeſty's Kingdom, according to ſuch Rates, and during ſuch Time, and in ſuch Manner and Form, as herein after followeth. And we do humbly beſeech Your Majeſty that it may be enacted: 6 Ed. 1. c. 15. Wine and Vinegar.

II. And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for all *French* Wines, *Spaniſh* Wines, or other Wines whatſoever, as alſo for all Vinegar, which at any Time after the Four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred eighty-five, and before the Four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred ninety-three, ſhall be imported into *England* or *Wales*, or the Town or Port of *Berwick* upon *Tweed*, there ſhall be duly anſwered and paid to His Majeſty the further Rates and Duties hereafter mentioned (that is to ſay) For every Ton of *French* Wine, and of Vinegar, which ſhall be imported within the Time aforeſaid, the Sum of eight Pounds by the Ton, and ſo after that Rate for any greater or leſſer Quantity: And alſo for every Ton of *Spaniſh* Wines, or of any other Wines which ſhall be imported within the Time aforeſaid, the Sum of twelve Pounds by the Ton, and ſo after that Rate for any greater or leſſer Quantity. Impoſition of 8l. per Ton on Wine and Vinegar. 12l. per Ton on Spaniſh Wine. For the Increaſe and Continuance of theſe Duties, ſee 4 W. & M. c. 15. & 7 & 8 W. 3. c. 20. 1 Annæ, Stat. 1. c. 13. §. 2.

III. And for the better and more ſure collecting and receiving of all and ſingular the Duties hereby impoſed; be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons within the Time aforeſaid ſhall import, or cauſe to be imported by way of Merchandize, or otherwiſe, any of the Liquors, ſuch Importers ſhall, upon the Entry made of ſuch Liquors, and before the landing thereof, pay down the Duties hereby impoſed, in ready Money, deducting the Allowance hereafter mentioned, or otherwiſe become bound unto his Majeſty with two or more ſufficient Sureties, or procure three other Perſons to become bound to his Majeſty, to anſwer and pay unto his Majeſty the whole Rates and Duties hereby impoſed, by three ſeveral and equal Payments: The firſt Payment thereof to be made within three Months after the Date of the ſaid Obligation; the ſecond Payment to be made within ſix Months after the Date of the ſaid Obligation; and the third and laſt Payment to be made within nine Months after the Date of the ſaid Obligation. The taking which Bonds, and the Approbation of the Sureties therein to be named, is hereby left to the Diſcretion of ſuch Farmers, or other Commiſſioners for the Time being, as ſhall be intruſted with the Receipt of 5 Ann. c. 27. 8 Annæ, c. 13. 9 Annæ, c. 21. §. 1. 1 Geo. 1. Stat. 2. c. 12. §. 3. Importer to pay before landing, or to be bound with two, or procure three to be bound for Payment at three equal Payments within nine Months.

The Approbation of the Securities left to the Farmers or Commissioners.

ceipt and Management of his Majesty's Customs and Subsidies of Tonnage and Poundage, or their Deputy-collectors in the several Ports, or such other Person or Persons, as his Majesty shall authorize and appoint to collect the Duties arising by this Act.

10 l. per Cent. allowed to those that pay ready Money.

IV. Provided always, and it is hereby declared and enacted, That all and every Person and Persons importing any of the Liquors aforesaid, within the Time aforesaid, by way of Merchandize or otherwise, who shall pay the Duties which by this Act are due and payable in ready Money, shall be allowed and abated out of the said Duties, after the Rate of Ten Pounds *per Cent.* for a Year, in Consideration of such ready Money so paid down and advanced.

Forfeiture of the Value.

V. And be it further enacted by the Authority aforesaid, That if any of the said Liquors shall be imported within the Time aforesaid, and landed without present Payment made of the Rates and Duties by this Act imposed, in Cases where this Act requires present Payment to be made; or without Security given for Payment thereof, in Cases where this Act admits of Security to be taken, that then and in every such Case all and every the Liquors so imported and landed, or the Value thereof, shall be forfeited, one Moiety thereof to his Majesty, and the other Moiety to him or them that shall or will sue for the same; and shall and may be recovered in any Court of Record by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed, nor any more than one Imparlance: And yet nevertheless the Persons so importing and landing any of the said Liquors shall, notwithstanding such Forfeitures so as aforesaid incurred, remain and continue liable unto, and shall answer and pay unto his Majesty the Rates and Duties for such Liquors, which by this Act are due and payable.

Allowances upon Importation of Wines, &c.

'VI. And whereas by the Act for Tonnage and Poundage, and the Instructions and Rules for collecting 'his Majesty's Duties arising thereby, it is directed that certain Allowances be made upon Importation of 'Wines and other Liquors; be it further enacted, That no Importer thereof shall be chargeable by virtue of 'this Act to pay the Duty thereby required, for any greater Proportion of Wines or other Liquors duly entered at the Custom-house, than what shall remain neat after all such Allowances and Abatements: And 'whereas this present Act gives no Abatement to any Person upon Exportation of any the Liquors aforesaid;'

Allowance to be made on Exportation upon Oath that the Liquors are imported with Intent to sell again.

Be it further enacted and declared, That all Importers, not being Vintners or Retailers (who, are hereby declared, shall pay ready Money for the whole Duty) who shall import any of the aforesaid Liquors within the Time aforesaid, and shall make Oath that the same are imported by way of Merchandize, and with Intent to sell again (which Oath the Farmers or Commissioners of his Majesty's Customs for the Time being, or in their Absence the Collector of his Majesty's Customs in each several and respective Port, or or such other Person or Persons as his Majesty shall authorize and appoint to collect the Duties arising by this Act, have hereby Power to administer) that then, and in every such Case, for and in Consideration of any Defect or Damage that may happen by any of the aforesaid Liquors lying longer on the said Importer's Hands than heretofore, or by reason of any other Accident, there shall be allowed and abated to every such Importer the further Allowance of eight Pounds *per Cent.* and no more. Provided, That no Merchant

Merchants not chargeable to pay the Duty for Prizage-wines.

shall be charged with any Duty imposed by this Act for the Prizage-wine which he imports in any Ship or Vessel, nor shall any Security be by him given for the same, but that it be received and taken from the Person who hath or enjoyeth the Benefit of the said Prizage-wine, who is hereby appointed to pay the same.

Unless Oath be made as aforesaid, no Allowance to be made upon Exportation.

VII. Provided always, and it is hereby declared and enacted, That if any of the said imported Liquors, for which any of the Rates and Duties by this Act imposed shall be paid down and advanced, or otherwise secured, as aforesaid, shall at any Time after such Importation be again exported into Parts beyond the Seas: That then, and in every such Case, the Person or Persons so exporting the same shall be wholly barred and excluded from having or receiving back the Duties of this Act so paid down or advanced, or any Part thereof, nor shall the Security formerly given by such Person exporting for the true Payment of the Duties by this Act imposed, be any ways raised, lessened, or discharged by reason of such Exportation, but the same Securities shall remain and continue in full Force, until the Duties thereby secured be fully and wholly satisfied and paid; any such Exportation to the contrary notwithstanding.

Officers to have like Power as for Tonnage and Poundage.

VIII. And for the better Prevention of all such Frauds, which at any Time hereafter may be committed to the Prejudice of his Majesty in the due collecting and receiving of the Duties hereby imposed upon such Liquors to be imported as aforesaid; Be it further enacted by the Authority aforesaid, That the Officers of his Majesty's Customs, or such other Person or Persons as his Majesty shall authorize and appoint to collect the Duties arising by this Act, shall have like Power and Authority to enter on board Ships and Vessels, and make Searches, and to do all other Matters and Things which may tend to secure the true Payment of the Duties by this Act imposed, and the due and orderly Collection thereof, which any Customers, Collectors, or other Officers of any of his Majesty's Ports can or may do touching the securing his Majesty's Customs of Tonnage and Poundage, and all the said Liquors to be imported within the Time aforesaid, and landed without doing and performing what by this Act is required to be done and performed before the landing

Persons guilty of any Act tending to defraud his Majesty, subject to Penalties in other Acts.

thereof: And all Officers of his Majesty's Customs, and all Persons importing any of the said Liquors, and all others imployed by his Majesty in the Collection of the Duties arising by this Act, who shall be found guilty of any Act or Neglect tending to defraud his Majesty of any the Duties hereby imposed, shall be subject and liable to the same Seizures, Penalties, and Forfeitures, which by Virtue of any former Act can or may be inflicted in such Cases, where his Majesty is defrauded, or endeavoured to be defrauded, of any of his Customs and Subsidies, as fully and amply, as if the same Clauses of Seizures, Penalties, and Forfeitures, and the same Distribution of such Forfeitures, and the same Remedy for Recovery thereof, had been again in this Act particularly repeated, applied, and enacted.

On Seizure, Proof of Duty

IX. And if any Liquors seized for any Offence committed against this Act, shall be claimed by any Person as the Importer thereof, the Proof whether the Duties thereof be duly paid or secured shall lie upon such

such Claimer, and shall not be incumbent on his Majesty, or any Prosecutor or Informer on Behalf of his Majesty and himself. paid lies upon Claimer.

*Farther Provisions concerning Wines,* 1 *Ann. Stat.* 1. *c.* 12. §. 112. 5 *Ann. c.* 27. §. 17. 6 *Geo.* 1. *c.* 12. 8 *Geo.* 1. *c.* 18. §. 19. 12 *Geo.* 1. *c.* 28. §. 20. 1 *Geo.* 2. *c.* 17. 10 *Geo.* 2. *c.* 19. 17 *Geo.* 2. *c.* 40. 18 *Geo.* 2. *c.* 9. 26 *Geo.* 2. *c.* 12. 30 *Geo.* 2. *c.* 19. 32 *Geo.* 2. *c.* 19. *And see further concerning Vinegar* 10 & 11 *W.* 3. *c.* 21. *and* 8 *Ann. c.* 7.

## CAP. IV.

An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar imported between the four and twentieth Day of *June* one thousand six hundred eighty-five, and the four and twentieth Day of *June*, one thousand six hundred ninety-three. *And from thence continued (as for Tobacco only) by* 2 W. & M. Sess. 2. *c.* 5. *till* 24 June 1693, *and from thence (as for Tobacco only) continued by* 4 & 5 W. & M. c. 15. *till* 24 June 1698.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons assembled in Parliament, for a further Supply for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and Payment of the Debt due to his late Majesty's Servants and Family, and other your Majesty's weighty and important Occasions, have cheerfully and unanimously given and granted unto your Majesty an Aid and Assistance to be raised and levied upon all Tobacco and Sugar to be imported into your Majesty's Kingdom, according to such Rates, and during such Time, and in such Manner and Form, as herein after followeth: And we do humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That for all Sorts of Tobacco, as also for all Sorts of Sugar, which at any Time after the four and twentieth Day of *June* in the Year of our Lord one thousand six hundred eighty and five, and before the four and twentieth Day of *June*, which shall be in the Year of our Lord God one thousand six hundred ninety and three, shall be imported into *England*, or *Wales*, or the Town and Port of *Berwick* upon *Tweed*, there shall be duly answered and paid to his Majesty the further Rates and Duties hereafter mentioned (that is to say) For all Sorts of Tobacco of the Growth and Production of any of his Majesty's Plantations, Islands, or Territories in *America*, Three Pence for every Pound Weight thereof, above what it now pays; and for every Pound Weight of *Spanish* or Foreign Tobacco, not of the *English* Plantations, Six Pence above what it now pays; and for all *Muscovado* Sugar of the aforesaid Plantations, Islands, Lands, or Territories, One Farthing the Pound Weight above what it now pays; and for every Pound Weight of Sugar of the *English* Plantations, made fit for common Use or Spending, Three Farthings above what it now pays; and for every Pound Weight of *Muscovado* Sugar of *Brazile*, or any other Foreign Part, not of *English* Plantations, One Half-penny above what it now pays; and for all *Pance* Sugar, One Half-penny the Pound Weight above what it now pays; and for every Pound Weight of Foreign white Powder Sugar, One Penny Farthing above what it now pays; and for all Foreign Sugar imported in the Loaf, Three Pence the Pound Weight above what it now pays: All which Duties to be paid for any the Commodities aforesaid, imported as aforesaid, shall, from Time to Time, and at all Times during the Continuance of this Act, be levied on the Consumptioner of the said Commodities in *England*, or *Wales*, or Town of *Berwick* upon *Tweed*, to be paid in Manner following (that is to say) The Importer, Merchant, Planter, or other that shall import the said Goods, if he be a Retailer, Consumptioner, or Shop-keeper dealing in those Commodities, the Duties aforesaid shall be paid and satisfied by such Importer, Shop-keeper, Retailer, or Consumptioner, upon the importing or landing of his or their Goods, and before he or they be permitted or suffered to carry away his or their Goods from the Custom-house or other Place in the Port, in which they may happen to be landed or brought on Shore.

This Act made perpetual by 9 Annæ, c. 21. §. 1.

12 *Car.* 2. *c.* 34.

Imposition of 3d. per Pound upon Tobacco from America, 6d. per Pound upon Spanish. Altered by 9 Geo. 1. c. 21. §. 3.

The Impositions to be levied upon the Consumptioner.

This Duty is to be collected according to the Laws of the Customs, 7 & 8 W. 3. c. 10.

Retailer to pay before he carry away the Goods from the Custom-house, &c.

II. And be it further enacted, That every Merchant or Importer, that is not a Retailer, Consumptioner, or Shop-keeper dealing in those Commodities, after Entry of his or their Goods, by Bill under his or their Hands, or the Hand of such Person for whom he or they shall engage to be answerable, presently, before he or they be admitted or permitted to have any Warrant to receive his or their Goods out of the Ship, or from the Water-side, shall become bound unto his Majesty with one or more sufficient Sureties, or procure two other Persons to become bound to his Majesty, in such Sums of Money as shall amount to the Value of the Duties hereby imposed upon his or their Goods, with Condition, that he or they shall not and will not deliver or cause or suffer any of the said Goods to be delivered unto any of the Buyers thereof, or put or delivered into the Custody or Possession of any Retailer, Consumptioner, or Shop-keeper dealing in the said Commodities, before such Time as the Duty imposed by this Act upon his or their said Goods be first duly paid and satisfied, or that in case he shall not sell or export the same before the Expiration of eighteen Months from the Importation thereof, that he will pay all and every the Duties imposed by this Act, and and that every Merchant or other Importer of any the Commodities liable to the Duties imposed by this Act, after he hath entered his Goods, and given Bond, as aforesaid, shall afterwards, upon Sale of all or any Part of the same, under his own Hand, or the Hand of such Person for whom he or they shall be responsible, certify in Writing the Quantity, and Quality, and Weight of his Goods sold, with the Name of the Buyer, who bringing and delivering of the same to the next Office appointed for the Collection of this Duty,

Merchant is to give Security to pay the Duties before he deliver the Goods to any Buyer.

If he do not sell within 18 Months, to pay the Duties.

On Sale the Weight and Number of the Goods, and Name

of the Buyer to be certified. Buyer ſhall pay the Duties upon the Receipt of the Goods.

Duty, ſhall then and there pay the Duties aforeſaid, of the Goods ſo certified to be ſold, unto the Officer appointed to receive the ſame, who thereupon ſhall give him a Receipt for ſuch his Duties paid, and a Certificate to be left with the Merchant Importer of the Payment of the ſame; and no Merchant Importer, as aforeſaid, before his Receipt of ſuch Certificate of Payments of the Duties, as aforeſaid, ſhall deliver, or cauſe to be delivered, nor Buyer nor any other Perſon receive, all or any ſuch Goods, upon Pain of Forfeiture of double Duties impoſed by this Act, or the Value of the Goods ſo delivered and received; which Forfeiture the ſaid Importer and Receiver ſhall each of them be liable unto.

Penalty upon Buyer or Seller for Breach of this Act. Barter reputed a Sale.

III. And be it further enacted, That a Barter, Truck, or Exchange of one Goods for another, ſhall to all Intents and Purpoſes be deemed and reputed a Sale, and the Duties preſently paid for both Commodities, if they be both liable thereunto, or for ſuch of the Commodities as are liable, upon Pain of Forfeiture by the Parties battering, trucking, or exchanging, as in caſe of not paying the Duties for the like Goods upon the Sale of them.

Buyer with Deſign to export ſhall give Security to do it in four Months.

IV. Provided always, That where the firſt Buyer or Receiver of the ſaid Goods in Truck, Barter, or Exchange, does buy or receive the ſaid Goods with Intent to export the ſame, in ſuch Caſe the Importer ſhall certify in Writing, the Quantity, and Quality, and Weight of the Goods ſold or bartered, with the Name of the Buyer or Barterer, who bringing and delivering of the ſame unto the chief Officer or Officers, in the next Office appointed for the Collection of this Duty, ſhall then and there enter into Bond with Sureties and Penalty of double Duties, as aforeſaid, to export the ſame *bona fide* within the Space of four Months, who thereupon ſhall give him a Certificate of ſuch Bond entered into, the which Certificate he ſhall deliver to the Merchant Importer, and, by Virtue of the ſame, receive Poſſeſſion of the Goods; and ſuch Certificate being produced by the Importer ſhall diſcharge his Account for ſo much, as if the Duties had been paid, the which Bond for the Exportation of the Goods ſo entered into, ſhall again be diſcharged and vacated by the Certificate of his Majeſty's Searcher or Under-ſearcher in the Port of *London*, and of the Searcher of any other of the Out-ports, certifying the Shipping of the ſame, and the Merchant or Merchants Oath, that the ſame have not again been relanded in *England*, or *Wales*, or Town of *Berwick* upon *Tweed*; for which Oath and Certificate no Fee is to be taken.

Certificate of ſuch Bond ſhall diſcharge the Importer.

The Manner how ſuch Bond ſhall be diſcharged, See 6 Geo. 1. §. 21. §. 50.

Commiſſioners have Power once in three Months to call the Merchant to bring in an Account.

Penalty upon Merchant not bringing in his Account.

V. And be it further enacted by the Authority aforeſaid, That the Commiſſioners, or Chief Managers, and Collectors appointed for the collecting of this Duty reſpectively, and in their ſeveral and reſpective Offices, once every three Months without fail, or oftner if they ſhall ſee Cauſe, ſhall take Care for the balancing and adjuſting of the Merchants their Import Accounts, by calling them, and requiring them and every of them, to bring and deliver to them reſpectively a particular Account of all the Goods and Merchandize liable to this Duty, which ſhall be then remaining in his or their Hands at the Time he or they ſhall be ſo called upon, and required; and if any ſuch Merchant, Importer, or other Perſon ſhall upon Notice given him or them, or ſhall upon Notice or Summons left at his or their uſual Place of Abode or Habitation, warning him or them thereunto, refuſe or neglect to give in ſuch Account for the Space of fourteen Days after ſuch Notice, Warning, or Summons, as aforeſaid, every ſuch Merchant or Importer ſhall then be liable to the Payment of the full Duty of all the Goods he ſhall ſtand duly charged with in his or their Import Account, and ſhall pay the ſame within fourteen Days next after following, at the fartheſt; or in Default thereof every ſuch Merchant and Importer ſhall forfeit double the Value of all the Duties of ſuch Goods as ſhall be found reſting and remaining on his Import Account, and ſhall ever after be incapable of taking up any Goods liable to this Duty, in any Port of this Realm, for his own or any other Uſe, without Payment down of the Duty of ſuch Goods, as if he were a Retailer, Conſumptioner, or Shopkeeper dealing in ſuch Goods; but if ſuch Importer ſhall upon Demand, or within fourteen Days after, give in ſuch Account as aforeſaid, then the ſaid Commiſſioners, Collectors, or Chief Managers of this Duty may (if they ſee Cauſe ſo to do) appoint one or more Officer or Officers to enter into all the Cellars, Ware-houſes, Store-cellars, or other Places whatſoever belonging to ſuch Importer, to ſearch, ſee, and try, by taking an Account of the Quantity and Quality of the Goods and Merchandize therein remaining, whether ſuch Importer's Remainder do agree with his Account, or no, and to make Report thereof to the ſaid Commiſſioners or Collectors reſpectively; which Report of ſuch Officer or Officers, in caſe of Differences between the Remainder and Account of ſuch Merchant, ſhall be reputed, taken, and eſteemed for the true and juſt Remainder, according to which the ſaid Commiſſioners or Collectors ſhall proceed in making up his Account: And then ſuch Importer making Oath before the ſaid Commiſſioners, Collectors, or Chief Managers of this Duty reſpectively, that the Goods and Merchandize remaining, viewed by the Officer or Officers aforeſaid, and all other Goods ſhipt out by him or others by which his Account is to be diſcharged, were all and every Part and Parcel of them ſuch Goods and Merchandize as had been *bona fide* formerly imported by himſelf, and entered in the Office appointed for the ſame, and there charged on his proper Import Account, and that the ſaid Goods and Merchandizes found ſo remaining had not been ſold or altered, either directly, or indirectly, in their Property, ſince the firſt Importation and bringing in of the ſame into this Realm, the ſaid Commiſſioners, Collectors, or Chief Managers of this Duty, ſhall ſettle and adjuſt the aforeſaid Importer's Accounts accordingly: But if any Merchant Importer aforeſaid ſhall refuſe to permit any Officer or Officers authorized by Warrant from the Commiſſioner or Commiſſioners for the Collecting of this Duty, in the Day-time, to enter into or ſearch his or their Cellars, Ware-houſes, Store-houſes, Store-cellars, or other Places, and to take an Account of the Quality and Quantity of his and their Goods therein remaining; every ſuch Merchant ſhall, for every ſuch Refuſal, forfeit one hundred Pounds: And if permitting Entrance and Search, as aforeſaid, ſhall nevertheleſs refuſe to make Oath that the Goods and Merchandize viewed and ſeen, and ſhewn unto the Officer and Officers, as aforeſaid, or ſhipt out, as aforeſaid, were all of them imported by himſelf from beyond the Seas, and entred upon his Import Account

Commiſſioners Power to appoint Searchers if the Merchant brings in his Account.

They are to be governed by the Report of the Searchers.

Oath to be taken by the Merchant before the paſſing his Account.

100 l. Penalty upon Merchant refuſing Officer to ſearch.

If he refuſe to ſwear, the Goods found ſhall not be repurſed his.

in the Office appointed for this Duty, and without any Alteration of Property; all and every such Goods shall be esteemed and reputed the Goods and Merchandize of some other than such Importer, and therefore not at all to be reckoned in Discharge of his Account: And if such Merchant shall make Oath, and yet shall neglect or refuse for the Space of fourteen Days following after the doing thereof, to pay and satisfy such Duties as by this Act shall be due and payable thereupon, every such Importer his Bond given upon Entry of those Goods which be found wanting, shall be returned into the Exchequer, there to be prosecuted according to the Course of Law, and shall not afterwards upon his or their Importation of Goods into any Port of this Realm, be permitted to take up, land, or lay on Shore his or their Goods, before Payment down of the full Duties by this Act imposed unto the Officer appointed to receive the same at the Port where his Goods shall arrive or be brought in.

Bond returned into the Exchequer upon Nonpayment.

VI. Provided always, and it is hereby declared, That the Importer's Accounts shall be discharged by Exportations by him made, for which he shall produce Certificate under the Hands of his Majesty's Searcher or Under-Searcher in the Port of *London*, and of the Searcher of any other of the Out-ports, certifying the shipping out of the same, and his or their Oath that the same have not been again re-landed in *England*, *Wales*, or Town of *Berwick* upon *Tweed*.

Importer's Accounts to be discharged by Exportations.

VII. Provided also, That every Importer, who shall be Retailer, Consumptioner, or Shop-keeper, dealing in the Commodities aforesaid, who are to pay down the aforesaid Duty upon such his Importation, shall, upon his Exportation of the said Commodities, within the Space of eighteen Months next after such his Importation, be repaid the Duties so by him paid down upon his Importation of the same, by the Officer appointed to receive the said Duty.

Importer Retailer to be repaid his Duties upon Exportation.

'VIII. And forasmuch as the Commodities aforesaid are liable to Damage on the Seas; and whereas by 'the Act of Tonnage and Poundage, and the Rules and Instructions for collecting his Majesty's Duties 'arising thereby, it is directed that Allowance be made for Damage by Salt-water or otherwise;' Be it further enacted by the Authority aforesaid, That no Importer of the Commodities chargeable by this Act shall be charged for any greater Proportion of the Goods herein mentioned, duly entred at the Custom-house, than what shall remain neat after such Allowance or Abatement.

These Eighteen Months enlarged to Three Years by 7 Geo. 1. stat. 1. c. 21. § 10.

Importer charged only with the neat Effects.

'IX. And forasmuch as the Commodities aforesaid are liable to Waste and Decay, during the Time they 'may remain in the Hands of the Importer, before the Sale or Exportation of the same;' the aforesaid Commissioner or Commissioners, Collectors, or Chief Managers of this Duty, are hereby impowered and authorized to make such further Allowance for the same, as to their Judgements shall seem meet, considering the Circumstances of the Commodities, and the Time of their lying by, in Consideration of all Damages, Want of Weight, Diminution, or Prejudice whatsoever, that may happen to the said Commodities: Provided such Allowance exceed not eight Pounds *per Cent.* in the whole, for all Causes whatsoever.

Commissioners may allow for Decay.

'X. And whereas it is provided, That this Duty be collected on the Retailer, Consumptioner, or Shop-'keeper trading in the said Commodities, importing the same, or on the First Buyer, not exporting the same, 'as is before declared;' Be it further enacted by the Authority aforesaid, That in case the Merchant or others importing the same (who shall be admitted to receive Possession of his Goods on Security, as aforesaid) shall not clear his or their Import Account, either by Sales or Exportation as aforesaid, within the Term of eighteen Months, from the Time of the Importation of the said Goods; he or they the said Importer or Importers shall be charged with the Duty imposed by this Act on the Commodities aforesaid, and answer and pay the same as if the said Goods had then been sold by Retail, although the said Goods shall still remain without any Alteration of Property in his or their Hands; any Thing in this Act to the contrary notwithstanding: Provided always, That in such Case Allowance be made for Waste and Decay in the Manner already provided for.

If no Sale nor Exportation within Eighteen Months, Duties to be paid.

Allowance for Decay.

XI. And to the End that all Importers, Merchants and Persons concerned in the Payment of the Duties aforesaid, may know to whom and where to pay the same, and to make Entry of their Goods, in Manner as by this Act is intended; it is hereby enacted, That his Majesty may from time to time nominate, commissionate, and authorize such Commissioner or Commissioners, Collector or Collectors, or other Officer or Officers, as he shall think fit, to manage, collect, and levy the said Duties in every Port of the Kingdom; which said Commissioners, Collectors, or other Officer or Officers so appointed, shall duly attend at the Custom-house, or other Place publickly appointed in the Port or Place to which he or they shall be respectively appointed, at the usual Hours and Times in which the Officers of the Customs do or ought to attend, and there shall do and execute whatsoever ought to be done and executed on his or their Parts, pursuant to the Trust reposed in him or them, according to the true Intent and Meaning of this Act.

Commissioners to be in every Port.

XII. And be it further enacted by the Authority aforesaid, That no Merchant or Merchants, or any other Person or Persons whatsoever, entring any Goods, Wares, and Merchandizes from beyond the Seas, that are liable to the Duties imposed by this Act, shall enter his or their Commodities in any other than the Name of the true Importer of the said Commodities; nor shall make use of any Name of any Person whatsoever to colour his or their Goods, whether it be with or without the Consent of such Person; upon Pain of Forfeiture of Double Duties on such Goods so found or discovered to be entered or coloured contrary to the true Meaning hereof. And for the better levying and collecting all and every of the said Duties imposed by this Act, and preventing the many Frauds and Deceits which may be had and used by evil disposed Persons, and undue Practices to elude this Act, be it further enacted by the Authority aforesaid, That no Goods, Wares, or Merchandizes, liable to the Duties by this Act imposed, shall from and after the said four and twentieth Day of *June* in the Year of our Lord one thousand six hundred eighty and five, during the Continuance of this Act, be discharged or laid on Land out of any Ship, Bottom, Hoy, Bark, Lighter, Boat, or Vessel whatsoever, or put off from any Wharf, Key, or Place, or Land, into any Ship, Bottom, Hoy, Bark, Lighter, Boat, or other Vessel whatsoever, but only in such Manner, and,

Double Duties upon Entry in another Man's Name.

Goods to be landed, &c. according to the Acts about Customs.

and at such Times and Places, and no otherwise, than the said Goods and Merchandizes may or ought to be unshipped, unladen, or put into any Ship or other Vessel to be laid on Shore or Laden, put off from Land into any Ship, or other Vessel, by Virtue of, and according to the true Intent and Meaning of the several Laws and Statutes made and enacted for the Payment of his Majesty's Customs and Subsidies of Tonnage and Poundage, and for collecting and levying the said Duties, and for preventing Frauds, and regulating Abuses in his Majesty's Customs; and all the Clauses, Penalties, and Forfeitures mentioned in the aforesaid Acts against Masters of Ships, Wharfingers, Seamen, and Boatmen, Carmen and Porters, shall be to all Intents and Purposes in full Force, touching and concerning any of the Goods and Merchandizes mentioned in this Act, and the Duties imposed thereupon (as well in relation to their Landing at their Importation, as at the Loading of the same at Exportation, as also for their carrying at any Time Coastwise from one Port to another) as if the same were herein particularly and at large recited; and the Commissioner or Commissioners, Collector or Collectors, Officer or Officers appointed as aforesaid, for the collecting of this Duty, are hereby impowered, for the better collecting the Duties hereby imposed, and therein avoiding all Frauds and undue Practices, with all the Powers and Authorities, the Commissioners, Collectors, or Officers of the Custom-house have or may have, by Virtue of the aforementioned Laws in relation to the Management of the Customs. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures incurred by Virtue of this Act, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in his Majesty's Court of Exchequer, or in any of his Majesty's Courts of Record at *Westminster*: And that one Moiety of all Penalties and Forfeitures herein mentioned shall be to the King's Majesty, his Heirs, and Successors, and the other Moiety to such Person or Persons as shall sue for the same; wherein no Essoin, Protection, or Wager of Law shall be allowed, or any more than one Imparlance: Provided always, That no Person or Persons shall sue for the aforesaid Penalties or Forfeitures, but such Officer or Officers as shall be appointed by his Majesty, or by any Authority derived from him, for the Management of his Customs, or the Duties imposed by this Act. And be it hereby also enacted, That all Officers, Deputies, Clerks, or Servants, which shall have any Office or Imployment in the managing, collecting, or attending upon the Collection of this Duty, shall, before their entering upon their respective Offices, Trusts, or Imployments, take their respective Corporal Oaths for the due and faithful Execution and Discharge, to the best of their Knowledge and Power, of the several Trusts and Imployments committed to their Charge, before the Commissioners or Chief Managers of the Customs of this Duty, or before the Customer or Comptroller in any Out-port of the Kingdom: And if any Commodity seized for any Offence committed against this Act, shall be claimed by any Person whatsoever, or any Personal Information shall be brought or commenced against any Person for the recovering of the Duties or Forfeitures granted by this Act, the *Onus probandi*, or the Proof whether the Duties thereof be paid or secured, shall lie upon the Claimer or Defendant, and shall not be incumbent on his Majesty, or any Prosecutor or Informer on Behalf of his Majesty or himself: Provided such Seizure or Information be made or brought by Officers or Persons imployed in his Majesty's Customs, or the Duties arising by virtue of this Act.

Penalties in those Acts in Force here.

Commissioners &c. have like Power as there.

Penalties how recoverable.

One Moiety to the King, the other to the Prosecutor.

Officer only shall prosecute.

Officers shall swear to execute.

Defendant to prove Duty paid, upon Trial.

*Further Provisions concerning Tobacco*, 7 & 8 *W.* 3. *c.* 10. 10 & 11 *W.* 3. *c.* 21. 2 *Ann. c.* 9. 6 *Ann. c.* 22. 8 *Ann c.* 13. 12 *Ann. stat.* 2. *c.* 8. 1 *Geo.* 1. *stat.* 2. *c.* 46. 5 *Geo.* 1. *c.* 11. §. 19. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 21. 12 *Geo.* 1. *c.* 28. 21 *Geo.* 2. *c.* 2. 24 *Geo.* 2. *c.* 41. *and* 26 *Geo.* 2. *c.* 13.

## CAP. V.

An Act for granting an Aid to his Majesty by an Imposition on all *French* Linens, and all *East-India* Linen, and several other Manufactures of *India*, and on all *French* wrought Silks, and Stuffs, and on all other wrought Silks, and on all Brandies, imported after the first Day of *July* one thousand six hundred eighty-five, and before the first Day of *July* one thousand six hundred and ninety, for the King's extraordinary Occasions. Exp.

## CAP. VI.

An Act for the repealing certain Clauses in an Act of Parliament made in the nine and twentieth and thirtieth Years of the Reign of his late Majesty, for prohibiting *French* Commodities. Exp. *The Prohibition being temporary.*

## CAP. VII.

An Act for reviving and continuing two former Acts for Encouragement of Coinage.

The Advantage of 18 Car. 2. c. 5. of Coinage. 25 Car. 2. c. 8.

'WHEREAS great Benefit and Advantage hath accrued to this Kingdom by one Act of Parliament passed in the eighteenth Year of the Reign of his late Majesty King CHARLES the Second, of blessed Memory, intituled, *An Act for Encouragement of Coinage*, and continued by another Act of Parliament passed in the five and twentieth Year of the Reign of the said late King; both which said Acts are since determined and expired, so that unless the said Acts be revived and continued, the Encouragement given thereby will cease, and this Kingdom be deprived for the future of so great a Good as it hath thereby for these Years last past enjoyed:' We therefore your Majesty's dutiful and loyal Subjects, do give and grant unto your Majesty, the Rates, Duties, and Impositions mentioned in the said Act of Parliament made in the eighteenth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for Encouragement of Coinage*; and do humbly pray that it may be enacted:

The Imposts in the said Act given to the King.

The Act revived for seven Years. Continued by

II. And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts of Parliament, and every the Clauses, Articles, and Sentences therein contained, shall be, and are by Virtue of this Act revived and continued, and shall be in Force for

the Space of seven Years, to commence from the first Day of *August* one thousand six hundred eighty-five, and until the End of the first Session of Parliament then next following, and no longer. 19 Geo. 2. c. 14. *Further Provisions relating hereto,* 4 & 5 *W. & M. c.* 24. 12 *W.* 3. *c.* 11. 4 *Ann. c.* 22. 7 *Ann. c.* 24. 1 *Geo.* 1. *stat.* 2. *c.* 43. 9 *Geo.* 1. *c.* 19. 12 *Geo.* 2. *c.* 5. 19 *Geo.* 2. *c.* 14. 27 *Geo.* 2. *c.* 11.

## CAP. VIII.

### An Act against the Importation of Gunpowder, Arms, and other Ammunition, and Utensils of War.

'WHEREAS to the great Prejudice of this Kingdom, and the Discouragement and Impoverishment of the Gun-smiths and other Artificers, great Quantities of Arms and Ammunition have of late Years been imported, to the endangering the Peace and Quiet of this Kingdom:'

II. For Remedy whereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That it shall not, at any Time from and after the tenth Day of *July* one thousand six hundred eighty and five, be lawful to or for any Person or Persons whatsoever, without Licence from his Majesty, his Heirs and Successors, to import or bring into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, by way of Merchandize, any Gunpowder, Arms, Ammunition, or Utensils of War, upon Pain and Forfeiture of all and every such Goods so imported, as aforesaid, to his Majesty, his Heirs, and Successors, and the Person or Persons, who shall so import or bring in the same, or in whose Custody any such Gunpowder, Arms, Ammunition, or Utensils of War, shall be found, being thereof lawfully convicted, shall forfeit Treble the Value of the Goods so imported, one Moiety thereof unto his Majesty, his Heirs, and Successors, and the other Moiety thereof to such Person or Persons, who will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, shall be allowed.

None shall import Gunpowder, &c. without Licence, 16 *Car.* 1. *c.* 21.

upon Forfeiture of Goods imported, and Treble the Value, one Moiety to the King, the other to the Prosecutor.

III. Provided always, That if any Person or Persons whatsoever, Bodies Politick or Corporate, shall by Colour of this Act, or otherwise, obtain from his Majesty, his Heirs or Successors, any Letters Patent, Licence, or Grant, for the sole making or importing any Gunpowder, Arms, Ammunition, or other Utensils of War, and shall put the same in Execution, or by Colour thereof molest or hinder any Person or Persons, who lawfully make any the Things before mentioned in this Kingdom, or shall obtain any Letters Patents, Licence, or Grant, for the importing of Gunpowder, Arms, Ammunition, or other Utensils of War, by way of Merchandize, to make Profit thereof, other than for the immediate furnishing of the publick Stores of his Majesty, his Heirs, and Successors; that then the Person and Persons so offending, shall incur and sustain the Pains, Penalties, and Forfeitures contained and provided in the Statute of Provision and *Præmunire* made in the sixteenth Year of the Reign of King *Richard* the Second, and be disabled to hold any Office or Imployment under his Majesty, his Heirs and Successors; and all and every such Letters, Licence, Patent, and Grant, and every of them, for the sole making and importing the said Commodities, shall be void to all Intents and Purposes, as if the same had never been had or made; any Clause of *Non obstante*, or other Provision or Covenant to the contrary thereof in any wise notwithstanding.

Obtaining a Grant for sole making or importing Gunpowder, &c. to incur a Præmunire, disabled from Office, and the Grant made void.

*Farther Provisions relating hereto,* 5 *Geo.* 1. *c.* 26. 11 *Geo.* 1. *c.* 23. 4 *Geo.* 2. *c.* 29. 15 *Geo.* 2. *c.* 32. 22 *Geo.* 2. *c.* 38. *and* 29 *Geo.* 2. *c.* 16.

## CAP. IX.

An Act to enable his Majesty to make Grants, Leases, and Copies, of Offices, Lands, and Hereditaments, Parcel of his Highnesses Duchy of *Cornwall*, or annexed to the same, and for Confirmation of Leases and Grants already made. EXP.

## CAP. X.

An Act for the providing necessary Carriages for his Majesty in his Royal Progress and Removals. EXP.

## CAP. XI.

An Act for reviving an Act for providing of Carriages by Land and by Water, for the Use of his Majesty's Navy and Ordnance. Exp. 13 & 14 Car. 2. EXP.

## CAP. XII.

An Act for consolidating the Estates Tail and Reversion in Fee, which his Majesty hath in the Post-Office, and twenty-four thousand Pounds *per Annum* of the Hereditary Excise. EXP.

## CAP. XIII.

An Act for reviving a former Act for exporting of Leather. Continued for 7 Years by 1 W. & M. Sess. 1. c. 23. EXP. 20 Car. 2. c. 5.

## CAP. XIV.

### An Act for Continuance of three former Acts for preventing of Theft and Rapine upon the Northern Borders of *England*.

13 & 14 Car. 2. c. 22. 18 Car. 2. c. 3. 29 & 30 Car. 2. c. 2.

'WHEREAS an Act was made in the thirteenth and fourteenth Years of the Reign of our late Sovereign Lord King *Charles* the Second, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of* England: And whereas also another Act was made in the eighteenth Year of the Reign of the said King, intituled, *An Act to continue a former Act to prevent Theft and Rapine upon the Northern Borders of* England; both which Acts were continued by another Act made in the twenty-ninth and thirtieth Years of the Reign of the said late King, intituled, *An Act for Continuance of two former Acts for preventing of Theft and Rapine upon the Northern Borders of* England, for and during the Space and Time of seven Years, and also from thence until the End of the first Session of this present Parliament; which Laws have been found very necessary for the Preservation of those Places from that great Number of lewd, disorderly, and lawless Persons that usually infested and frequented in those Parts:'

Revived for eleven Years. Continued by 17 Geo. 2. c. 40.

II. Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the said three former Acts, and all and every of them, and every Matter, Clause and Clauses therein contained, and all and every the Powers and Authorities thereby given, shall be, continue, and remain in full Force from henceforth, for and during the Space and Term of eleven Years: And also from thence unto the End of the first Session of the next Parliament.

## CAP. XV.

### An Act for rebuilding, finishing, and adorning of the Cathedral Church of St. *Paul*'s, *London*.

EXP. The Powers of this Act are revived, and continued to 15 May 1716. by 1 Annæ, stat. 2. c. 12.

'WHEREAS by a late Act of Parliament a small Part of the Imposition upon Coals imported in or near the City of *London* was given towards the rebuilding the Cathedral Church of Saint *Paul*'s, wholly ruined by the dreadful Fire of *London*, which (and all other Supplies) carefully expended, have made some considerable Advance in the said Work, but so far short of finishing a Fabrick of so large Dimensions, that without further Encouragement by a Supply from the Publick, the said Work in a little Time must be left imperfect and useless, and consequently all the said former Expence totally lost, to the Dishonour of our establish'd Religion, and to the Reproach of the said City: And whereas by the said late Act the Lord Archbishop of *Canterbury*, the Lord Bishop of *London*, and the Lord Mayor of *London*, for the Time being, or any Two of them, were impowered to imploy and dispose Part of the said Imposition upon Coals towards the building the said Cathedral of Saint *Paul*'s, &c.'

Eighteen Pence *per* Chalder or Archbishop, &c.

Ton laid upon Coals. To be paid to the Archbishop of *Canterbury*, &c. before Bulk be broken, to be applied to build St. *Paul*'s. 22 Car. 2. c. 11. may appropriate any Part under a Fifth to the finishing the other Churches. Coals delivered to *Chelsea* College exempted.

## CAP. XVI.

PR.

An Act for clearing, preserving, maintaining, and repairing the Haven and Piers of *Great Yarmouth*. Explained by 1 W. & M. Sess. 1. cap. 11. Power given to the Mayor, &c. to lay 12*d*. a Chalder upon Coals and other Commodities for the Repair of the Harbour. Mayor, &c. to nominate Collectors. Collectors to pay the Money to the Chamberlain. To be Eight Commissioners. The Commissioners or any Five may take the Accounts and dispose of the Money. Collectors may search Ships, and upon Non-payment may by Warrant from the Mayor distrain Ships. Upon ten Days Neglect may sell the Ship. Overplus to be restored. Fish, Oils, and Maintenance for the Seamen excepted.

## CAP. XVII.

### An Act for Reviving and Continuance of several Acts of Parliament therein mentioned.

'WHEREAS many good and wholesome Laws were made in the Reign of Your Majesty's Royal Brother King *Charles* the Second, of blessed Memory, as probationary Laws, which by Experience have been found very useful and beneficial both for the Service of the Crown, and Good of the Subjects of this your Majesty's Realm; which said Acts being made temporary, are most of them expired, and others near expiring;' your Commons in this present Parliament assembled, taking the same into their serious Consideration, do most humbly beseech your Majesty, that it may be enacted:

13 & 14 Car. 2. c. 12. revived for seven Years, except as to the Corporation. Made perpetual 12 Annæ, stat. 1. c. 18.

II. And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That one Act of Parliament made in the thirteenth and fourteenth Years of his said late Majesty's Reign, intituled, *An Act for the better Relief of the Poor of this Kingdom* (except what relates unto the Corporation therein mentioned and constituted thereby) shall be in Force from the first Day of this present Session of Parliament, and so to continue for the Space of seven Years, and from thence to the End of the next Session of Parliament.

'III.

'III. And forasmuch as such poor Persons at their first Coming to a Parish do commonly conceal themselves;' be it therefore hereby provided and enacted by the Authority aforesaid, That the forty Days Continuance of such Person in a Parish, intended by the said Act to make a Settlement, shall be accounted from the Time of his or her Delivery of Notice in Writing (which they are hereby required to do) of the House of his or her Abode, and the Number of his or her Family, if he or she have any, to One of the Churchwardens or Overseers of the Poor of the said Parish, to which they shall so remove. Settlement to be accounted from Notice in Writing.

IV. And be it further enacted by the Authority aforesaid, That one other Act made in the said thirteenth and fourteenth Years of his said late Majesty's Reign, intituled, *An Act for preventing the unnecessary Charge of Sheriffs, and for Ease in passing their Accounts*, shall be in Force, and is hereby made perpetual. 13 & 14 Car. 2. c. 21. of Sheriffs, made perpetual.

V. And be it enacted by the Authority aforesaid, That one other Act made in the seventeenth Year of his said late Majesty's Reign, intituled, *An Act for avoiding unnecessary Suits and Delays:* And also one other Act made in the two and twentieth and three and twentieth Years of his late Majesty's Reign, intituled, *An Act for the better settling Intestates Estates* (which said latter Act is explained by a Clause in one other Act made in the nine and twentieth Year of his said late Majesty's Reign, intituled, *An Act for Prevention of Frauds and Perjuries*) both which said Acts, with the said Clause, are continued by one other Act made in the thirtieth Year of his said late Majesty's Reign, intituled, *An Act for reviving both the said former Acts.* All which said Acts and Clauses shall be in Force, and is hereby made perpetual. 17 Car. 2. c. 8. of avoiding Delays, and 22 & 23 Car. 2. c. 10. of Distribution made perpetual. Explanatory Clause in 29 Car. 2. c. 3. §. 25. of 22 & 23 Car. 2. c. 10. of Distributions, made perpetual. 30 Car. 2. stat. 1. c. 6.

VI. Provided always, and it is hereby further enacted, That no Administrator shall, from the four and twentieth Day of *July* next, be cited to any the Courts in the said last Act mentioned, to render an Account of the Personal Estate of his Intestate (otherwise than by an Inventory or Inventories thereof) unless it be at the Instance or Prosecution of some Person or Persons in Behalf of a Minor, or having a Demand out of such Personal Estate as a Creditor or next of Kin, nor be compellable to account before any the Ordinaries or Judges by the said last Act impowered and appointed to take the same, otherwise than as is aforesaid; any Thing in the said last Acts contained to the contrary notwithstanding. The two former Acts revived and made perpetual. Administrator compellable to account only to Persons interested.

VII. Provided also, and it is further enacted by the Authority aforesaid, That if after the Death of a Father, any of his Children shall die intestate without Wife or Children, in the Life-time of the Mother, every Brother and Sister, and the Representatives of them, shall have an equal Share with her; any Thing in the last mentioned Acts to the contrary notwithstanding. Brother and Sister shall share equally with the Mother.

VIII. Provided, and it is hereby, for the determining some Doubts arising upon the Acts aforementioned, for the better settling Intestates Estates, enacted and declared, That the Clause therein, by which it is provided, That that Act, or any Thing therein contained, should not any ways prejudice or hinder the Customs observed within the City of *London*, and Province of *York*, was never intended, nor shall be taken or construed to extend, to such Part of any Intestate's Estate, as any Administrator, by virtue only of being Administrator, by Pretence or Reason of any Custom, may claim to have, to exempt the same from Distribution, but that such Part in the Hands of such Administrator shall be subject to Distribution as in other Cases within the said Act. Clause of saving Customs of London and Province of York in Acts of Distributions, not to extend to Intestates Estates claimed by an Administrator *quatenus* Administrator.

IX. And be it further enacted by the Authority aforesaid, That one other Act made in the nineteenth Year of King *Charles* the Second, intituled, *An Act for assigning Orders in the Exchequer without Revocation*, shall be in Force from the first Day of this present Session of Parliament, and so to continue for the Space of seven Years, and from thence to the End of the next Session of Parliament. 19 Car. 2. c. 12. of assigning Exchequer Orders, continued for seven Years.

X. And be it further enacted by the Authority aforesaid, That one other Act made in the two and twentieth and three and twentieth Years of his said late Majesty's Reign, intituled, *An Act to prevent Frauds in the Buying and Selling of Cattle in* Smithfield *and elsewhere*, shall be in Force from the four and twentieth Day of *June* one thousand six hundred eighty-five, and so to continue for seven Years, and from thence to the End of the next Session of Parliament: Provided, that the said Act, or any Thing therein contained, shall not extend to Salesmen or Factors imployed by Farmers or Feeders. 22 & 23 Car. 2. c. 19. of Sale of Cattle in Smithfield, continued for seven Years. See 4 & 5 W. & M. c. 24. 11 & 12 W. 3. c. 13. 5 Annæ, c. 34. 7 Annæ, c. 6. Factors excepted.

XI. And be it further enacted by the Authority aforesaid, That one other Act made in the two and twentieth and three and twentieth Years of his said late Majesty's Reign, intituled, *An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majesty*, shall be in Force from the first Day of this present Session of Parliament, and so to continue for the Space of seven Years, and from thence to the End of the next Session of Parliament. 22 & 23 Car. 2. c. 22. For better Recovery of Fines and Forfeitures, revived for seven Years.

XII. And be it further enacted by the Authority aforesaid, That one other Act of the two and twentieth and three and twentieth of King *Charles* the Second, intituled, *An Act to revive an Act*, intituled, *An Act to prevent the Disturbance of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal, with some Alterations and Additions*, shall be in Force from the first Day of this present Session of Parliament, and so to continue for seven Years, and from thence to the End of the first Session of the next Parliament. 22 & 23 Car. 2. c. 23. To prevent Disturbance of Seamen, revived for seven Years.

XIII. And be it further enacted by the Authority aforesaid, That one other Act of the two and twentieth and three and twentieth of King *Charles* the Second, intituled, *An Act to prevent the Planting of Tobacco in England, and for regulating the Plantation Trade*, shall be in Force from the first Day of this present Session of Parliament, and so to continue for seven Years, and from thence to the End of the next Session of Parliament. 22 & 23 Car. 2. c. 26. Tobacco, revived for seven Years.

30 Car. 2. ſtat. 1. c. 7. Executor de ſon tort, for ſeven Years.

XIV. And be it further enacted by the Authority aforeſaid, That one other Act made in the thirtieth Year of King *Charles* the Second, intituled, *An Act to enable Creditors to recover their Debts of the Executors and Adminiſtrators of the Executors in their own Wrong*, ſhall be in Force from the firſt Day of this preſent Seſſion of Parliament, and ſo to continue for ſeven Years, and from thence to the End of the firſt Seſſion of the next Parliament.

13 & 14 Car. 2. c. 33. the Preſs, for ſeven Years.

XV. And be it further enacted by the Authority aforeſaid, That one other Act made in the thirteenth and fourteenth Years of his ſaid late Majeſty's Reign, intituled, *An Act for preventing the frequent Abuſes in printing Seditious, Treaſonable, and Unlicenced Books and Pamphlets, and for regulating of Printing and Printing Preſſes*, and every Clauſe, Article, and Thing therein contained, be revived, and continue in Force from the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred eighty-five, for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament.

## CAP. XVIII.

### An Act to encourage the Building of Ships in *England*.

'WHEREAS for ſome Years paſt, and more eſpecially ſince the laying a Duty upon Coals brought into the River of *Thames*, there hath been obſerved a more than ordinary Decay in building Ships in *England*, and particularly in *Newcaſtle*, *Hull*, *Yarmouth*, *Ipſwich*, *Alborough*, *Dunwich*, *Walderſwick*, *Woodbridge*, and *Harwich*, where many ſtout Ships were yearly built for the Coal and other Trade, which were of great Uſe to his Majeſty in Time of War, and a Nurſery for able Seamen; but by the Diſcouragement that Trade hath ever ſince lain under, occaſioned chiefly by the Freedom which foreign Ships and Veſſels, bought and brought into this Kingdom, have enjoyed in the Coal and other Inland Trade, equal to that of *Engliſh* built Ships, the Merchants, Owners, and others, have not been able to build as formerly, which hath cauſed many of our *Engliſh* Shipwrights, Calkers, and Seamen, to ſeek their Imployments abroad, whereby the Building Trade is not only wholly loſt in ſeveral of the aforementioned Places, and in others very much decayed, but alſo the Importation of Timber, Plank, Hemp, Pitch, Tar, Iron, Maſts, Canvas, and other Commodities uſed in building and fitting out Ships, are greatly leſſened, to the apparent Prejudice of his Majeſty's Cuſtoms, the Loſs of a conſiderable Imployment for Shipping, and conſequently of all other Trades depending thereupon, to the too great Advantage of foreign Nations:'

Foreign built Ship to pay 5s. per Ton.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all foreign built Ships and Veſſels, which ſhall from henceforth be bought and brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and be imployed in carrying or tranſporting any Goods or Merchandize from Port to Port, as aforeſaid, for every Voyage ſhall pay to his Majeſty, his Heirs and Succeſſors, at the Port of Delivery of the reſpective Lading (before the Delivery thereof) over and above all Duties now paid, or that ſhall hereafter be payable by *Engliſh* built Ships, the Sum of five Shillings *per* Ton, to be collected and received by ſuch Perſon or Perſons as his Majeſty ſhall appoint in that Behalf; one Moiety whereof to be for the Uſe of the Cheſt at *Chatham*, the other Moiety to the Maſter, Wardens, and Aſſiſtants of the *Trinity Houſe* of *Deptford-Strond*, for and towards the Relief of wounded and decayed Seamen, their Widows and Children.

Diſpoſal of the Money.

'III. And whereas there are now in *England*, belonging, or pretending to belong to *Engliſh* Owners, many Foreign built Ships and Veſſels which do tranſport Coals and other Goods from Port to Port in *England*, as aforeſaid, paying no more Duty than *Engliſh* Ships pay;' Be it further enacted by the Authority aforeſaid, That all ſuch foreign Ships (which are not free) for every Voyage ſhall pay, after the Feaſt of St. *Michael*, in the Year of our Lord one thouſand ſix hundred eighty and nine, at the Rate of twelve Pence *per* Ton over and above all Duties now paid, or that ſhall hereafter be payable by *Engliſh* built Ships, to be diſpoſed of unto the Cheſt of *Chatham*, and the *Trinity Houſe* of *Deptford-Strond*, by Moieties as aforeſaid, and for the Uſes before mentioned; which ſaid laſt mentioned Duty of twelve Pence *per* Ton alſo ſhall be collected and received in Manner aforeſaid, at their reſpective Ports of Delivery of their reſpective Lading, before the Delivery thereof.

Foreign Ships already in Engliſh Hands 1s. per Ton.

The Duties to be recovered, as provided by 12 Car. 2. c. 4.

IV. And be it further enacted by the Authority aforeſaid, That his Majeſty ſhall have the ſame Remedy for receiving and recovering of the Duties above-mentioned, as are provided in a certain Act of Parliament made in the twelfth Year of the Reign of our late Sovereign Lord King *Charles* the Second, intituled, *A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported.*

The Duties not to be farmed.

V. Provided always, That the ſaid Duties of five Shillings *per* Ton, and twelve Pence *per* Ton, or any Part thereof, hereby impoſed upon ſuch Foreign built Ships, which have been heretofore or ſhall hereafter be bought or brought into *England*, ſhall not be ſet to Farm to any Perſon or Perſons for any Term or Time, or for any Rent or certain Payment whatſoever, but that the ſeveral Perſons, who ſhall be appointed to receive the ſame, ſhall actually receive the ſaid whole Duty payable by every ſuch Ship, and account for the ſame as by this Act is directed.

## CAP. XIX.

### An additional Act for the Improvement of Tillage.

'FOrasmuch as by an Act made in the two and twentieth Year of the Reign of his late Majesty, of ever blessed Memory, intituled, *An Act for Improvement of Tillage, and the Breed of Cattle*, it is, amongst other Things, provided and enacted, That from and after the nine and twentieth Day of *June* one thousand six hundred and seventy, and from thence forward, certain Rates should be paid for the Custom and Poundage of Foreign Corn and Grain imported into this Kingdom, according to the Prices of *English* Corn, at the Times, Havens, and Places, when and where the same should be imported, as by the said Act particularly appeareth. 22 Car. 2. c. 13. Continued by 2 W. & M. c. 4. §. 3, 4. 1 Ann. stat. 1. c. 13. §. 2. 9 Ann. c. 6. §. 2. 3 Geo. 1. c. 7.

'II. And inasmuch as no Provision was made by the said Act for ascertaining and determining the said Prices, by reason whereof several great Quantities of Foreign Corn and Grain have been imported without paying the respective Duties by the said Act appointed, contrary to the true Intent and Meaning of the said Act:' *Shep. Abr.*

III. Now for supplying the said Defect; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Feast of St. *Michael* the Archangel next, and from thence forward, it shall and may be lawful to and for all and every the Justices of the Peace for the several and respective Counties within his Majesty's Kingdom of *England*, Dominion of *Wales*, and the Town of *Berwick* upon *Tweed*, wherein Foreign Corn or Grain shall or may be hereafter imported, and they and every of them are hereby injoined and required, at their next respective Quarter Sessions after *Michaelmas* and *Easter Day* yearly, by the Oaths of two or more honest and substantial Persons of the respective Counties, being neither Merchants nor Factors for the importing of Corn, nor any ways concerned nor interested in the Corn so imported, and each of them having a Freehold Estate of twenty Pounds *per Annum*, or a Leasehold Estate of fifty Pounds *per Annum*, above all Charges and Reprizes, and being skilful in the Prices of Corn (which Oaths all and every the said Justices are hereby impowered to administer) and by such other Ways and Means as to them shall seem fit, to examine and determine the common Market Prices of middling *English* Corn and Grain of the respective Sorts in the said Act mentioned, as the same shall be commonly bought and sold in the said respective Counties into which any Foreign Corn or Grain shall be imported, and to certify the same, with two such Oaths made as aforesaid in Writing annext, unto his Majesty's chief Officer and Collector of the Customs for the Time being, residing in the said respective Ports or Havens where the said Corn and Grain shall be imported, to be hung up in some publick Place in the Custom-house, to which all Persons may resort for their Information.

Justices upon the Coasts have Power by the Oath of two Men to determine the Prices of Corn.

Justices to certify the Price to the Head Collector; to be hung up in the Custom-house.

IV. And it is hereby further enacted by the Authority aforesaid, That from and after the said Feast of St. *Michael* the Archangel next, the Custom and Duty of Foreign Corn and Grain imported into any of his Majesty's said Dominions of *England*, *Wales*, and Town of *Berwick* upon *Tweed*, appointed by the said Act to be paid, shall be collected and paid according to the Prices contained in such respective Certificates as aforesaid, and not otherwise; any Thing in this Act, or in any other Law or Statute contained to the contrary notwithstanding.

Foreign Corn to pay Duty according to the Justices Certificate.

V. Provided always, and be it further enacted by the Authority aforesaid, That all that by Virtue of this Act is to be done by the Justices of the Peace at their Quarter-Sessions in their several Counties, shall be done and performed in like Manner in the City of *London*, in the Months of *October* and *April* yearly, by the Mayor, Aldermen, and Justices of Peace there, and that the Persons making such Oaths shall be no Corn-chandler, Meal-man, Factor, Merchant, or other Person interested in such Corn so to be imported, but shall be some substantial House-keepers living in *Middlesex* or *Surrey*, qualified as aforesaid.

The same Power to the Lord Mayor, &c. of London.

See further Provisions relating hereto, 2 Geo. 2. c. 18. 5 Geo. 2. c. 12. 11 *Geo.* 2. *c.* 22. 24 *Geo.* 2. *c.* 56. *and* 26 *Geo.* 2. *c.* 15.

## CAP. XX.

An Act to enable the Inhabitants of the Parish of St. *Anne* within the Liberty of *Westminster*, to raise Money to build a Church to be the Parish Church there. P. R.

## CAP. XXI.

An Act for repealing a Clause for dividing of Commons, in an Act of Parliament made in the fifteenth Year of King *Charles* the Second, intituled, *An Act for settling the Dreining of the Great Level of the Fens, called* Bedford Level.

'WHEREAS in and by an Act of Parliament, made in the fifteenth Year of the Reign of his late Majesty King *Charles* the Second, of ever blessed Memory, intituled, *An Act for settling the Dreining the Great Level of the Fens, called* Bedford Level, there is a Proviso, and it was enacted, That it should and might be lawful for any Person or Persons, Bodies Politick or Corporate, their Heirs and Suc- 15 Car. 2. c. 17.

'ceſſors, that were or ſhould be Lords of Manors, or have Right of Common in the Commons and Waſtes 'in the ſaid Level, or within any Town, Pariſh, or Place, into which the Works or Dreining of any of 'them did extend, to improve, ſet out, and incloſe, divide, and ſever ſuch Proportion or Proportions, as 'to them ſhould or might ſeverally and reſpectively belong, or be adjudged and allotted unto them in Se-'veralty by certain Commiſſioners appointed in the ſaid Act, and as they ſhould adjudge and determine, as 'by the ſaid Clauſe in the ſaid Act more fully appears:

'II. And whereas, ſince the paſſing of the ſaid Act, ſeveral Lords of Manors, and others who had Right 'of Common in the ſaid Commons and Waſtes, did divide and take their ſeveral Shares and Proportions 'thereof:

'III. And whereas ſuch taking and cutting of the ſaid Commons and Waſtes into ſmall Pieces, is ſince 'found to be very prejudicial to the Owners and Country, being a great Waſte of Ground in Diviſion, 'which are hard to be kept as Fences betweeen Party and Party, the Road-ways and Paſſages through ſuch 'Commons, as ſet forth, being very low, and generally in bad Ground, not paſſable, or well to be amend-'ed, whereby ſuch Diviſions are of little Value:

'IV. And whereas it occaſions great Diminution of Stock, and Decay of Houſes, many Perſons ſelling 'their Shares of Common from the Houſe it belongs unto, to a great Impoveriſhment, and Increaſe of the 'Poor;' to prevent any further Inconveniences thereby; be it enacted by the King's moſt Excellent Ma-jeſty, by and with the Advice and Aſſent of the Lords Spiritual and Temporal, and Commons, in this Par-liament aſſembled, and by the Authority of the ſame, That the ſaid Clauſe in the ſaid Act for ſuch dividing and incloſing, ſhall be and is hereby repealed and made void to all Intents and Purpoſes: And that no more Diviſions or Incloſures ſhall be hereafter made of the ſaid Waſtes and Commons therein mentioned, pur-ſuant to the ſaid Act; any Thing therein contained to the contrary notwithſtanding.

V. Provided always, and it is further enacted, That all Incloſures already made and certified into the Petty-bag Office, purſuant to the ſaid Act, ſhall be held and enjoyed by the Owners thereof, as fully, to all Intents and Purpoſes, as if this Act had not been made.

'VI. And whereas ſeveral Perſons and Townſhips, finding the Inconveniencies of dividing and cutting 'aforeſaid, did come unto Agreements, and bound themſelves not to divide, but to feed and order the 'ſaid Commons and Waſtes by way of an equal Stint of Cattle in a like Proportion, to their great Advan-'tage and Improvement; and thoſe Agreements have been confirmed by the Decrees of his Majeſty's High 'Court of Chancery:'

VII. Be it therefore enacted, That all ſuch Agreements, ſo made and confirmed by the Decrees as afore-ſaid, ſhall be, and are hereby ratified, and binding to all ſuch Perſon or Perſons, who were Parties con-ſenting to the ſame, and all claiming by, from, or under them, or any of them, and according as in the ſaid Decrees are expreſſed and contained.

'VIII. And whereas divers Perſons, having had Decrees and Adjudications for Incloſures and Allotments 'within the ſaid Level already made by Commiſſioners in the ſaid Act appointed, purſuant to the ſame Act, 'have neglected to get the ſaid Decrees and Adjudications to be ſigned, ſealed, and certified into the Petty-'bag Office, as by the ſaid Act is directed:' It is now further provided and enacted, That ſo many of the ſaid Decrees and Adjudications already made and imperfect as aforeſaid, which ſhall be made perfect by being ſigned and ſealed by the ſaid Commiſſioners, and certified into the Petty-bag Office, in ſuch Manner as by the ſaid Act is appointed, before the four and twentieth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſix hundred eighty-ſix, ſhall be good and valid in Law to all Intents and Purpoſes, as if the ſame had been ſo perfected at the Time of making this Act, and all Incloſures and Allotments by virtue thereof, ſhall be enjoyed by the reſpective Perſons intereſted, as if this Act had never been made. And all ſuch of the ſaid Decrees, which ſhall not be perfected by the ſaid Time in Manner and Form afore-ſaid, ſhall be utterly void and null to all Intents and Purpoſes whatſoever, and all Incloſures by virtue thereof ſhall be thrown open, as if ſuch Decrees or Adjudications had never been made; any thing in this Act, or in any Law, Statute, or Uſage contained to the contrary notwithſtanding.

## CAP. XXII.

PR. An Act for erecting a new Pariſh, to be called the Pariſh of *St. James*, within the Liberty of *Weſtminſter*.

Here ends the Reign of King JAMES the Second.

SESSIO

## SESSIO PRIMA.

## Anno Regni GULIELMI & MARIÆ primo.

# STATUTES made in the Parliament begun at *Weſtminſter* the Thirteenth Day of *February*, in the Firſt Year of their Majeſties Reign.

'*It is the* twenty third Day *in the former Editions.*'

## CAP. I.

### An Act for removing and preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament.

FOR preventing all Doubts and Scruples which may in any wiſe ariſe concerning the Meeting, Sitting, and Proceeding of this preſent Parliament; be it declared and enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, now aſſembled, and by Authority of the ſame:

The Convention declared a Parliament.

II. That the Lords Spiritual and Temporal, and Commons, convened at *Weſtminſter*, the two and twentieth Day of *January* in the Year of our Lord one thouſand ſix hundred eighty-eight, and there ſitting on the thirteenth Day of *February* following, are the two Houſes of Parliament, and ſo ſhall be, and are hereby declared, enacted, and adjudged to be, to all Intents, Conſtructions, and Purpoſes whatſoever, notwithſtanding any Want of Writ or Writs of Summons, or any other Defect of Form or Default whatſoever, as if they had been ſummoned according to the uſual Form: And that this preſent Act, and all other Acts, to which the royal Aſſent ſhall at any Time be given before the next Prorogation after the ſaid thirteenth of *February*, ſhall be underſtood, taken, and adjudged in Law, to begin and commence upon the ſaid thirteenth of *February*, on which Day their ſaid Majeſties, at the Requeſt, and by the Advice of the Lords and Commons, did accept the Crown and Royal Dignity of King and Queen of *England*, *France*, and *Ireland*, and the Dominions and Territories thereunto belonging.

The old Oaths of Allegiance, &c. not to be taken by Members, 30 Car. 2. ſtat. 2. c. 1.

III. And be it further enacted by the Authority aforeſaid, That the Act made in the thirtieth Year of King *Charles* the Second, intituled, *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling of Papiſts from ſitting in either Houſe of Parliament*, and all other Acts of Parliament, as to ſo much of the ſaid Act or Acts only, as concerns the taking the Oaths of Supremacy and Allegiance, or either of them, in the ſaid Act or Acts reſpectively mentioned, by any Member or Members of either Houſe of Parliament, with relation to their ſitting and voting in Parliament, ſhall be, and are hereby repealed to all Intents and Purpoſes; any thing in the ſaid recited Act or Acts to the contrary notwithſtanding.

New Oaths ſubſtituted in the Place of the old.

IV. And be it further enacted, That the taking the Oaths herein after mentioned, and the making, ſubſcribing, and repeating the Declaration in the ſaid Act of the thirtieth Year of King *Charles* the Second mentioned, by every Member of either Houſe of this preſent Parliament, from and after the firſt Day of *March* next enſuing, in ſuch Manner as the taking the ſaid Oaths of Allegiance and Supremacy, and the making, ſubſcribing, and repeating the ſaid Declaration in the ſaid laſt mentioned Act are required, ſhall be good and effectual to all Intents and Purpoſes, as if the ſaid Oaths of Allegiance and Supremacy had been taken, and the ſaid Declaration had been made, ſubſcribed, and repeated in ſuch Manner, and at ſuch Time, as by the ſaid Act or Acts, or any of them, they are required. And that, in all future Parliaments, the Oaths herein after mentioned, and the Declaration in the ſaid Act, made in the thirtieth Year of King *Charles* the Second mentioned, ſhall be taken, made, ſubſcribed, and repeated by every Member of either Houſe of Parliament, within the Time, and in the ſame Manner and Form, and under the Penalties and Diſabilities, as the ſaid Oaths of Allegiance and Supremacy, and the ſaid Declaration, by the ſaid Act of the thirtieth Year of King *Charles* the Second are limited, ordained, and appointed to be taken, made, ſubſcribed, and repeated, and not at any other Time, or in any other Manner, to enable them to ſit and vote in Parliament; any thing in the ſaid Act or Acts, or any of them, to the contrary notwithſtanding.

The Oaths.

V. And it is hereby further enacted and declared by the Authority aforeſaid, That the Oaths above appointed by this Act, to be taken in the Stead and Place of the Oaths of Allegiance and Supremacy, ſhall be in the Words following, and no other.

Allegiance.

'VI. I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to their Majeſties King *William* and Queen *Mary*:

*So help me God.*

Supremacy.

'VII. I *A. B.* do ſwear, That I do from my Heart abhor, deteſt, and abjure, as impious and heretical, that damnable Doctrine and Poſition, *That Princes excommunicated or deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever.* And I do declare, That no Foreign Prince, Perſon, Prelate, State, or Potentate hath, or ought to have, any Power, Juriſdiction, Superiority, Pre-eminence, or Authority, Eccleſiaſtical or Spiritual, within this Realm:

*So help me God.*'

Parliament diſſolved as formerly.

VIII. Provided always, and be it declared, That this preſent Parliament may be diſſolved after the uſual Manner, as if the ſame had been ſummoned and called by Writ.

## CAP. II.

An Act for impowering his Majeſty to apprehend and detain ſuch Perſons as he ſhall find juſt Cauſe to ſuſpect are conſpiring againſt the Government. EXP.

## CAP. III.

An Act for the granting a preſent Aid to their Majeſties. EXP.

## CAP. IV.

An Act for reviving of Actions and Proceſs lately depending in the Courts at *Weſtminſter*, and diſcontinued by the not holding of *Hilary* Term, and for ſupplying other Defects relating to Proceedings at Law.

EXP.

"WHEREAS the Term of St. *Hilary*, in the Year of our Lord one thouſand ſix hundred eighty-eight, could not be holden and kept, for which, if due Proviſion be not made, great Delay of Juſtice, and conſequently great Expences to the Suitors in the ſeveral Courts uſually held at *Weſtminſter* will enſue: Therefore for the continuing and reviving all Manner of Actions or Pleas lately depending, and all Manner of Proceſs that were returnable or depending in any of the ſaid Courts, and which were diſcontinued and put without Day by the not holding the ſaid Term, *&c.*

Proclamation upon Fines ſhall be accounted made. Judgments by Confeſſion to be entered in *Eaſter* Term. All Offences and Actions, during the *Interregnum* ſuable. The Year of our Lord to be inſerted inſtead of the King's Reign. Indictments, *&c. contra pacem Regni.* Bonds, *&c.* made to King *James*, in Force. All Proceſs, *&c.* of *Michaelmas* Term, good. Bail Bonds taken by a Judge before the 11th of *December*, and Commitments upon them, good. The Time betwixt the 10th of *December* and 12th of *March* not reckoned in *Quare Impedit* or Statute of Limitations. 2 Vent. 185, 197. 3 Lev. 283.

## CAP. V.

EXP.

An Act for puniſhing Officers and Soldiers who ſhall mutiny or deſert their Majeſties Service, to continue till *November* 1689, and no longer.

## CAP. VI.

An Act for eſtabliſhing the Coronation Oath.

"WHEREAS by the Law and ancient Uſage of this Realm, the Kings and Queens thereof have taken a ſolemn Oath upon the Evangeliſts at their reſpective Coronations, to maintain the Statutes, Laws, and Cuſtoms of the ſaid Realm, and all the People and Inhabitants thereof, in their Spiritual and Civil Rights and Properties: But foraſmuch as the Oath itſelf on ſuch Occaſion adminiſtred, hath heretofore been framed in doubtful Words and Expreſſions, with relation to ancient Laws and Conſtitutions at this Time unknown:' To the End therefore that one uniform Oath may be in all Times to come taken by the Kings and Queens of this Realm, and to them reſpectively adminiſtred at the Times of their and every of their Coronation: May it pleaſe your Majeſties that it may be enacted:

An Oath to be taken by the King and Queen.

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Oath herein mentioned, and hereafter expreſſed, ſhall and may be adminiſtred to their moſt Excellent Majeſties King *William* and Queen *Mary* (whom God long preſerve) at the Time of their Coronation, in the Preſence of all Perſons that ſhall be then and there preſent at the ſolemnizing thereof, by the Archbiſhop of *Canterbury*, or the Archbiſhop of *York*, or either of them, or any other Biſhop of this Realm, whom the King's Majeſty ſhall thereunto appoint, and who ſhall be hereby thereunto reſpectively authorized; which Oath followeth, and ſhall be adminiſtred in this manner; that is to ſay,

The Archbiſhop or Biſhop ſhall ſay,

Coronation Oath.

"III. Will you ſolemnly promiſe and ſwear to govern the People of this Kingdom of *England*, and the "Dominions thereto belonging, according to the Statutes in Parliament agreed on, and the Laws and "Cuſtoms of the ſame?"

The King and Queen ſhall ſay,

"I ſolemnly promiſe ſo to do."

Archbiſhop or Biſhop.

"Will you to your Power cauſe Law and Juſtice in Mercy to be executed in all your Judgements?"

King and Queen.

"I will."

Archbiſhop

Archbiſhop or Biſhop.

" Will you to the utmoſt of your Power maintain the Laws of God, the true Profeſſion of the Goſpel " and the Proteſtant Reformed Religion eſtabliſhed by Law? And will you preſerve unto the Biſhops and " Clergy of this Realm, and to the Churches committed to their Charge, all ſuch Rights and Privileges as " by Law do or ſhall appertain unto them, or any of them?"

King and Queen.

" All this I promiſe to do."

After this, the King and Queen laying his and her Hand upon the Holy Goſpels, ſhall ſay,

King and Queen.

" The Things which I have here before promiſed, I will perform and keep. *So help me God.*"

Then the King and Queen ſhall kiſs the Book.

IV. And be it further enacted, That the ſaid Oath ſhall be in like manner adminiſtred to every King or Queen, who ſhall ſucceed to the Imperial Crown of this Realm, at their reſpective Coronations, by one of the Archbiſhops or Biſhops of this Realm of *England*, for the Time being, to be thereunto appointed by ſuch King or Queen reſpectively, and in the Preſence of all Perſons that ſhall be attending, aſſiſting, or otherwiſe preſent at ſuch their reſpective Coronations; any Law, Statute, or Uſage to the contrary notwithſtanding. All Kings, &c. to take the Oath.

## CAP. VII.

An Act for impowering his Majeſty to apprehend and detain ſuch Perſons as he ſhall find juſt Cauſe to ſuſpect are conſpiring againſt the Government. EXP.

## CAP. VIII.

### An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths.

' WHEREAS by a Statute made in the firſt Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, intituled, *An Act to reſtore to the Crown the ancient Juriſdiction over the Eſtate Eccleſiaſtical and Spiritual, and aboliſhing all Foreign Powers repugnant to the ſame*,' the Perſons therein mentioned ' were obliged to take an Oath therein mentioned, commonly called the *Oath of Supremacy*: And whereas ' by another Statute made in the third Year of the Reign of our late Sovereign Lord King *James* the Firſt, ' intituled, *An Act for the better diſcovering and repreſſing Popiſh Recuſants*,' another Oath, commonly called ' the *Oath of Allegiance* or *Obedience*,' was required to be taken by the Perſons therein mentioned:' 1 Eliz. c. 1. 3 Jac. 1. c. 4.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth no Perſon whatſoever ſhall be obliged to take the ſaid Oaths, or either of them, by force or virtue of the ſaid Statutes, or either of them, or any other Statute whatſoever, but that the ſaid Statutes, and every other Statute, for ſo much only as concerns the ſaid Oaths, and the ſaid Oaths themſelves, ſhall be and are hereby repealed, utterly abrogated, and made void. The old Oaths of Allegiance and Supremacy abrogated. 1 *Hale's P. C.* 62.

III. And be it further enacted by the Authority aforeſaid, That the Oaths appointed by this preſent Act to be taken, and the Declaration likewiſe appointed by this preſent Act to be made, repeated, and ſubſcribed, ſhall, from and after the firſt Day of *May* in the Year one thouſand ſix hundred eighty-nine, be taken, made, repeated, and ſubſcribed by every ſuch Perſon and Perſons as were appointed and required by any Act or Acts whatſoever, to take the ſaid abrogated Oaths of Supremacy and Allegiance, or either of them, before ſuch Perſon or Perſons, as hereafter in this Act is expreſſed; that is to ſay, all and every Archbiſhop and Biſhop that now is, and all and every Perſon, of or above the Degree of a Baron of Parliament, in their Majeſties High Court of Chancery, or in their Majeſties Court of King's Bench, in publick and open Court, between the Hours of nine of the Clock and twelve in the Forenoon, before the End of *Trinity* Term next, or at the General Quarter-Seſſions to be holden for that County or Place where he or they ſhall be, inhabit, or reſide, in open Court, between the ſaid Hours of nine and twelve of the Clock in the Forenoon, before the firſt Day of *Auguſt* next; all which ſhall be put on Record in the reſpective Courts. The new Oaths and Declaration by whom and how to be taken.

IV. And all and every other ſuch Perſon and Perſons ſhall take the ſaid Oaths, and make, repeat, and ſubſcribe the ſaid Declaration by this preſent Act required to be taken, made, and ſubſcribed, before ſuch Perſon or Perſons reſpectively, as by any Act or Acts were authorized or impowered to tender the ſaid Oath of Allegiance now abrogated and made void; which ſaid Perſon or Perſons ſo reſpectively authorized to miniſter or tender the ſaid Oaths and Declaration, are hereby required to miniſter and tender the ſame accordingly. Before whom the new Oaths are to be taken, and Declaration to be made and ſubſcribed.

All Persons which shall be in Office shall take the Oaths, &c.

V. And be it further enacted by the Authority aforesaid, That all Persons (other than such concerning whom other Provision shall be made in this Act, or in any other Act of this present Session of Parliament) that shall hereafter be admitted into any Office or Employment Ecclesiastical or Civil, or come into any Capacity, in respect or by reason whereof they should have been obliged by any Statute to take the said abrogated Oaths, or either of them, shall take the Oaths hereby appointed, in such Manner, at such Times, before such Persons, and in such Courts and Places, as they should or ought to have taken the said former Oaths, or either of them, in case the same had not been abrogated, as aforesaid. And that every such Person, who shall neglect or refuse to take the same, shall incur and be liable to the same Penalties, Forfeitures, Disabilities, and Incapacities, as by any such Statute was appointed, for or upon Neglect, or Refusal to take the said former Oaths hereby abrogated, or either of them.

The Penalty for Neglect.

Persons now in Office neglecting, the Office to be void.

VI. And be it further enacted, That if any Person now having any Office or Employment, civil or military, shall neglect or refuse to take the said Oaths hereby appointed to be taken, in such Manner as by this Act is directed, before the first Day of *August* in the Year one thousand six hundred eighty-nine, or sooner if required thereunto by any Order from his Majesty in Council, before such Persons as by the said Order shall be appointed to take and receive the same, that in every such Case the said Office and Employment of every Person so neglecting or refusing, shall be void, and is hereby adjudged void.

Ecclesiastical Persons now in Benefice, &c. neglecting, to be suspended, &c.

VII. And be it further enacted by the Authority aforesaid, That if any Archbishop or Bishop, or any other Person now having any Ecclesiastical Dignity, Benefice, or Promotion, shall neglect or refuse to take the Oaths by this Act appointed to be taken, in such Manner as by this Act is directed, before the first Day of *August* in the Year one thousand six hundred eighty-nine, every such Person and Persons so neglecting or refusing, shall be, and is, and are hereby declared and adjudged to be, suspended from the Execution of his or their Office by the Space of six Months, to be accounted from the said first Day of *August*: And if the said Person or Persons (so having neglected or refused) shall not within the said Space of six Months take the said Oaths in such Manner, Court, or Place, as they ought to have taken the same, before the said first Day of *August*; then he or they shall be *ipso facto* deprived, and is, and are hereby adjudged to be deprived of his and their Offices, Benefices, Dignities, and Promotions Ecclesiastical.

Persons who are now Masters of Colleges, &c. neglecting, how punished.

VIII. And be it further enacted, That if any Person or Persons now being Master, Governor, Head, or Fellow of any College or Hall, in either of the Two Universities, or of any other College, or Master of any Hospital or School, or Professor of Divinity, Law, Physick, or other Science in either of the said Universities, or in the City of *London*, shall neglect or refuse to take the Oaths by this Act appointed to be taken, in such Manner, and before such Persons as by this Act is directed, before the first Day of *August* in the Year one thousand six hundred eighty-nine; every such Person and Persons so neglecting or refusing, shall be, and is and are hereby declared and adjudged to be, suspended from the Execution of his or their Office and Employment, and from his or their Mastership, Government, Fellowship, and Professorship respectively, for the Space of six Months, to be accounted from the said first Day of *August*: And if the said Person or Persons (so having neglected or refused) shall not within the said Space of six Months take the said Oaths in such Court or Place, and before such Persons, and in such Manner, as they ought to have taken the same before the said first Day of *August*, that in every such Case the said Office and Employment, Mastership, Government, Fellowship, and Professorship of every Person so neglecting or refusing, shall be void, and is hereby adjudged void.

Persons refusing to take the Oaths upon Tender, to be committed.

IX. And be it further enacted, That if any such other Person or Persons (other than the Persons specially above-mentioned) shall refuse to take the said Oaths, or either of them, when tendred to him or them by any Persons lawfully authorized, as is aforesaid, to administer or tender the same; the Person or Persons so tendring the said Oaths, or either of them, shall commit the said Person and Persons so refusing to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for the Space of three Months, unless such Offender shall pay down to the said Person or Persons so tendring the said Oaths, or either of them, such Sum of Money, not exceeding forty Shillings, as the said Person or Persons so tendring the said Oaths, or either of them, shall require such Offender to pay for his or her said Refusal; which Money shall be paid to the Churchwardens or Overseers of the Poor, for the Relief of the Poor of the Parish or Place where such Offender did last inhabit: And if at the End of three Months after such Refusal, the Person and Persons so refusing shall again refuse to take the said Oaths, or either of them, when lawfully tendered to him or them, as is aforesaid; the said Person or Persons so tendring the said Oaths, or either of them, shall commit the said Person and Persons so refusing to the Common Gaol or House of Correction, there to remain for the Space of six Months, unless every such Offender shall pay down to the Person or Persons so tendring the said Oaths, or either of them, such Sum of Money, not exceeding ten Pounds, nor under five Pounds, as the said Person or Persons so tendring the said Oaths, or either of them, shall require such Offender to pay for his or her said second Refusal; the said Money to be disposed in Manner aforesaid; and unless every such Offender shall become bound with two sufficient Sureties, with Condition to be of the good Behaviour, and also to appear at the next Assizes or General Gaol Delivery to be holden for the County, Liberty, or Place where such Offender shall then inhabit or reside; at which Assizes or Gaol Delivery the said Oaths shall be again tendred to every such Offender by the Justices of Assizes or Gaol Delivery, in their open Assizes or Gaol Delivery; and if the said Offender shall refuse to take the said Oaths, or either of them, when tendred to him or her by the said Justices of Assizes or Gaol Delivery, as is aforesaid, then every Person and Persons so refusing, shall be and is and are hereby adjudged incapable of any Office, civil or military, within this Kingdom, and shall likewise be and remain bound to the good Behaviour, until he or they do take the said Oaths. And in case such Person

Second Refusal.

Third Refusal. Penalty for Refusing Declaration. 30 Car. 2. stat. 2. c. 1.

Perſon or Perſons ſhall refuſe alſo to make and ſubſcribe the Declaration mentioned in the Statute made in the thirtieth Year of the Reign of King *Charles* the Second, intituled, *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament*, ſuch Perſon and Perſons ſhall ſuffer all Pains, Penalties, Forfeitures, and Diſabilities as a Popiſh Recuſant Convict, and be taken and deemed a Popiſh Recuſant Convict, to all Intents and Purpoſes whatſoever.

Land and Sea Officers to take the Oaths and Declaration.

X. And be it further enacted by the Authority aforeſaid, That all and every Commiſſion-officer and Officers, and Non-commiſſion or Warrant-officer and Officers, that are already imployed in their Majeſties Service by Sea or Land, ſhall take the ſaid Oaths, and alſo make, repeat, and ſubſcribe the Declaration mentioned in the ſaid Statute made in the thirtieth Year of the Reign of King *Charles* the Second, before the Lord High Admiral of *England*, or the Commiſſioners for executing the Office of Lord High Admiral, or their Deputies, or ſuch other Perſons as their Majeſties ſhall authorize or appoint to adminiſter and accept the ſame reſpectively; and that all and every ſuch Perſon and Perſons as ſhall hereafter be put into any ſuch Imployment by Sea or Land, ſhall, before the Delivery of ſuch Commiſſion or Warrant to ſuch Officer, take the ſaid Oaths, and make, repeat, and ſubſcribe the ſaid Declaration before the Lord High Admiral, or Commiſſioners of the Admiralty, or their Deputies, as aforeſaid, or ſuch Perſon as ſhall iſſue ſuch Commiſſion or Warrant, or ſuch others as ſhall be authorized to adminiſter the ſame as aforeſaid reſpectively, who are hereby reſpectively authorized and required to tender, adminiſter, and accept the ſame; and all and every ſuch Officer or Officers, that ſhall refuſe to take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration, ſhall be incapable of receiving, taking, holding, or executing ſuch Office or Imployment.

Penalty.

The Oath and Declaration appointed by two Acts of 13 & 14 Car. 2. c. 3 & 4. made void.

XI. And be it further enacted, That the Oath appointed by the Statute made in the thirteenth and fourteenth Years of King *Charles* the Second, intituled, *An Act for ordering the Forces in the ſeveral Counties of this Kingdom*, the Form and Words of which Oath are in the ſame Statute expreſſed; and alſo ſo much of a Declaration preſcribed in another Act made in the ſame Year, intituled, *An Act for the Uniformity of Publick Prayers, and Adminiſtration of the Sacraments, and other Rites and Ceremonies: And for eſtabliſhing the Form of making, ordaining, and conſecrating Biſhops, Prieſts, and Deacons, in the Church of* England, as is expreſſed in theſe Words, *(viz.)*

'I *A. B.* declare, That it is not lawful upon any Pretence whatſoever to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are commiſſioned by him:'

ſhall not from henceforth be required or enjoined, nor any Perſon ſuffer any Forfeiture, Penalty, or Loſs, by the not taking, ſubſcribing, or making the ſaid Oath, or the ſaid recited Part of the ſaid Declaration; the laſt fore-mentioned Statutes, or any other Law or Statute to the contrary in any wiſe notwithſtanding.

Oaths by this Act.

XII. And be it enacted, That the Oaths that are intended and required to be taken by this Act, are the Oaths in theſe expreſs Words hereafter following;

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance, to their Majeſties King *William* and Queen *Mary*:'

*So help me God*, &c.

'I *A. B.* do ſwear, That I do from my Heart abhor, deteſt, and abjure, as impious and heretical, that damnable Doctrine and Poſition, *That Princes excommunicated or deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever.*

'And I do declare, That no Foreign Prince, Perſon, Prelate, State, or Potentate, hath or ought to have any Juriſdiction, Power, Superiority, Pre-eminence or Authority, Eccleſiaſtical or Spiritual, within this Realm:

*So help me God*, &c.'

Names of Perſons who take the Oaths to be inrolled,

XIII. And be it further enacted by the Authority aforeſaid, That the Names of all and ſingular ſuch Perſons and Officers aforeſaid, that do or ſhall, in the Court of Chancery, King's Bench, or Quarter-Seſſions, take the Oaths by this Act required or appointed to be taken, ſhall be in the ſaid reſpective Courts of Chancery and King's Bench, and the Quarter-Seſſions, inrolled with the Day and Time of their taking the ſame, in Rolls made and kept only for that Intent and Purpoſe, and for no other. The which Rolls, as for the Court of Chancery, ſhall be publickly hung up in the Office of the Petty-bag; and the Rolls for the King's Bench, in the Crown Office of the ſaid Court; and in ſome publick Place in every Quarter-Seſſions, and there remain during the whole Term, every Term, and during the whole Time of the ſaid Seſſions, in every Quarter-Seſſions, for every one to reſort to, and look upon without Fee or Reward. And none of the Perſon or Perſons aforeſaid ſhall give or pay, as any Fee or Reward to any Officer or Officers belonging to any of the Courts, as aforeſaid, above the Sum of twelve Pence for his or their Entry of his or their taking of the ſaid Oaths by this Act required or appointed to be taken.

to be viewed without Fee.

Twelve Pence for the Oath.

Proviſion for Members of Corporations who could not take the abro-

'XIV. And whereas ſince the eleventh Day of *December* in the Year of our Lord one thouſand ſix hundred eighty-eight, the ſaid abrogated Oaths could not be taken by any Perſon that was elected or placed in any Office of Magiſtracy, or Place of Truſt relating to or concerning the Government of any City,

gated Oaths since December last. 13 Car. 2. stat. 2. c. 1.

'Corporation, Borough, Cinque-Port, or their Members, or other Port-Town, at the Time of his being 'admitted and sworn into such Office, Place, or Employment, by reason whereof his said Election, Placing, 'and Choice into such Office or Employment, by one Act, intituled, *An Act for the well governing of Corpo-'rations*, is enacted and declared to be void;' Be it therefore enacted by the Authority aforesaid, That if any such Officer shall, before the first Day of *August* in the Year of our Lord one thousand six hundred eighty nine, take the Oaths herein mentioned and required to be taken, before such Person or Persons, who by the said Act should have administred the said abrogated Oaths, at the Time of his Admission into such Office or Employment, the said Election and Placing into such Office or Employment shall be taken and adjudged to be as good and effectual, as if he had taken the said abrogated Oaths; any thing in the said Act, or in any other Statute to the contrary in any wise notwithstanding.

Provision for Officers who could not take the abrogated Oaths since Michaelmas last. 25 Car. 2. c. 2.

'XV. And whereas since the Feast of *St. Michael* last past, divers Persons have been admitted into Offices, 'Employments, or Places of Trust, and could not take the said abrogated Oaths, and subscribe the Declaration at such Time, and in such Manner, as is directed and appointed by one Act made the five and 'twentieth of the late King *Charles* the Second, intituled, *An Act for preventing of Dangers that may happen 'from Popish Recusants*;' Be it therefore enacted by the Authority aforesaid, That if any such Person shall, before the End of *Trinity* Term next, in the High Courts of Chancery or King's Bench, or before the first of *August* in the Year of our Lord one thousand six hundred eighty-nine, at the Quarter-Sessions for that County or Place where he or they shall inhabit or reside, or execute the said Office or Employment, take the Oaths in this Act mentioned and appointed to be taken, and repeat and subscribe the said Declaration, and take the Sacrament of the Lord's Supper according to the Usage of the Church of *England*, and procure Certificate thereof, in such Manner as in the said Act is required, directed, and appointed, that then such Person shall and is hereby indemnified and discharged from any Penalty or Disability that he might or should have incurred by the said Act, and shall and is hereby adjudged to have been and be as good and sufficient an Officer from the Time of his Admission, as if he had taken the said abrogated Oaths, and performed all other Things required by the said Act; any thing to the contrary in any wise notwithstanding.

King may allow to 12 of the Nonjurant Clergy Subsistence.

XVI. Provided always, and be it enacted by the Authority aforesaid, That it be left to the King, to allow to such of the Clergy as shall refuse the Oaths prescribed by this Act, as he shall think fit, not exceeding the Number of twelve, an Allowance out of their Ecclesiastical Benefices or Promotions for their Subsistence, not exceeding a third Part, and to continue during his Majesty's Pleasure, and no longer.

## CAP. IX.

### An Act for the amoving Papists, and reputed Papists, from the Cities of *London* and *Westminster*, and ten Miles Distance from the same.

*Ecc. Abr.* 784 & 786. *Burn, V.* 2. 318.

'WHEREAS the great Numbers of Papists resorting to the Cities of *London* and *Westminster* are and for a long Time have been found dangerous to the Peace and Safety of this Kingdom:' For the better Preservation of the common Safety, and avoiding their mischievous Practices and Designs:'

Lord Mayor, &c. may tender Declaration of 30 Car. 2. to Papists or so reputed.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the better discovering and amoving all Papists and reputed Papists out of the said Cities, and ten Miles of the same, it shall and may be lawful, and it is hereby required, that the Lord Mayor of *London* for the Time being, and every Justice of the Peace of the City of *London*, and for

Sussex mistaken for Essex, infra, §. 1. c. 17.

the City and Liberties of *Westminster*, and Borough of *Southwark*, and of the Counties of *Middlesex*, *Surrey*, *Kent*, and *Sussex*, within their respective Counties, Cities, Boroughs, and Limits, do from Time to Time cause to be arrested and brought before him every Person or Persons, not being a Merchant Foreigner, within the said Cities, or within ten Miles of the same, as are or are reputed to be Papists, and tender unto him the Declaration mentioned in the Statute made in the thirtieth Year of King *Charles* the Second, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament:* And in case such Person, upon such Tender, refuse audibly and solemnly to repeat, make, and subscribe the said Declaration, and shall after such Refusal remain, continue, or be within the said City or Cities, or ten Miles Distance from the same, that in every such Case he or she shall forfeit and suffer, as a Popish Recusant Convict by the Laws already established shall or may forfeit or suffer.

30 Car. 2. stat. 2. c. 1.

Penalty for Refusal.

Justices of Peace shall certify Subscribers and Refusers into the King's Bench, &c.

III. And it is hereby further enacted, That every Justice of Peace shall and do certify all and every Subscription before him by virtue of this Act taken, and likewise the Names of all and every Person refusing to repeat, take, make, or subscribe, as aforesaid, upon Tender, under the Hand and Seal of the said Justice, into the Court of King's Bench, the next Term, or else at the next Quarter-Sessions that shall be of or for the County or Place where such Taking, Subscribing, or Refusal shall happen: And if the said Person, so refusing and certified, shall not, within the next Term or Sessions after such Refusal, appear in the Court of King's Bench or Sessions where such Certificate shall be returned, and in open Court audibly and solemnly repeat, take, make, and subscribe the Declaration aforesaid, and indorse or enter his so doing upon the Certificate so returned, shall be, from the Time of such his Neglect or Refusal, taken, esteemed, and adjudged a Popish Recusant Convict, and as such to forfeit and be proceeded against.

Penalty upon Person certified to have refused, if he take not the Oaths next Term, &c.

IV.

IV. Provided always, That this Act shall not extend to such Person or Persons as now use any Trade, Mystery, or manual Occupation within the said Liberties of *London* and *Westminster*, or within ten Miles of the same; nor to such as within six Months before the thirteenth Day of *February* one thousand six hundred eighty-eight, had their Dwellings or Places of Abode within the said Cities, or ten Miles Compass of the same, not having any Dwelling or Place of Abode elsewhere, so as he or they before the first Day of *August* one thousand six hundred eighty-nine, do certify his or their Names, Additions, and Places of Abode, at the Sessions of the Peace to be held for the said respective Cities, Counties, or Places: And the Clerk of the Peace shall not take or receive above two Pence for the Entry of the Name, Addition, and Place of Abode of any one Person. Tradesmen, &c. excepted, if they certify their Names, &c. at the Sessions.

V. Provided, That nothing in this Act shall relate to, or have any Effect upon, any Foreigner that is or shall be a menial Servant to any Ambassador, or publick Agent. Ambassadors Servants excepted.

VI. Provided, That nothing in this Act shall relate to, or have any Effect upon, any Person being a natural-born Subject of the King of *Portugal*, who now is, or hereafter shall be, a sworn Servant to the Queen Dowager, nor to any other Servants being natural-born Subjects of their Majesties, as her Majesty the Queen Dowager shall under her Hand and Seal from Time to Time for that Purpose be pleased to nominate, the said Servants so nominated not exceeding the Number of thirty at any one Time, so as none of the said Servants, being natural-born Subjects of their Majesties, be a Jesuit, Priest, Monk, or Fryar; any Law or Statute to the contrary notwithstanding. Queen Dowager's Servants excepted.

## CAP. X.

### An Act for the taking away the Revenue arising by Hearth-money.

'WHEREAS his Majesty, having been informed that the Revenue of Hearth-money was grievous to the People, was pleased by his gracious Message sent to the Commons assembled in Parliament, to signify his Pleasure, either to agree to a Regulation of it, or to the taking it wholly away, as should be thought most convenient by the said Commons: And whereas upon mature Deliberation, the said Commons do find, That the said Revenue cannot be so regulated, but that it will occasion many Difficulties and Questions, and that it is in itself, not only a great Oppression to the poorer Sort, but a Badge of Slavery upon the whole People, exposing every Man's House to be entred into and searched at Pleasure, by Persons unknown to him:

'II. We your Majesty's most dutiful and loyal Subjects the Commons, being filled with a most humble and grateful Sense of your Majesty's unparallelled Grace and Favour to your People, not only by restoring their Rights and Liberties, which have been invaded contrary to Law, but in desiring to make them happy and at Ease, by taking away such Burdens as by Law were fixed upon them, by which your Majesty will erect a lasting Monument of your Goodness in every House in the Kingdom; do most humbly beseech your Majesty, That the said Revenue of Hearth-money may be wholly taken away and abolished.

## CAP. XI.

An Act for the explaining and making effectual a Statute made in the first Year of King *James* the Second, concerning the Haven and Piers of *Great Yarmouth*. The Mayor's Power given to the Bailiffs. All Officers may execute the Powers thereby given. Money to be paid to Persons appointed by the Bailiffs, *&c.* PR. 1 Jac. 2 c. 16.

## CAP. XII.

### An Act for the encouraging the Exportation of Corn.

'FOrasmuch as it hath been found by Experience, that the Exportation of Corn and Grain into foreign Parts, when the Price thereof is at a low Rate in this Kingdom, hath been a great Advantage, not only to the Owners of Land, but to the Trade of this Kingdom in general:' 15 *Car.* 2. *c.* 7.

II. Be it therefore enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, now assembled in Parliament, and by the Authority of the same, That when Malt or Barley, *Winchester* Measure, is or shall be at four and twenty Shillings *per* Quarter, or under; Rye at two and thirty Shillings *per* Quarter, or under; and Wheat at eight and forty Shillings a Quarter, or under; in any Port or Ports of this Kingdom, or Dominion of *Wales*; every Merchant or other Person, who shall put on Ship-board in *English* Shipping, the Master and two thirds of his Mariners at least being their Majesties Subjects, any Sorts of the Corn aforesaid, from any such Ports where the Rates shall not then be higher than as aforesaid, with Intent to export the said Corn to Parts beyond the Seas: Every such Merchant or other Person shall bring a Certificate in Writing under his or their Hands, containing the Quantity and Quality of Corn so shipped, to the Farmers, Commissioners, Collectors, or other Persons appointed, or to be appointed, for the Time being, to collect the Duties and Rates arising by Customs within any such Port, and upon Proof made of any such Certificate by one or more credible Person or Persons upon their Oaths, which Oaths the said Persons exporting Corn at such a Rate shall have a Reward. Rates of Corn. *Burn, V.* 1. 249. Exporter gives Certificate of Quantity, and Bond to export. See farther Provisions relating hereto, 2 Geo. 2. c. 18.

ſaid Commiſſioners or other Perſons are hereby authorized and required to adminiſter, and upon Bond given by every ſuch Merchant, or other Perſon, in the Sum of two hundred Pounds at the leaſt for every hundred Tons of Corn ſo ſhipped, and ſo proportionably, that the ſaid Corn (Danger of the Seas excepted) ſhall be exported into Parts beyond the Seas, and not be again landed in the Kingdom of *England*, Dominion of *Wales*, the Iſlands of *Guernſey* and *Jerſey*, or Town of *Berwick* upon *Tweed:* Every ſuch Merchant ſo ſhipping off any of the aforeſaid Corn, and giving Certificate and Bond, as aforeſaid, ſhall have and receive from ſuch Farmers, Commiſſioners, Collectors, or other Perſons in any Port reſpectively, where the ſame Corn ſhall be ſo ſhipped, for every Quarter of Barley or Malt, ground or unground, two Shillings and Six-pence; for every Quarter of Rye, ground or unground, three Shillings and Six Pence; for every Quarter of Wheat, ground or unground, five Shillings: Which Sum or Sums every ſuch Commiſſioner, Farmer, or other Perſon, are hereby authorized and required, upon Demand by ſuch Exporter, to make preſent Payment of accordingly, without taking or requiring any Thing for Cuſtom, or any Fee or Reward for Corn ſo laden to be exported, or for ſo much Grain as ſhall be exported in any Ship wherein any other Goods ſhall be ſhipped; any Law, Statute, or Uſage in any wiſe to the contrary notwithſtanding: And upon Certificate returned under the Common Seal of the Chief Magiſtrate in any Place or Places beyond the Seas, or under the Hands and Seals of two known *Engliſh* Merchants upon the Place, that ſuch Corn was there landed, or upon Proof by credible Perſons, that ſuch Corn was taken by Enemies, or periſhed in the Seas, the Examination and Proof thereof being left to the Judgement of ſuch Commiſſioners, Farmers, Collectors, or other Perſons; which Proof being made, or Certificate delivered to ſuch Perſon or Perſons reſpectively, as took Bond, as aforeſaid, the ſaid Bond ſhall be delivered up to ſuch Importer or his Order, to be cancelled, without any Fee for the ſame: And the Monies by any ſuch Commiſſioners, Farmers, Collectors, or other Perſon, ſo paid in Obedience to this Act, ſhall be accepted of in his or their Accounts, as ſo much paid to their Majeſties, and he and they is and ſhall be diſcharged therefore accordingly.

Reward paid to the Exporter by the Collectors. See farther Proviſions as to Malt, by 5 Annæ, c. 29. §. 15. & 12 Annæ, ſtat. 1. c. 2. §. 29.

Exporters Bond how diſcharged. Further provided for by 12 & 13 W. 3. c. 10.

Collectors allowed the Money in their Accounts.

*See farther* 5 *An.* c. 29. 2 *Geo.* 2. c. 18. 5 *Geo.* 2. c. 12. 11 *Geo.* 2. c. 22. 24 *Geo.* 2. c. 56. *and* 26 *Geo.* 2. c. 15.

## CAP. XIII.

An Act for raiſing Money by a Poll, and otherwiſe, towards the reducing of *Ireland*. EXP.

## CAP. XIV.

An Act for preventing Doubts and Queſtions concerning the collecting the publick Revenue. EXP.

## CAP. XV.

An Act for the better ſecuring the Government by diſarming Papiſts and reputed Papiſts.

Two Juſtices of Peace may tender Declaration of 30 Car. 2. to Papiſts, &c. For Scotland, ſee 1 Geo. 1. ſtat. 2. c. 20. §. 16. 30 Car. 2. ſtat. 2. c. 1.

FOR the better ſecuring of the Government againſt Papiſts and reputed Papiſts:

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That it ſhall and may be lawful for any two or more Juſtices of the Peace, who ſhall know or ſuſpect any Perſon to be a Papiſt, or ſhall be informed that any Perſon is, or is ſuſpected to be a Papiſt, to tender, and they are hereby authorized and required forthwith to tender to ſuch Perſon ſo known or ſuſpected to be a Papiſt, the Declaration ſet down and expreſſed in an Act of Parliament made in the thirtieth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament*, to be by him made, repeated, and ſubſcribed: And if ſuch Perſon ſo required ſhall refuſe to make, repeat, and ſubſcribe the ſaid Declaration, or ſhall not make, repeat, and ſubſcribe the ſaid Declaration, or ſhall refuſe or forbear to appear before the ſaid Juſtices, for the making, repeating, and ſubſcribing the ſaid Declaration, upon Notice to him given or left at his uſual Place of Abode, by any Perſon authorized in that Behalf, by Warrant under the Hands and Seals of the ſaid two Juſtices, ſuch Perſon from thenceforth ſhall be taken to be, and is hereby declared to be, liable and ſubject to all and every the Penalties, Forfeitures, and Diſabilities hereafter in this Act mentioned.

Penalty upon Refuſers.

Juſtices of Peace ſhall certify the Subſcribers and Refuſers to the Seſſions.

III. And be it hereby further enacted, That the ſaid Juſtices of Peace ſhall certify the Name, Surname, and uſual Place of Abode of every Perſon, who being required, ſhall refuſe or neglect to make, repeat, and ſubſcribe the ſaid Declaration, or to appear before them for the making, repeating, and ſubſcribing the ſaid Declaration, as alſo of every Perſon who ſhall make, repeat, and ſubſcribe the ſaid Declaration, at the next General Quarter-Seſſions to be holden for the Shire, Riding, Diviſion, or Liberty, for which they ſhall be Juſtices of the Peace, to be there recorded by the Clerk of the Peace, or Town Clerk, and kept amongſt the Records of the ſaid Seſſions.

Refuſer ſhall keep no Arms. *Bac. V.* 3. 783. *Burn. V.* 2. 323

IV. And for the better ſecuring their Majeſties Perſons and Government; be it further enacted and declared, That no Papiſt or reputed Papiſt, ſo refuſing or making Default, as aforeſaid, ſhall or may have or keep in his Houſe, or elſewhere, or in the Poſſeſſion of any other Perſon to his Uſe, or at his Diſpoſition, any Arms, Weapons, Gunpowder, or Ammunition (other than ſuch neceſſary Weapons, as ſhall be allowed to him by Order of the Juſtices of the Peace, at their General Quarter-Seſſions, for the Defence of his Houſe or Perſon) and that any two or more Juſtices of the Peace, from time to time, by Warrant

under their Hands and Seals, may authorize and impower any Perſon or Perſons in the Day-time, with the Aſſiſtance of the Conſtable or his Deputy, or the Tythingman, or Headborough, where the Search ſhall be (who are hereby required to be aiding and aſſiſting herein) to ſearch for all Arms, Weapons, Gunpowder, or Ammunition, which ſhall be in the Houſe, Cuſtody, or Poſſeſſion of any ſuch Papiſt or reputed Papiſt, and ſeize the ſame for the Uſe of their Majeſties, and their Succeſſors; which ſaid Juſtices of the Peace ſhall from time to time, at the next General Quarter-Seſſions to be held for the County, Riding, Diviſion, or Liberty, where ſuch Seizure ſhall be made, deliver the ſaid Arms, Weapons, Gunpowder, and Ammunition, in open Court, for the Uſe aforeſaid. Two Juſtices of Peace may ſeize Arms.

V. And be it further enacted, That every Papiſt, or reputed Papiſt, who ſhall not, within the Space of ten Days after ſuch Refuſal or making Default as aforeſaid, diſcover and deliver, or cauſe to be delivered, to ſome of their Majeſties Juſtices of the Peace, all Arms, Weapons, Gunpowder, or Ammunition whatſoever, which he ſhall have in his Houſe or elſewhere, or which ſhall be in the Poſſeſſion of any Perſon to his Uſe, or at his Diſpoſition, or ſhall hinder or diſturb any Perſon or Perſons, authorized by Warrant under the Hands and Seals of any two Juſtices of the Peace, to ſearch for and ſeize the ſame, that every ſuch Perſon ſo offending, contrary to the Statute in this Behalf made, ſhall be committed to the common Gaol of the County or Place where he ſhall commit ſuch Offence, by Warrant under the Hands and Seals of any two Juſtices of the Peace, there to remain, without Bail or Mainprize, for the Space of three Months, and ſhall alſo forfeit and loſe the ſaid Arms, and pay treble the Value of them to the Uſe of their Majeſties, and their Succeſſors, to be appraiſed by the Juſtices of the Peace, at the next General Quarter Seſſions to be held for the ſaid County, Riding, or Diviſion, to their Majeſties and their Succeſſors. Penalty upon Refuſer for not diſcovering or hindring the Search for his Arms.

VI. And be it further enacted, That every Perſon who ſhall conceal, or be privy, or aiding, or aſſiſting to the concealing, or who knowing thereof, ſhall not diſcover or declare to ſome of their Majeſties Juſtices of the Peace, the Arms, Weapons, Gunpowder, or Ammunition of any Perſon ſo refuſing, or making Default, as aforeſaid, or ſhall hinder or diſturb any Perſon or Perſons, authorized as aforeſaid, in ſearching for, taking, and ſeizing the ſame, ſhall be committed to the Common Gaol of the County or Place where he ſhall commit ſuch Offence, by Warrant under the Hands and Seals of any two Juſtices of the Peace, there to remain without Bail or Mainprize for the Space of three Months; and ſhall alſo forfeit and loſe treble the Value of the ſaid Arms to their Majeſties and their Succeſſors. Penalty upon Concealers of Arms.

VII. And be it further enacted, That if any Perſon or Perſons ſhall diſcover any concealed Arms, Weapons, Ammunition, or Gunpowder, belonging to any refuſing or making Default as aforeſaid, ſo as the ſame may be ſeized as aforeſaid, for the Uſe of their Majeſties and their Succeſſors, the Juſtices of the Peace, upon Delivery of the ſame at the General Quarter-Seſſions as aforeſaid, ſhall have Power, and they are hereby required, as a Reward for ſuch a Diſcovery, by Order of Seſſions, to allow to him or them a Sum of Money, amounting to the full Value of the Arms, Weapons, Ammunition, or Gunpowder ſo diſcovered; the ſaid Sum to be aſſeſſed by the Judgment of the ſaid Juſtices at their ſaid Seſſions, and to be levied by Diſtreſs and Sale of the Goods of the Perſon offending againſt this Act, rendring the Overplus which ſhall ariſe by ſuch Sale, above the ſaid Sum ſo allowed, and above the neceſſary Charges of taking ſuch Diſtreſs, to the Owner. Reward to Diſcoverer of Refuſers Arms.

VIII. Provided always, That if any Perſon, who ſhall have refuſed or made Default as aforeſaid, ſhall deſire to ſubmit and conform, and for that Purpoſe ſhall preſent himſelf before the Juſtices of Peace, at the General Quarter-Seſſions to be holden for the County, Riding, Diviſion, or Liberty, where his Refuſal, or making Default, as aforeſaid, ſhall be certified as aforeſaid, and ſhall there in open Court make, repeat, and ſubſcribe the ſaid Declaration contained in the ſaid Act, made in the ſaid thirtieth Year of the Reign of the ſaid late King *Charles* the Second, and take the ſeveral Oaths contained in an Act made in this preſent Parliament, intituled, *An Act for removing and preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament*; he ſhall from thenceforth be diſcharged of and from all Diſabilities and Forfeitures, which he might or ſhould be liable to for the future, by reaſon of his Refuſal or Default as aforeſaid. Refuſers ſubſcribing the Declaration, Penalty diſcharged. Supra c. 1.

IX. And be it further enacted, That no Papiſt, or reputed Papiſt, ſo refuſing or making Default as aforeſaid, at any Time after the fifteenth Day of *May* in the Year of our Lord one thouſand ſix hundred eighty-nine, ſhall or may have or keep, in his own Poſſeſſion, or in the Poſſeſſion of any other Perſon to his Uſe, or at his Diſpoſition, any Horſe or Horſes, which ſhall be above the Value of five Pounds, to be ſold; and that any two or more Juſtices of the Peace, from time to time, by Warrant under their Hands and Seals, may and ſhall authorize any Perſon or Perſons, with the Aſſiſtance of the Conſtable or his Deputy, or the Tythingman, or Headborough, when the Search ſhall be (who are hereby required to be aiding and aſſiſting herein) to ſearch for and ſeize, for the Uſe of their Majeſties and their Succeſſors, all ſuch Horſes; which Horſes are hereby declared to be forfeited to their Majeſties and their Succeſſors. Papiſts Horſes above 5 l. Value forfeited.

X. And be it further enacted, that if any Perſon ſhall conceal, or be aiding or aſſiſting in the concealing any ſuch Horſe or Horſes belonging to any Papiſt, or reputed Papiſt, ſo refuſing or making Default as aforeſaid, after the ſaid fifteenth Day of *May*, ſuch Perſon ſhall be committed to Priſon by ſuch Warrant as aforeſaid, there to remain without Bail or Mainprize by the Space of three Months, and ſhall alſo forfeit and loſe to their Majeſties and their Succeſſors treble the Value of ſuch Horſe or Horſes; which Value is to be ſettled as aforeſaid. Penalty upon Concealer of Papiſts Horſes.

CAP.

## CAP. XVI.

### An Act that the Simoniacal Promotion of one Person may not prejudice another.

31 *El. c.* 6. 'WHEREAS it hath often happened, that Persons Simoniack or Simoniacally promoted to Benefices or Ecclesiastical Livings, have enjoyed the Benefit of such Livings many Years, and sometimes all their Life-time, by reason of the secret Carriage of such Simoniacal Dealing; and after the Death of such Simoniack Person, another Person innocent of such Crime, and worthy of such Preferment, being presented or promoted by another Patron innocent also of that Simoniacal Contract, have been troubled and removed upon Pretence of Lapse (or otherwise) to the Prejudice of the innocent Patron in Reversion, and of his Clerk, whereby the Guilty go away with Profit of his Crime, and the innocent succeeding Patron and his Clerk are punished, contrary to all Reason and good Conscience:'

Simoniacal Contract where it shall not prejudice. *Vin. V.* 19. 455, &c. 2 *Haw. P. C.* 389 & 396.

II. For Prevention whereof, be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the Death of the Person so simoniacally promoted, the Offence or Contract of Simony shall, neither by way of Title in Pleading, or in Evidence to a Jury, or otherwise, hereafter be alledged or pleaded, to the Prejudice of any other Patron innocent of Simony, or of his Clerk by him presented or promoted, upon Pretence of Lapse to the Crown, Metropolitan, or otherwise, unless the Person Simoniack or simoniacally presented, or his Patron, was convicted of such Offence at the Common Law, or some Ecclesiastical Court, in the Life-time of the Person Simoniack or simoniacally promoted or presented; any Law or Statute to the contrary notwithstanding.

Lease made bona fide by Simonist good.

III. And be it also provided, enacted, and declared by the Authority aforesaid, That no Lease or Leases, really and *bona fide* made, or hereafter to be made, by any such Person as aforesaid Simoniack or simoniacally promoted to any Deanery, Prebend, or Parsonage, or other Ecclesiastical Benefice or Dignity, for good and valuable Consideration, to any Tenant or Person not being privy unto, or having Notice of such Simony, shall be impeached or avoided for or by reason of such Simony, but shall be good and effectual in Law, the said Simony notwithstanding.

*See further* 12 *Ann. stat.* 2. *c.* 12.

## CAP. XVII.

### An Act for rectifying a Mistake in a certain Act of this present Parliament, *For the amoving Papists from the Cities of* London *and* Westminster.

Supra c. 9. 'WHEREAS in an Act of this present Parliament, intituled, *An Act for the amoving Papists, and reputed Papists, from the Cities of* London *and* Westminster, *and ten Miles Distance from the same*, the County of *Sussex* is by Mistake in the said Act inserted for the County of *Essex*:'

Sussex changed into Essex.

II. Be it enacted by the King's and Queen's most Excellent Majesties, with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Powers and Authorities by the said recited Act given to the Justices of the Peace of the County of *Sussex*, be and are hereby declared and enacted to extend to the County of *Essex*, and the Justices of Peace of the said County of *Essex*, and Limits thereof.

## CAP. XVIII.

### An Act for exempting their Majesties Protestant Subjects, dissenting from the Church of *England*, from the Penalties of certain Laws.

'FORASMUCH as some Ease to scrupulous Consciences in the Exercise of Religion may be an effectual Means to unite their Majesties Protestant Subjects in Interest and Affection:'

The several Laws not to extend to Dissenters. 23 Eliz. c. 1. 29 Eliz. c. 6.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That neither the Statute made in the three and twentieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act to retain the Queen's Majesty's Subjects in their due Obedience*; nor the Statute made in the twenty-ninth Year of the said Queen, intituled, *An Act for the more speedy and due Execution of certain Branches of the Statute made in the three and twentieth Year of the Queen's Majesty's Reign*, viz. the aforesaid Act; nor that Branch or Clause of a Statute made in the first Year of the Reign of the said Queen, intituled, *An Act for the Uniformity of Common Prayer and Service in the Church, and Administration of the Sacraments*; whereby all Persons, having no lawful or reasonable Excuse to be absent, are required to resort to their Parish Church or Chapel, or some usual Place where the Common Prayer shall be used, upon Pain of Punishment by the Censures of the Church, and also upon Pain that every Person so offending shall forfeit for every such Offence twelve Pence; nor the Statute made in the third Year of the Reign of the late King *James* the First, intituled, *An Act for the better discovering and repressing Popish Recusants*; nor that other Statute made in the same Year, intituled, *An Act to prevent and avoid Dangers*

1 Eliz. c. 2. §. 14.

3 Jac. 1. c. 4. 3 Jac. 1. c. 5.

*which*

*which may grow by Popiſh Recuſants*; nor any other Law or Statute of this Realm made againſt Papiſts or Popiſh Recuſants, except the Statute made in the five and twentieth Year of King *Charles* the Second, intituled, *An Act for preventing Dangers which may happen from Popiſh Recuſants*; and except alſo the Statute made in the thirtieth Year of the ſaid King *Charles* the Second, intituled, *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament*; ſhall be conſtrued to extend to any Perſon or Perſons diſſenting from the Church of *England*, that ſhall take the Oaths mentioned in a Statute made this preſent Parliament, intituled, *An Act for removing and preventing all Queſtions and Diſputes concerning the aſſembling and ſitting of this preſent Parliament*; and ſhall make and ſubſcribe the Declaration mentioned in a Statute made in the thirtieth Year of the Reign of King *Charles* the Second, intituled, *An Act to prevent Papiſts from ſitting in either Houſe of Parliament*; which Oaths and Declaration the Juſtices of Peace at the General Seſſions of the Peace, to be held for the County or Place where ſuch Perſon ſhall live, are hereby required to tender and adminiſter to ſuch Perſons as ſhall offer themſelves to take, make, and ſubſcribe the ſame, and thereof to keep a Regiſter: And likewiſe none of the Perſons aforeſaid ſhall give or pay, as any Fee or Reward, to any Officer or Officers belonging to the Court aforeſaid, above the Sum of Six Pence, nor that more than once, for his or their Entry of his taking the ſaid Oaths, and making and ſubſcribing the ſaid Declaration; nor above the further Sum of Six Pence for any Certificate of the ſame, to be made out and ſigned by the Officer or Officers of the ſaid Court.

Exception. 25 Car. 2. c. 2. 30 Car. 2. ſtat. 2. c. 1. Supra c. 1. 30 Car. 2. ſtat. 2. c. 1. Taking Declaration to be regiſtred. Fee for Regiſter and Certificate.

III. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, already convicted or proſecuted in order to Conviction of Recuſancy, by Indictment, Information, Action of Debt, or otherwiſe, grounded upon the aforeſaid Statutes, or any of them, that ſhall take the ſaid Oaths mentioned in the ſaid Statute made this preſent Parliament, and make and ſubſcribe the Declaration aforeſaid, in the Court of Exchequer, or Aſſizes, or General or Quarter Seſſions to be held for the County where ſuch Perſon lives, and to be thence reſpectively certified into the Exchequer, ſhall be thenceforth exempted and diſcharged from all the Penalties, Seizures, Forfeitures, Judgments, and Executions, incurred by Force of any of the aforeſaid Statutes, without any Compoſition, Fee, or further Charge whatſoever.

Perſons convicted, &c. taking the Oaths, &c. ſhall be diſcharged. *Burn, V.* 1. 274, &c.

IV. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons that ſhall, as aforeſaid, take the ſaid Oaths, and make and ſubſcribe the Declaration aforeſaid, ſhall not be liable to any Pains, Penalties, or Forfeitures, mentioned in an Act made in the five and thirtieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act to retain the Queen's Majeſty's Subjects in their due Obedience*; nor in an Act made in the two and twentieth Year of the Reign of the late King *Charles* the Second, intituled, *An Act to prevent and ſuppreſs ſeditious Conventicles*; nor ſhall any of the ſaid Perſons be proſecuted in any Eccleſiaſtical Court, for or by reaſon of their non-conforming to the Church of *England*.

35 El. c. 1. 22 Car. 2. c. 1. Eccleſiaſtical Court.

V. Provided always, and be it enacted by the Authority aforeſaid, That if any Aſſembly of Perſons diſſenting from the Church of *England* ſhall be had in any Place for religious Worſhip with the Doors locked, barred, or bolted, during any Time of ſuch meeting together, all and every Perſon or Perſons, that ſhall come to and be at ſuch Meeting, ſhall not receive any Benefit from this Law, but be liable to all the Pains and Penalties of all the aforeſaid Laws recited in this Act, for ſuch their meeting, notwithſtanding his taking the Oaths, and his making and ſubſcribing the Declaration aforeſaid.

Private Meetings excluded.

VI. Provided always, That nothing herein contained ſhall be conſtrued to exempt any of the Perſons aforeſaid from paying of Tythes or other parochial Duties, or any other Duties to the Church or Miniſter, nor from any Proſecution in any Eccleſiaſtical Court, or elſewhere, for the ſame.

Tythes ſaved.

VII. And be it further enacted by the Authority aforeſaid, That if any Perſon diſſenting from the Church of *England*, as aforeſaid, ſhall hereafter be choſen or otherwiſe appointed to bear the Office of High-conſtable, or Petit-conſtable, Churchwarden, Overſeer of the Poor, or any other parochial or Ward Office, and ſuch Perſon ſhall ſcruple to take upon him any of the ſaid Offices in regard of the Oaths, or any other Matter or Thing required by the Law to be taken or done in reſpect of ſuch Office, every ſuch Perſon ſhall and may execute ſuch Office or Employment by a ſufficient Deputy, by him to be provided, that ſhall comply with the Laws on this Behalf. Provided always, the ſaid Deputy be allowed and approved by ſuch Perſon or Perſons, in ſuch Manner as ſuch Officer or Officers reſpectively ſhould by Law have been allowed and approved.

Officers ſcrupling Oaths, &c. allowed to act by Deputy.

VIII. And be it further enacted by the Authority aforeſaid, That no Perſon diſſenting from the Church of *England* in holy Orders, or pretended holy Orders, or pretending to holy Orders, nor any Preacher or Teacher of any Congregation of Diſſenting Proteſtants, that ſhall make and ſubſcribe the Declaration aforeſaid, and take the ſaid Oaths at the General or Quarter Seſſions of the Peace to be held for the County, Town, Parts, or Diviſion where ſuch Perſon lives, which Court is hereby impowered to adminiſter the ſame, and ſhall alſo declare his Approbation of and ſubſcribe the Articles of Religion mentioned in the Statute made in the thirteenth Year of the Reign of the late Queen *Elizabeth*, except the thirty-fourth, thirty-fifth, and thirty-ſixth, and theſe Words of the twentieth Article, *viz.* [*the Church hath Power to decree Rites or Ceremonies, and Authority in Controverſies of Faith; and yet*] ſhall be liable to any of the Pains or Penalties mentioned in an Act made in the ſeventeenth Year of the Reign of King *Charles* the Second, intituled, *An Act for reſtraining Non-conformiſts from inhabiting in Corporations*; nor the Penalties mentioned in the aforeſaid Act made in the two and twentieth Year of his ſaid late Majeſty's Reign, for or by reaſon of ſuch Perſons preaching at any Meeting for the Exerciſe of Religion; nor to the Penalty of one hundred Pounds mentioned in an Act made in the thirteenth and fourteenth of King *Charles* the Second, intituled, *An Act for the Uniformity of publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies*:

Perſons in Orders how exempted from, 17 Car. 2. c. 2. 13 & 14 Car. 2. c. 4. 13 Eliz. c. 12. 17 Car. 2. c. 2. 13 & 14 Car. 2. c. 4.

*And for eſtabliſhing the Form of making, ordaining, and conſecrating of Biſhops, Prieſts, and Deacons in the Church of* England, for officiating in any Congregation for the Exerciſe of Religion permitted and allowed by this Act.

Taking the Oaths, &c. to be regiſtred.

IX. Provided always, That the making and ſubſcribing the ſaid Declaration, and the taking the ſaid Oaths, and making the Declaration of Approbation and Subſcription to the ſaid Articles, in Manner as aforeſaid, by every reſpective Perſon or Perſons herein before-mentioned, at ſuch General or Quarter Seſſions of the Peace as aforeſaid, ſhall be then and there entred of Record in the ſaid Court, for which ſix Pence ſhall be paid to the Clerk of the Peace, and no more: Provided that ſuch Perſon ſhall not at any Time preach in any Place, but with the Doors not locked, barred, or bolted, as aforeſaid.

Meeting-door to be unlocked.

Baptiſts.

'X. And whereas ſome Diſſenting Proteſtants ſcruple the Baptizing of Infants;' be it enacted by the Authority aforeſaid, That every Perſon in pretended holy Orders, or pretending to holy Orders, or Preacher, or Teacher, that ſhall ſubſcribe the aforeſaid Articles of Religion, except before excepted, and except Part of the ſeven and twentieth Article touching Infant Baptiſm, and ſhall take the ſaid Oaths, and make and ſubſcribe the Declaration aforeſaid, in Manner aforeſaid, every ſuch Perſon ſhall enjoy all the Privileges, Benefits, and Advantages, which any other Diſſenting Miniſter, as aforeſaid, might have or enjoy by Virtue of this Act.

Teachers exempt from Offices.

XI. And be it further enacted by the Authority aforeſaid, That every Teacher or Preacher in holy Orders, or pretended holy Orders, that is a Miniſter, Preacher, or Teacher of a Congregation, that ſhall take the Oaths herein required, and make and ſubſcribe the Declaration aforeſaid, and alſo ſubſcribe ſuch of the aforeſaid Articles of the Church of *England*, as are required by this Act in Manner aforeſaid, ſhall be thenceforth exempted from ſerving upon any Jury, or from being choſen or appointed to bear the Office of Churchwarden, Overſeer of the Poor, or any other parochial or Ward Office, or other Office in any hundred of any Shire, City, Town, Pariſh, Diviſion, or Wapentake.

Juſtice of Peace may tender the Oaths, &c.

Penalty for refuſing.

XII. And be it further enacted by the Authority aforeſaid, That every Juſtice of the Peace may at any Time hereafter require any Perſon, that goes to any Meeting for Exerciſe of Religion, to make and ſubſcribe the Declaration aforeſaid, and alſo to take the ſaid Oaths or Declaration of Fidelity herein aftermentioned, in caſe ſuch Perſon ſcruples the taking of an Oath, and upon Refuſal thereof, ſuch Juſtice of the Peace is hereby required to commit ſuch Perſon to Priſon without Bail or Mainprize, and to certify the Name of ſuch Perſon to the next General or Quarter Seſſions of the Peace to be held for that County, City, Town, Part, or Diviſion, where ſuch Perſon then reſides; and if ſuch Perſon ſo committed ſhall upon a ſecond Tender at the General or Quarter Seſſions refuſe to make and ſubſcribe the Declaration aforeſaid, ſuch Perſon refuſing ſhall be then and there recorded, and he ſhall be taken thenceforth to all Intents and Purpoſes for a Popiſh Recuſant Convict, and ſuffer accordingly, and incur all the Penalties and Forfeitures of all the aforeſaid Laws.

Quakers how exempted. Altered as to Quakers by 8 Geo. 1. c. 6.

XIII. And whereas there are certain other Perſons, Diſſenters from the Church of *England*, who ſcruple 'the taking of any Oath;' be it enacted by the Authority aforeſaid, That every ſuch Perſon ſhall make and ſubſcribe the aforeſaid Declaration, and alſo this Declaration of Fidelity following, *viz.*

Declaration of Fidelity.

'I *A. B.* do ſincerely promiſe and ſolemnly declare before God and the World, that I will be true and faithful to King *William* and Queen *Mary*; and I do ſolemnly profeſs and declare, that I do from my Heart abhor, deteſt, and renounce, as impious and heretical, that damnable Doctrine and Poſition, *That Princes excommunicated or deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murthered by their Subjects, or any other whatſoever.* And I do declare, that no Foreign Prince, Perſon, Prelate, State, or Potentate, hath or ought to have, any Power, Juriſdiction, Superiority, Pre-eminence, or Authority Eccleſiaſtical or Spiritual within this Realm.'

And ſhall ſubſcribe a Profeſſion of their Chriſtian Belief in theſe Words:

Profeſſion.

'I *A. B.* profeſs Faith in God the Father, and in Jeſus Chriſt his Eternal Son, the true God, and in the Holy Spirit, one God bleſſed for evermore; and do acknowledge the Holy Scriptures of the Old and New Teſtament to be given by Divine Inſpiration.'

Which Declarations and Subſcription ſhall be made and entred of Record at the General Quarter Seſſions of the Peace for the County, City, or Place where every ſuch Perſon ſhall then reſide. And every ſuch Perſon that ſhall make and ſubſcribe the two Declarations and Profeſſion aforeſaid, being thereunto required, ſhall be exempted from all the Pains and Penalties of all and every the aforementioned Statutes made againſt Popiſh Recuſants, or Proteſtant Nonconformiſts, and alſo from the Penalties of an Act made in the fifth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act for the Aſſurance of the Queen's Royal Power over all Eſtates and Subjects within her Dominions*, for or by reaſon of ſuch Perſons not taking or refuſing to take the Oath mentioned in the ſaid Act; and alſo from the Penalties of an Act made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for preventing Miſchiefs that may ariſe by certain Perſons called* Quakers, *refuſing to take lawful Oaths*; and enjoy all other the Benefits, Privileges, and Advantages under the like Limitations, Proviſoes, and Conditions, which any other Diſſenters ſhall or ought to enjoy by virtue of this Act.

5 Eliz. c. 1.

13 & 14 Car. 2. c. 1.

*Farther Proviſions concerning Quakers,* 7 & 8 *W.* 3. c. 34. 1 *Geo.* 1. *ſtat.* 1. *c.* 6. 8 *Geo.* 1. *c.* 6. 12 *Geo.* 2. *c.* 13. §. 8. *and* 22 *Geo.* 2. *c.* 46.

XIV. Provided always, and be it enacted by the Authority aforesaid, That in case any Person shall refuse to take the said Oaths, when tendered to them, which every Justice of the Peace is hereby impowered to do, such Person shall not be admitted to make and subscribe the two Declarations aforesaid, though required thereunto either before any Justice of the Peace, or at the General or Quarter Sessions, before or after any Conviction of Popish Recusancy, as aforesaid, unless such Person can, within thirty-one Days after such Tender of the Declarations to him, produce two sufficient Protestant Witnesses, to testify upon Oath, that they believe him to be a Protestant Dissenter, or a Certificate under the Hands of four Protestants, who are conformable to the Church of *England*, or have taken the Oaths and subscribed the Declaration above-mentioned, and shall also produce a Certificate under the Hands and Seals of six or more sufficient Men of the Congregation to which he belongs, owning him for one of them. How purged after Refusal of the Oaths.

XV. Provided also, and be it enacted by the Authority aforesaid, That until such Certificate, under the Hands of six of his Congregation, as aforesaid, be produced, and two Protestant Witnesses come to attest his being a Protestant Dissenter, or a Certificate under the Hands of four Protestants, as aforesaid, be produced, the Justice of the Peace shall and hereby is required to take a Recognizance with two Sureties in the penal Sum of fifty Pounds, to be levied of his Goods and Chattels, Lands and Tenements, to the Use of the King's and Queen's Majesties, their Heirs and Successors, for his producing the same; and if he cannot give such Security, to commit him to Prison, there to remain until he has produced such Certificates, or two Witnesses, as aforesaid.

XVI. Provided always, and it is the true Intent and Meaning of this Act, That all the Laws made and provided for the frequenting of divine Service on the Lord's Day, commonly called *Sunday*, shall be still in Force, and executed against all Persons that offend against the said Laws, except such Persons come to some Congregation or Assembly of Religious Worship, allowed or permitted by this Act. Laws for Divine Service in Force.

XVII. Provided always, and be it further enacted by the Authority aforesaid, That neither this Act, nor any Clause, Article, or Thing herein contained, shall extend or be construed to extend to give any Ease, Benefit, or Advantage to any Papist or Popish Recusant whatsoever, or any Person that shall deny in his preaching or writing the Doctrine of the Blessed Trinity, as it is declared in the aforesaid Articles of Religion. Papists, &c. excepted.

XVIII. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, at any Time or Times after the tenth Day of *June*, do and shall willingly and of purpose, maliciously or contemptuously come into any Cathedral or Parish Church, Chapel, or other Congregation permitted by this Act, and disquiet or disturb the same, or misuse any Preacher or Teacher, such Person or Persons, upon Proof thereof before any Justice of Peace, by two or more sufficient Witnesses, shall find two Sureties to be bound by Recognizance in the penal Sum of fifty Pounds, and in Default of such Sureties shall be committed to Prison, there to remain till the next General or Quarter Sessions; and upon Conviction of the said Offence at the said General or Quarter Sessions, shall suffer the Pain and Penalty of twenty Pounds, to the Use of the King's and Queen's Majesties, their Heirs and Successors. Disturbers of Religious Worship how punished. See 1 Geo. 1. stat. 2. c. 5. §. 4.

XIX. Provided always, That no Congregation or Assembly for Religious Worship shall be permitted or allowed by this Act, until the Place of such Meeting shall be certified to the Bishop of the Diocese, or to the Archdeacon of that Archdeaconry, or to the Justices of the Peace at the General or Quarter Sessions of the Peace for the County, City, or Place in which such Meeting shall be held, and registred in the said Bishop's or Archdeacon's Court respectively, or recorded at the said General or Quarter Sessions; the Register or Clerk of the Peace whereof respectively is hereby required to register the same, and to give Certificate thereof to such Person as shall demand the same, for which there shall be no greater Fee nor Reward taken, than the Sum of six Pence. Place for Worship to be certified.

## CAP. XIX.

An Act for impowering their Majesties to commit, without Bail, such Persons as they shall find just Cause to suspect are conspiring against the Government. EXP.

## CAP. XX.

An Act for a Grant to their Majesties of an Aid of twelve Pence in the Pound for one Year, for the necessary Defence of their Realms. EXP.

## CAP. XXI.

An Act for enabling Lords Commissioners for the Great Seal to execute the Office of Lord Chancellor or Lord Keeper.

'WHEREAS their most Excellent Majesties King *William* and Queen *Mary* have thought fit that the Office of the Lord Chancellor or Lord Keeper of the Great Seal of *England* should be executed by Commissioners appointed for the same under the Great Seal of *England:* And whereas several Authorities, Jurisdictions, and Powers, are by several Acts of Parliament, and otherwise, vested, settled, and placed in the Lord Chancellor of *England*, or Lord Keeper of the Great Seal of *England* for the

'Time being:' Now for the preventing of all Doubts and Queſtions that may ariſe, whether all or any of thoſe Authorities, Juriſdictions, and Powers may be exerciſed by ſuch Commiſſioners:

Commiſſioners of the Great Seal may execute the Power of Chancellor.

II. Be it enacted and declared, and it is hereby enacted and declared by the King's and Queen's moſt Excellent Majeſties, and by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That ſuch Commiſſioners for the time being may uſe and exerciſe at all Times according to their Commiſſions, as of Right belonging to the Lords Commiſſioners of the Great Seal of *England* for the time being, all and every the ſame and like Offices, Authority, Juriſdiction, and Execution of Laws, and all other Cuſtoms, Privileges, Emoluments, and Advantages, which the Lord Chancellor of *England*, or Lord Keeper of the Great Seal of *England* for the time being, of Right ought to have, uſe, or execute, as belonging to their or either of their ſaid Offices, or otherwiſe howſoever, to all Intents and Purpoſes, as if the ſaid Lords Commiſſioners for the time being were Lord Chancellor, or Lord Keeper of the Great Seal of *England*, and ſhall have, and take Place next after the Peers of this Realm, and Speaker of the Houſe of Commons, unleſs any of them ſhall happen to be a Peer, and then to take Place according to his Peerage.

Their Place.

One Commiſſioner may hear Motions, &c.

III. Provided always, and be it enacted by the Authority aforeſaid, That any one Commiſſioner (in the Abſence of the others) may hear Motions, and give Orders and Directions touching the interlocutory Proceedings in any Cauſe, ſo as ſuch one Commiſſioner in the Abſence of the others ſhall not make any Decrees, or put the Great Seal to any thing whatſoever, whereunto the whole Broad Seal ought to be affixt, unleſs there be two Commiſſioners preſent.

Cuſtos Rotulorum how to be choſen. 37 Hen. 8. c. 1.

IV. And be it further enacted by the Authority aforeſaid, That the nominating and appointing of the *Cuſtos Rotulorum*, throughout all the Shires and Counties of this Realm, is and ſhall be as is directed by a Statute made in the thirty-ſeventh Year of *Henry* the Eighth, intituled, *A Bill for* Cuſtos Rotulorum, *and the Clerkſhip of the Peace*; any Law, Uſage, or Statute to the contrary in any wiſe notwithſtanding.

Clerk of the Peace how to be appointed. Carthew 426.

V. And be it further enacted by the Authority aforeſaid, That the *Cuſtos Rotulorum*, or other Perſon, to whom of Right it doth or ſhall belong to nominate or appoint the Clerk of the Peace for any County, Riding, Diviſion, or other Place, ſhall, from time to time, where the Office of the Clerk of the Peace now is, or hereafter ſhall be void, nominate and appoint one able and ſufficient Perſon reſiding in the ſaid County, Riding, Diviſion, or other Place, for which he is ſo appointed or to be appointed Clerk of the Peace, to execute the ſame by himſelf or his ſufficient Deputy, and to take and receive the Fees, Profits, and Perquiſites thereof, for ſo long Time only as ſuch Clerk of the Peace ſhall well demean himſelf in his ſaid Office.

Juſtices of Peace may diſcharge Clerk of the Peace.

VI. And be it enacted by the Authority aforeſaid, That if any Clerk of the Peace already nominated or to be nominated, as aforeſaid, ſhall miſdemean himſelf in the Execution of the ſaid Office, and thereupon a Complaint and Charge in Writing of ſuch Miſdemeanor ſhall be exhibited againſt him to the Juſtices of the Peace in their General Quarter-Seſſions, it ſhall be lawful for the ſaid Juſtices, or the major Part of them, from time to time, upon Examination and due Proof thereof, openly in their ſaid General Quarter-Seſſions, to ſuſpend or diſcharge him from the ſaid Office; and that in ſuch Caſe the *Cuſtos Rotulorum*, or other Perſon, to whom it ſhall of Right belong to nominate and appoint the Clerk of the Peace for ſuch County, Riding, Diviſion, or Place, ſhall nominate and appoint one other able and ſufficient Perſon reſiding in the ſaid County, Riding, Diviſion, or Place, as aforeſaid, to be Clerk of the Peace in the Place of ſuch Perſon ſo amoved, as aforeſaid; and in caſe of Refuſal or Neglect to make ſuch Nomination and Appointment, before the next General Quarter-Seſſions to be holden after the ſaid Refuſal, that it ſhall and may be lawful for the ſaid Juſtices of the Peace, at their General Quarter-Seſſions for the ſaid County, Riding, Diviſion, or Place, or the major Part of them, to nominate and appoint one able and ſufficient Perſon reſiding in the ſaid County, Riding, Diviſion, or Place, to be Clerk of the Peace in the Place of ſuch Perſon ſo amoved, as aforeſaid, to have, hold, and enjoy the ſaid Office of Clerk of the Peace, and to execute the ſame by himſelf, or his ſufficient Deputy, and to receive the Fees, Profits, and Perquiſites thereof.

Who ſhall nominate upon ſuch Vacancy.

New Clerk of the Peace liable to Penalties, &c.

VII. Provided always, and be it enacted by the Authority aforeſaid, That he ſhall be liable and ſubject to all the Penalties, Forfeitures, Conditions, Limitations, and Proviſions herein and hereby mentioned and expreſſed, and may be amoved or diſcharged by the ſaid Juſtices, or the major Part of them, in ſuch Manner and Way as is above ſpecified.

Cuſtos Rotulorum, &c. ſhall take no Fee.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any *Cuſtos Rotulorum*, or other Perſon, to whom of Right it doth or ſhall belong to nominate, elect, or appoint any Clerk of the Peace, to ſell the ſaid Place of Clerk of the Peace, or to take any Bond or other Aſſurance to receive or have any Reward, Money, Fee, or Profit, directly or indirectly, to him or any other Perſon, for ſuch nominating, electing, or appointing, but that every ſuch *Cuſtos Rotulorum*, or other Perſon that ſhall ſo ſell the Clerkſhip of the Peace, and every Clerk of the Peace, who ſhall ſo buy his Place, are hereby diſabled to hold their Places of *Cuſtos Rotulorum*, or Clerkſhip of the Peace, and ſhall alſo each of them reſpectively forfeit double the Sum or Value of other Thing that ſhall be ſo given or taken, to be recovered by him or them to their own Uſe that ſhall ſue for the ſame, to be proſecuted by any Action of Debt, Suit, Bill, Plaint, or Information, in any of their Majeſties Courts at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law ſhall lie.

Penalty upon Buyer and Seller.

Clerk of the Peace to take the following Oath.

IX. And be it further enacted by the Authority aforeſaid, That every Clerk of the Peace, before he enter upon the Execution of his ſaid Office, ſhall in open Seſſions take the Oath following, *viz.*

I *A.B*

'I *A. B.* do ſwear, That I have not, nor will pay any Sum or Sums of Money, or other Reward whatſoever, nor given any Bond or other Aſſurance to pay any Money, Fee, or Profit directly or indirectly to any Perſon or Perſons whomſoever, for ſuch Nomination or Appointment.

'*So help me God.*'

X. Provided always, That nothing in this Act contained ſhall any Ways affect or relate to the Clerk of the Peace for the Duchy and County Palatine of *Lancaſter* only; which ſaid Clerk of the Peace holds his ſaid Office for Lives, by Grants from his late Majeſty King *Charles* the Second, as his Predeceſſors in the ſaid Place have done, from former Kings and Queens of this Realm, in Right of their Duchy and County Palatine aforeſaid. This Act to commence from the firſt Day of *May* one thouſand ſix hundred eighty-nine. Not to extend to Lancaſter.

## CAP. XXII.

### An Act for the Exportation of Beer, Ale, Cyder, and Mum.

'FOR the Advancement of Trade and Encouragement of Tillage and Manufacture of this Realm,' Be it enacted by the King's and Queen's moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth of *June* in the Year of our Lord one thouſand ſix hundred eighty-nine, it ſhall and may be lawful for any Perſon in any Sea-port, or upon any navigable River, to export and ſhip off as Merchandize, within any of the uſual and allowed Ports by Law, and at the common Keys for Exportation and Lading on Board of Merchandize, or Keys to be appointed for that Purpoſe, and within the uſual Hours of Exciſe, for Account of himſelf or any other (to be exported into foreign Parts) in the Preſence of a ſworn Gager, or other ſworn Officer to be appointed by the Farmers, Commiſſioners, or Sub-commiſſioners of their Majeſties Exciſe, upon Notice thereof to them given at the Office of Exciſe, within the Limits whereof the ſaid Ale, Beer, Cyder, and Mum, was brewed or made, of the reſpective Port or Place whence the ſame ſhall be ſhipped, any Sort of Strong Ale, Strong Beer, Cyder, or Mum, to be ſpent beyond the Seas, paying Cuſtom for the ſame after the Rate of one Shilling for every Ton, which ſhall be exported in any *Engliſh* or foreign Veſſel, and no more or other Duty whatſoever; which ſaid Gager or Officer aforeſaid ſhall certify the Quantity of the ſaid Beer, Ale, Cyder, or Mum ſhipped off, to the Commiſſioners and Officers of Exciſe, where the Entry thereof ſhall be made, who are hereby required to make Allowance, or repay the Exciſe of the Beer, Ale, Cyder, or Mum ſo exported, unto the Brewer or Maker thereof, within one Month after ſuch Exportation, deducting three Pence *per* Ton for the Charges of their Officers, and no more. Ale, &c. may be exported. *Burn, V.* 1. 338. The Cuſtom. Exciſe repaid.

II. And be it further enacted by the Authority aforeſaid, That if any Merchant or Maſter of any Ship or Veſſel, or other Perſon, ſhall cauſe or ſuffer any of the ſaid Liquors ſo ſhipped in any Veſſel, as Merchandize, to be unſhipped, unladen, and laid on Land, or put into any other Ship or Veſſel, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, he or they ſhall forfeit the ſame, and fifty Pounds of lawful Money of *England* more for every Caſk he or they ſhall ſo unduly land, or put on board any Veſſel, to be recovered in any of his Majeſty's Courts of Record, by Information, Bill, or Plaint; the one Moiety of which Forfeiture ſhall be to the Uſe of the King's and Queen's moſt excellent Majeſties, the other Moiety to the Informer or Proſecutor. And to the Intent their Majeſties Duties of Exciſe may not be prejudiced for ſuch Beer, Ale, Cyder, or Mum, as ſhall be ſpent on Shipboard, their Majeſties Commiſſioners and Officers of the Cuſtoms are hereby required and enjoined to charge every Maſter of any Ship or Veſſel in his Victualling Bill with ſo much Beer, Ale, Cyder, or Mum, and no more, as ſuch Number of Men uſe to ſpend in ſuch Voyages; the Exciſe whereof to be recovered according to the Laws and Rules already eſtabliſhed. Penalty upon Merchant unlading, &c. Ale, &c. ſpent on Shipboard.

III. And be it further enacted by the Authority aforeſaid, That the aforeſaid Rate of one Shilling the Ton for Beer, Ale, Cyder, and Mum to be exported, as aforeſaid, ſhall be levied and paid under ſuch Rules and Penalties, and for ſuch Time, and in ſuch Manner, as by the Laws of Tonnage and Poundage are ordained. Cuſtom how levied.

IV. Provided always, and be it enacted by the Authority aforeſaid, That no Mum imported from foreign Parts, during the Continuance of this Act, ſhall have any Part of the Duty of Cuſtom or Exciſe, which was paid at the Importation thereof, repaid upon Exportation; any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding. Exciſe, &c. for Foreign Mum not repaid.

*Farther Proviſions concerning Ale, &c.* 11 *and* 12 *W.* 3. 15. 12 *and* 13 *W.* 3. *c.* 11. *and* 13 *W.* 3. *c.* 5.

## CAP. XXIII.

### An Act for reviving two former Acts for exporting of Leather.

20 Car. 2. c. 5.
1 Jac. 2. c. 13. Revived for ſeven Years. 9 Ann. c. 6. §. 4.

CAP.

## CAP. XXIV.

### An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors.

WE your Majesties most dutiful and loyal Subjects, the Commons assembled in Parliament, taking into serious Consideration the great and urgent Occasions, which do press your Majesties to an extraordinary Expence of Treasure for the Defence of your Kingdoms and Dominions against Invasion, and for preserving to your said Subjects the Intercourse of Trade, for which Purpose your Majesties have found yourselves obliged to equip and set out to Sea a royal Navy, and to make and maintain a War against the *French* King; and in most thankful Acknowledgement of your Majesties tender Care of the Welfare of your People, have cheerfully and unanimously given and granted, and do hereby give and grant to your Majesties, the several additional Rates and Duties of Excise herein after mentioned: And do most humbly beseech your Majesties that it may be enacted:

*Burn, V.* 1. 329. &c.

Additional Excise upon Ale, &c. given for Three Years.

The Duties appropriated by c. 28. of this Session to the Payment of 600,000l. to the States General, and the Residue by 2 W. & M. c. 10. §. 2. to other Uses.

Beer or Ale above 6s. the Barrel 9d. a Barrel.

Beer or Ale 6s. the Barrel, or under, 3d a Barrel.

Vinegar of English Materials 1s. 6d. a Barrel.

Vinegar of foreign Materials, 4s. a Barrel.

Beer, Ale, or Mum imported 3s. a Barrel.

Cyder or Perry import. 4l. a Tun.

Single Brandy imported 2s. the Gallon.

Double Brandy imported 4s. a Gallon.

Cyder and Perry retailed 1s. 3d. the Hogshead.

Metheglin or Mead 3d. the Gallon.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That from and after the four and twentieth Day of *July*, which shall be in the Year of our Lord one thousand six hundred eighty and nine, there shall be throughout your Majesties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raised, levied, collected, and paid unto your Majesties and your Successors, during the Space and Term of three Years, from the four and twentieth Day of *July* aforesaid, and no longer, for Beer, Ale, Cyder, and other Liquors herein after expressed, by Way of Excise, over and above all other Duties, Charges, and Impositions by any former Act or Acts set and imposed, and in Manner and Form following; that is to say, For every Barrel of Beer or Ale, above six Shillings the Barrel, exclusive of the Duty of Excise, brewed by the common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by such other Person or Persons respectively, and so proportionably for a greater or lesser Quantity, over and above the Duties already payable for the same, nine Pence; for every Barrel of Beer or Ale of six Shillings the Barrel or under, brewed by the common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale publickly or privately, to be paid by the said common Brewer, or by such other Person or Persons respectively as aforesaid, and so proportionably for a greater or lesser Quantity, over and above the Duty already payable for the same, three Pence; for every Barrel of Vinegar or Vinegar-beer brewed, or made of any *English* Materials by any common Brewer, or any other Person for Sale, to be paid by the Maker thereof, and so proportionably for a greater or lesser Quantity, over and above the Duties of Excise already payable for the same, one Shilling six Pence; for every Barrel of Vinegar, or Liquor prepared for Vinegar, made here for Sale, of any foreign Materials or any Mixture with foreign Materials, to be paid by the Maker thereof, and so proportionably for a greater or lesser Quantity, four Shillings; for every Barrel of Beer, Ale, or Mum, imported from beyond the Seas, and so proportionably for a greater or lesser Quantity, to be paid by the Importers before landing, over and above the Duties already payable for the same, three Shillings; for every Ton of Cyder or Perry imported from beyond the Seas, and so proportionably for a greater or lesser Quantity, to be paid by the Importer, before landing, over and above the Duties already payable for the same, four Pounds; for every Gallon of single Brandy, Spirits, or *Aqua vitæ* imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties already payable for the same, two Shillings; for every Gallon of Brandy, Spirits, or *Aqua vitæ*, above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties already payable for the same, four Shillings; for all Cyder and Perry made and sold by Retail, upon every Hogshead, to be paid by the Retailer thereof, over and above the Duties already payable for the same, and so proportionably for a greater or lesser Measure, one Shilling three Pence; for all Metheglin or Mead made for Sale, whether by Retail or otherwise, to be paid by the Maker, for every Gallon three Pence.

Double Brandy, Spirits, or *Aqua vitæ*, above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties already payable for the same, four Shillings; for all Cyder and Perry made and sold by Retail, upon every Hogshead, to be paid by the Retailer thereof, over and above the Duties already payable for the same, and so proportionably for a greater or lesser Measure, one Shilling three Pence; for all Metheglin or Mead made for Sale, whether by Retail or otherwise, to be paid by the Maker, for every Gallon three Pence.

Distiller.

III. And be it further enacted by the Authority aforesaid, That if any Distiller or Maker of any Low Wines shall at any Time after the twentieth Day of *July* one thousand six hundred eighty nine, after an Account hath been taken by the Gager of the Quantity of his Low Wines, sell, dispose of, or remove the same, or any Part thereof, without distilling or drawing it off a second Time, every such Distiller or Maker of Low Wines, for every Gallon so sold, disposed of, or removed, shall forfeit the Sum of five Shillings, to be levied in Manner as any Penalties or Forfeitures are leviable by any Act relating to the Revenue of Excise.

Excise how collected.

IV. And be it further enacted by the Authority aforesaid, that the several Rates and Duties of Excise, hereby imposed on the Liquors aforesaid, shall be raised, levied, collected, recovered, and paid unto their Majesties, and their Successors, during the Time before mentioned, and in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as are mentioned, expressed, and directed in and by one Act of Parliament made in the twelfth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite *and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof:* And also in and by one other Act of Parliament made in the fifteenth Year of his said Majesty's

12 Car. 2. c. 24.

ty's Reign, intituled, *An additional Act for the better ordering and collecting the Duties of Excise, and preventing the Abuses therein*, or in either of them, or by any other Law now in Force, relating to the Revenue of Excise, not otherwise herein and hereby altered and provided against. 15 Car. 2. c. 11.

'V. And for the avoiding all Uncertainty, and all Differences and Disputes, which of late have been be-
'tween the Gagers and the Brewers, Victuallers, Retailers, and other Persons chargeable with the Duties
'of Excise, touching Beer and Ale, and touching the Returns or Charges made or to be made of Beer or
'Ale, by the Gagers or Officers appointed to take Account and ascertain the same;' Be it enacted and declared by the Authority aforesaid, That every four and thirty Gallons of Beer or Ale, whether strong or small, brewed or made in any Part of *England*, *Wales*, or Town of *Berwick* upon *Tweed*, by any the Person or Persons aforesaid, other than within the Cities of *London* and *Westminster*, and within the weekly Bills of Mortality, taken by the Gager according to the Standard of the Ale Quart, four whereof shall make the Gallon, remaining in the Custody of the Chamberlain of their Majesties Exchequer, shall be reckoned, accounted, and returned by the Gager or Gagers, or other Officers aforesaid, for a Barrel of Beer or Ale; and that the Allowances appointed to be made and allowed to the common Brewers, other than within the Cities of *London* and *Westminster*, and the weekly Bills of Mortality aforesaid, for Waste by filling and Leakage of their Beer and Ale, out of the said Returns or Charges made by the said Gagers or other Officers aforesaid, shall be two Barrels and an Half upon every three and twenty Barrels of Beer or Ale, whether strong or small, and no more; any Thing in the above mentioned Acts, or any other Act of Excise, or any Law or Usage to the contrary in any wise notwithstanding; and that every Barrel of Beer and Ale, made and brewed within the said Cities of *London* and *Westminster*, and within the weekly Bills of Mortality aforesaid, by any the Persons aforesaid, shall be reckoned, accounted, and returned as the same are respectively to be reckoned, accounted, and returned by the former Acts of Excise; and that the common Brewers within the Cities of *London* and *Westminster*, and within the weekly Bills of Mortality, shall have the like Allowances for Waste by filling and Leakage, out of the said Gagers Returns, as by the said former Acts are directed.

What shall be accounted a Barrel.

Allowance for Leakage.

VI. And whereas by the Laws relating to their Majesty's Revenue of Excise it is enacted, That Gagers have Power to gage all Coppers, Fats, and Vessels in any Brewhouse, and all other Places whatsoever, belonging to, or used by any Brewer, Innkeeper, Victualler, or other Retailer of Beer or Ale, and to take an Account of Beer, Ale, and Worts from Time to Time brewed or made, and thereof to make Return and Report in Writing to the Commissioners and Sub-commissioners of Excise, and such Returns to be a Charge upon such Brewers: Now for the preventing of Frauds and Disputes which may happen or arise by the Gagers making their Returns as aforesaid; be it enacted by the Authority aforesaid, That where it shall appear to the Gager or Gagers, that any Worts are missing, or not let fairly down into the Tun, and such Gager cannot find the same, in such Case it shall be lawful for such Gager to charge such Brewer, Victualler, or other Retailer, with so much Beer or Ale, as such Worts so missing would reasonably make.

Brewer chargeable with the Quantity of Worts missing.

VII. And for the avoiding as much as may be all Disputes, be it enacted, That it shall and may be lawful for all Gagers to take their Gages, and make their Returns and Charges, upon warm Worts in the Backs, Coolers, or other Vessels, and in such Case shall make Allowance to the Brewer, Innkeeper, Victualler, or other Retailer, of one tenth Part thereof for Wash and Waste for all Worts so returned and charged; which Worts, nor any Part of the same, are to be in any Sort afterwards charged with the Payment of any Duty of Excise when brewed or made into Beer or Ale.

Gagers may make Returns upon warm Worts.

VIII. Provided always, and be it enacted by the Authority aforesaid, That no Innkeeper, Victualler, or other Retailer of Beer or Ale, shall at any Time hereafter, during the Continuance of this Act, or of the additional Duties hereby imposed, be sued, impleaded, or molested, by Indictment, Information, or popular Action, or otherwise, for selling or uttering any Beer or Ale, at any other or higher Prices than the Prices heretofore limited and appointed; any Thing in this Act, or any other Law or Statute, to the contrary notwithstanding.

Ale-seller not suable for selling at a higher Rate than formerly.

IX. And forasmuch as it is found by Experience, that the Payment of their Majesties Duties on Strong Waters, *Aqua vitæ*, and Spirits, is much avoided and defrauded by the Distillers or Makers of the Commodities aforesaid, by reason that the Gagers and Officers appointed to gage and charge those Liquors, are not duly admitted and permitted to enter and come into the Houses, Distilling-houses, or Store-houses, and other Places belonging to, or used by, such Distillers or Makers of such Strong Waters, *Aqua vitæ*, and Spirits, and the Penalties imposed by the former Acts are often avoided for such Denial or Refusal, because Proof cannot be made by the Informers or Officers of any Sale made of any their Commodities before the Duty thereof is paid; Be it enacted by the Authority aforesaid, That from henceforth in case any Distiller or Maker of the Commodities aforesaid shall, upon due Request or Demand made by the Gager or Officer in the Day-time, or in the Night-time in the Presence of a Constable, refuse to permit such Gagers to enter and come into his or their House, Distilling-house, Store-house, or other Places belonging to, or used by, such Distillers or Makers of Strong Waters, *Aqua vitæ*, or Spirits, the Party and Parties so offending shall forfeit and incur the Forfeitures and Penalties by the said former Acts imposed and inflicted, to be recovered in Manner as therein and thereby is directed; and the Informer or Prosecutor shall not be obliged to prove that such Offender sold, carried, or delivered out, Part of his Commodities aforesaid, before he had paid or cleared the Duties due for the same; any Thing in the said former Act, or any other Act or Statute to the contrary notwithstanding.

Punishment upon Distiller refusing Gager to come into his Storehouse, &c.

X. And

15 Car. 2. c. 11. § 6 & 7.

X. And whereas in and by the ſaid Act made in the fifteenth Year of the Reign of the late King *Charles* the Second, it is amongſt other Things therein provided or enacted in the Words, or to the Effect following (*viz.*) That no common Brewer or Brewers ſhall be ſued or proſecuted for any Penalty or Forfeiture by him or them incurred, for or by Reaſon of any Miſentry or Shortentry, if he or they ſhall within one Week after the Delivery of the Copy of the Gagers Return made upon him, certify his or their Entry made for the Week, for which ſuch Copy of Return is delivered, according to ſuch Return for each reſpective Charge of Brewing, or otherwiſe diſcharging himſelf; Be it enacted by the Authority aforeſaid, That no Brewer or Brewers ſhall from henceforth have or claim any Benefit by the ſaid Proviſo, on any Information to be brought againſt him or them for Non-entry, wilful falſe Entry, or Non-payment, if it ſhall appear by the Evidence given, that ſuch Brewer ſo ſued for Non-entry, or ſhort, or falſe Entry, or Non-payment, did not *bona fide* ſhew to the Gager or Gagers appointed to take Account of the Beer or Ale by them brewed, all the Beer, Ale, and Worts of each reſpective Guile for ſuch Time for which ſuch Copy of the Return was made or given; or if any apparent Fraud was acted or made to defraud their Majeſties of their Duty for any Part of the Drink brewed in the Time for which ſuch Copy of the Return is made or given by the Gager, in ſuch Caſe ſuch Brewer ſhall incur all the Penalties and Forfeitures by the former Acts provided or inflicted; the ſaid Proviſo, or any Thing in any Acts or Statute relating to the Exciſe in any wiſe notwithſtanding.

Brewer not diſcharged from Miſentry, except he ſhewed the Beer, &c. at the Time of the Return.

Puniſhment for concealing Worts. 15 Car. 2. c. 11.

XI. And for avoiding ſome Doubts that have ariſen, it is hereby declared and enacted by the Authority aforeſaid, That every common Brewer, Innkeeper, Victualler, or Retailer of Beer or Ale, who, contrary to the ſaid Act made in the ſaid fifteenth Year of the Reign of the late King *Charles* the Second, ſhall make uſe of any private or concealed Store-houſe, Cellar, or Place, for the laying of any Beer, or Ale, or Worts in Caſk, ſhall forfeit the Sum of fifty Pounds for every ſuch Offence; and every ſuch Brewer, Innkeeper, Victualler, or Retailer, who, contrary to the ſaid Act made as aforeſaid, ſhall mix, conceal, or convey away any Worts, ſhall forfeit twenty Shillings for every Barrel of Worts by him or them ſo mingled, concealed, or conveyed away contrary to the ſaid Act; and the Commiſſioners of Exciſe, and Juſtices of the Peace, and all others authorized to hear and determine Forfeitures and Offences againſt the Laws relating to the Exciſe reſpectively, on Complaints or Informations brought for theſe Offences, or either of them, and duly proved before them, are hereby authorized to give Judgment or Sentence for the reſpective forfeitures accordingly; any Omiſſion, or not repeating of the ſaid Offences, or either of them, in and by the ſaid Act notwithſtanding.

Gagers to leave Notes of their Gages.

XII. And to the End common Brewers and other Perſons paying the Duty of Exciſe, may not be overcharged, it is hereby declared and enacted, That true Notes in Writing, of the laſt Gages made or taken by the ſaid Gager, ſhall be left by them with all Brewers, Makers, or Retailers of Beer, Ale, or other exciſeable Liquors reſpectively, or ſome of their Servants, at the Times of their taking their ſaid Gages, containing the Quantity and Quality of the Liquors ſo gaged, upon Penalty of forty Shillings for every Offence or Neglect of the ſaid Gager or Gagers.

By whom and how Complaints of Overcharge may be determined.

XIII. And it is hereby enacted, That the Commiſſioners of Exciſe or Appeals, or Juſtices of Peace within whoſe Juriſdiction reſpectively any ſuch Brewer, Maker, or Retailer ſhall inhabit or dwell, upon Complaint to them made by or on the Behalf of ſuch Brewers, Makers, or Retailers, of any Overcharge returned upon them by any of the ſaid Gagers, ſhall, and are required to hear and determine all ſuch Complaints, and examine the Witneſſes upon Oath, which ſhall be produced as well on the Behalf of the Party making ſuch Complaint, as on the Behalf of all and every other Party and Parties (which Oath they have hereby Power to adminiſter) and thereupon, or by other due Proof, to diſcharge or acquit ſuch Brewer, Maker, or Retailer of ſo much of his and their reſpective Charges, as ſhall be ſo made out before them; any Thing in this or in any former Law or Statute to the contrary notwithſtanding.

Officers for Angleſey.

'XIV. And whereas there is but one Market Town in the County of *Angleſey*, by reaſon of which the 'Inhabitants of ſome Parts of the ſaid County are put to extraordinary Trouble and Expence to make 'their Entries and Payments, being four and twenty Miles diſtant from the ſaid Market Town;' be it enacted by the Authority aforeſaid, That for the Eaſe of the ſaid Inhabitants living remote from the ſaid Market-town, there ſhall be Offices kept for the making Entries and Payments in the ſeveral Towns of *Holyhead*, *Newborough*, and *Llanerchthmeth*, as well as in the Town of *Beaumaris*, where only the ſaid Office has been accuſtomed to be kept.

Puniſhment of Commiſſioner of Exciſe for taking Money of any Perſon but the King.

'XV. And whereas ſeveral Collectors, Surveyors, Gagers, and other Perſons employed about Collecting, Surveying, or Gaging the Duty of Exciſe, have been forced to pay ſeveral Sums of Money to the 'Commiſſioners of Exciſe, or their Regiſters or Clerks, upon Pretence that the ſame is for writing, ſigning, and ſealing Inſtructions or Orders for every ſuch Officer to execute his Place, which muſt cauſe 'ſuch Officer to reimburſe himſelf upon the People by one Means or other:' For Prevention whereof be it enacted, That no Commiſſioner, or other Perſon employed about the Duty of Exciſe, ſhall demand, take, or receive any Sum of Money, or other Reward whatſoever from any Perſon, other than their Majeſties, upon Pain of Forfeiting his or their Office, upon Proof thereof by two or more credible Witneſſes before any two of their Majeſties Juſtices of the Peace, ſo as every ſuch Perſon, ſo offending, is hereby made uncapable of executing any Office in their Majeſty's Revenue of the Exciſe for the future.

Information of Brewer, &c. to be within three Months after Offence, and

XVI. Provided alſo, That no Information ſhall be brought, laid, or proſecuted againſt any common Brewer or Brewers, or Alehouſekeeper, for any falſe or Miſ-entry, or Offence made or committed, from and after the four and twentieth Day of *July* one thouſand ſix hundred eighty and nine, unleſs the ſame Information or Informations be laid and entred before ſuch Perſons appointed to determine the ſame,

within three Months next after every such Offence committed; and that Notice thereof be given to such Person or Persons (against whom such Information shall be laid) in Writing, or left at their Dwelling-houses, within one Week after the laying and entering such Information, to the End a timely Provision may be had and made in defending the same; any Thing in this Act or other Law to the contrary notwithstanding. Notice within a Week after Information.

XVII. And be it further enacted by the Authority aforesaid, That from and after the first of *September* one thousand six hundred eighty-nine, no common Brewer, or Retailer of Beer or Ale, shall use in the brewing or working of any Beer or Ale any Molosses, coarse Sugar, Honey, or Composition or Extract of Sugar, upon the Penalty of the Forfeiture, for every such Offence, of all such Liquors wherein any Molosses, or coarse Sugar, Honey, or such Composition or Extract shall be put, and also of the Sum of one hundred Pounds; one Moiety of all the said Forfeitures to be to their Majesties, the other Moiety to the Informer, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majesties Courts of Record, wherein no Essoin, Wager of Law, or any more than one Imparlance shall be allowed, so as such Suit be commenced within six Months after such Forfeiture incurred. 1 Geo. Penalty for using Molosses in brewing.

XVIII. And be it further enacted, That when Malt or Barley of *English* Growth, *Winchester* Measure, shall be at four and twenty Shillings by the Quarter, or under; Rye of *English* Growth at two and thirty Shillings by the Quarter, or under; and Wheat of *English* Growth at eight and forty Shillings by the Quarter, or under, in the Town or Port of *Berwick* upon *Tweed*; every Merchant or other Person, who shall put on Shipboard in *English* Shipping, the Master and two Thirds of his Mariners at least being their Majesties Subjects, any Sorts of the Corn aforesaid, from the said Port or Town of *Berwick*, with Intent to export the said Corn into Parts beyond the Seas, and shall pursue all and every the Methods and Things prescribed and appointed in that Behalf, in and by an Act made in this present Session of Parliament, intituled, *An Act for encouraging the Exportation of Corn*, shall have the Benefit and Advantage of the said Act, and of every Thing therein contained, as fully to all Intents and Purposes, as if the said Corn had been put on Ship-board from any Port or Ports of this Kingdom, or Dominion of *Wales*. Exporter of Corn from Berwick to have the Advantage of the Act of exporting Corn. Supra, c. 12.

XIX. Provided always, and be it enacted, That if any Merchant, or other Person whatsoever, shall put on Shipboard any Corn of the Growth of *Scotland*, out of the said Port of *Berwick* upon *Tweed*, that all such Corn shall be forfeited (that is to say) one third Part to their Majesties, one other third Part to the Informer, and the other third Part to the Poor of the said Town of *Berwick*. Except it be Scotch Corn.

*Farther Provisions concerning Excise*, 2 *W. & M. Sess.* 2. *c.* 10. 4 *W. & M. c.* 3. 5 *W. & M. c* 20. 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 *and* 12. *c.* 3. 4 *Ann. c.* 6. 8 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. St.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *st.* 2. *c.* 16. 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. *and* 1 *Geo.* 3. *c.* 7. 1 *Ann. St.* 2. 23 *Geo.* 2. *c.* 29.

## CAP. XXV.

An Act to regulate the Administration of the Oaths required to be taken by Commission or Warrant Officers employed in their Majesties Service by Land, by Virtue of an Act made this present Session of Parliament, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths.*

'WHEREAS by an Act made this present Session of Parliament, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, all Persons that shall hereafter be put into any Military Employment, shall be obliged to take the Oaths, and make and subscribe the Declaration therein mentioned, before such Person as shall issue the Commission or Warrant for such Employment; and whereas their Majesties Service does require the Regiments and Troops of Soldiers to march, and be at great Distances from *London*, and upon any Vacancy of any such Military Employment, by Death or otherwise, it is necessary to fill up such Vacancies, by granting new Commissions for Persons that may be at a great Distance from *London*, so as their Majesties Service will not permit them to repair to *London* to take the said Oaths, and make the said Declaration as aforesaid: Ante, c. 8.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Commission for such Military Employment shall hereafter be granted to any Person at any Distance from *London* exceeding twenty Miles, that such Person shall and may take the said Oaths, and make and subscribe the said Declaration, at the next Muster after the Receipt of the said Commission, before the Commissary of the Musters, or his Deputy, who is hereby authorized to tender, administer, and take the same, and are hereby required to send up a Certificate thereof, under his Hand and Seal, to the Person who issued such Commission; any Thing in the aforesaid Act to the contrary notwithstanding. Commission Officers twenty Miles from London how to take the Oaths.

III And in case such Person, who shall receive such Commission, shall refuse to take the said Oaths, and subscribe the said Declaration as aforesaid, such Person shall not be allowed upon the Musters, but his Commission shall be void to all Intents and Purposes whatsoever. Penalty.

Militia saved.

IV. Provided always, and be it enacted, That nothing in this Act contained shall extend to the Militia or Trained Bands of *England*.

## CAP. XXVI.

### An Act to vest in the Two Universities the Presentations of Benefices belonging to Papists.

3 Jac. 1. c. 5.

'WHEREAS in and by a certain Clause mentioned in one Act of Parliament made in the third Year of the Reign of King *James* the First, intituled, *An Act to prevent and avoid Dangers which may grow by Popish Recusants*, it is enacted, That every Person or Persons that is or shall be a Popish Recusant Convict, during the Time that he shall be or remain a Recusant, shall, from and after the End of that present Session of Parliament, be utterly disabled to present to any Benefice with Cure, or without Cure, Prebend, or any other Ecclesiastical Living, or to collate or nominate to any Free-school, Hospital, or Donative whatsoever, and from the Beginning of the said Parliament shall likewise be disabled to grant any Avoidance to any Benefice, Prebend, or other Ecclesiastical Living:'

Persons refusing Declaration disabled to present, &c. Ante, c. 15.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That every Person who shall refuse or neglect to make, repeat, and subscribe the Declaration mentioned in one Act of this present Parliament, intituled, *An Act for the better securing the Government by disarming Papists and reputed Papists*, when the same shall be tendred to such Person by any two or more Justices of the Peace, as in the said Act is enacted, or who shall upon Notice given, as in the said Act is directed, refuse or forbear to appear before them for the making, repeating, and subscribing thereof, and shall thereupon have his Name, Surname, and usual Place of abode certified and recorded at the general Quarter-Sessions to be holden for the Shire, Riding, Division, or Liberty, for which such two Justices shall be Justices of the Peace, by the Clerk of the Peace, or Town Clerk, as in the said Act is appointed; every such Person so recorded shall be, from and after the Time of such Record made, adjudged, taken, and esteemed disabled to make such Presentation, Collation, Nomination, Donation, or Grant of any Avoidance of any Benefice, Prebend, or ecclesiastical Living, as fully and amply as if such Person were a Popish Recusant Convict by the Laws or Statutes of this Realm; any Law, Statute, or Usage to the contrary notwithstanding. And that the Chancellor and Scholars of the University of *Oxford*, and the Chancellor and Scholars of the University of *Cambridge*, by what Name or Names soever they, or either of them, are incorporated, shall respectively have the Presentation, Nomination, Collation, and Donation of and to every such Benefice, Prebend, or ecclesiastical Living, School, Hospital, and Donative, set, lying, and being in the respective Counties, Cities, and other the Places and Limits in the said Act of the third of King *James* mentioned, as in and by the said Act is directed and appointed, so often as any of them shall become void, according to the Limitations, Directions, and Provisions in that Behalf limited, enacted, and provided.

Universities shall present, &c.

Trustees disabled.

III. And be it further enacted by the Authority aforesaid, That where any Person or Persons are or shall be seized or possessed of any Advowson, Right of Presentation, Collation, or Nomination to any such ecclesiastical Living, Free-school, or Hospital as aforesaid, in Trust for any Papist or Popish Recusant, who shall be convicted or disabled, according to the true Intent and Meaning of the said Statute, made in the third Year of the Reign of the said King *James* the First, or by this present Act, every such Person and Persons so seized and possessed in Trust for any Papist or Popish Recusant convict or disabled, shall be and are hereby adjudged to be disabled to present, nominate, or collate to any such ecclesiastical Living, Free-school, or Hospital, or to grant any Avoidance thereof; and their and every of their Presentations, Nominations, Collations, and Grants, shall be null and void to all Intents and Purposes whatsoever; and the Chancellors and Scholars of the said respective Universities as aforesaid, upon every Avoidance, shall have the Presentations, Nominations and Collations, to such ecclesiastical Livings, Free-schools, and Hospitals, in such Manner as they should have the same, in case such Recusant convict or disabled were seized or possessed thereof.

3 Jac. 1. c. 5. Enlarged as to Papists not convict, by 12 Annæ, stat. 2. c. 14. §. 1.

Penalty upon Trustees presenting without Notice.

IV. And in case any Trustee or Trustees, or Mortgagee, or Grantee of any Avoidance, hereafter present, nominate, or collate, or cause to be presented, nominated, or collated any Person to any such ecclesiastical Living, Free-school, or Hospital, whereof the Trust shall be for any Recusant convict or disabled, without giving Notice of the Avoidance in Writing to the Vice Chancellor for the Time being of the University, to whom the Presentation, Nomination, or Collation shall belong, according to the true Intent of this Act, within three Months after the Avoidance shall happen, such Trustee or Trustees, Mortgagees, or Grantees, shall forfeit and pay the Sum of five hundred Pounds, to the said respective Chancellors and Scholars of either of the said Universities, to whom such Presentation, Nomination, or Collation shall belong, according to the true Intent of this present Act, to be recovered in any of their Majesties Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

Presentation of Person beneficed, void.

V. Provided always, That the said Chancellors and Scholars of either of the said Universities shall not present or nominate to any Benefice with Cure, Prebend, or other ecclesiastical Living, any Person as shall then have any other Benefice with Cure of Souls; and if any such Presentation shall be had or made of

of any such Person so beneficed, the said Presentation shall be utterly void; any Thing in this Act to the contrary notwithstanding.

What Absence makes Living void.

VI. Provided, That if any Person so presented or nominated to any Benefice with Cure, shall be absent from the same above the Space of sixty Days in any one Year, that in such Case the said Benefice shall become void.

Taking the Oaths purges the Disability.

Cap. 8.

VII. Provided nevertheless, That if any such Person shall present himself before the Justices of the Peace at the General Quarter-Sessions to be holden for the County, Riding, Division, or Liberty where his Name was recorded, and shall there in open Court make, repeat, and subscribe the said Declaration, and take the several Oaths contained in one Act of this present Parliament, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, he shall from thenceforth be discharged of and from the said Disability, and be enabled to make such Presentation, Collation, Nomination, and Donation, and Grant of any Avoidance to any Benefice, Prebend, or ecclesiastical Living, School, or Hospital, as if this Act had not been made.

## CAP. XXVII.

### An Act for taking away the Court holden before the President and Council of the Marches of *Wales*

34 & 35 H. 8. c. 26.

'WHEREAS by the Statute made in the thirty-fourth and thirty-fifth Year of King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of Wales*, it is enacted, That there shall be and remain a President and Council in the said Dominion and Principality of *Wales*, and the Marches of the same, with all Officers, Clerks, and Incidents to the same, in Manner and Form as hath been heretofore used and accustomed; which President and Council shall have Power and Authority to hear and determine, by their Wisdoms and Discretions, such Causes and Matters as be or hereafter shall be assigned to them by the King's Majesty, as heretofore hath been accustomed and used; and forasmuch as the Proceedings and Decrees of that Court have by Experience been found to be an intolerable Burthen to the Subject within the said Principality, contrary to the great Charter, the known Laws of the Land, and the Birthright of the Subject, and the Means to introduce an arbitrary Power and Government; and forasmuch as all Matters examinable or determinable, or pretended to be examinable or determinable before the said Court of President and Council, may have their proper Redress in the ordinary Course of Justice, provided and settled in the several Shires within the said Principality and Dominion:' For Remedy whereof,

The Court of Marches taken away.

II. Be it enacted by the King's and Queen's most excellent Majesties, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the before-recited Clause in the said Statute, made in the thirty-fourth and thirty-fifth Year of King *Henry* the Eighth, shall be and is hereby repealed: And that the said Court, commonly called *The Court before the President and Council in the Marches of Wales*, and all Jurisdiction, Power, and Authority belonging unto, or exercised in the same Court, or by any the Judges, Officers, or Ministers thereof, be clearly and absolutely dissolved, taken away, and determined.

Sheriffs in Wales how chosen.

III. And be it hereby further enacted by the Authority aforesaid, That the Justices of the Great Sessions in *Wales* respectively, for the Time being, shall yearly nominate three substantial Persons for each Shire in their respective Circuits, to be Sheriffs of the same, and shall certify their Names to the Lords of the most honourable Privy Council *Crastino Animarum*, to the Intent the King's and Queen's Majesties, and the Survivor of them, and their Successors, being thereof advertised, may appoint one of the Persons so certified in every of the said Shires to be Sheriff for that Year.

Errors in Pleas Personal.

IV. And be it further enacted, That all Errors in Pleas personal within the said Principality or Dominion of *Wales*, shall be redressed by Writ of Error, in the same Manner as Errors in Pleas real and mixed are appointed to be redressed by the said Statute, made in the thirty-fourth and thirty-fifth Year of King *Henry* the Eighth.

Commencement of the Act. The Courts at Westminster may award Execution on

V. Provided always, That no Judgments nor Decrees passed in the said Court before the first Day of *June* one thousand six hundred eighty-nine, shall be by this Act repealed or annulled, but all and every of them shall remain in the same Force, and all Executions upon them in the same State, in which they were before the making of this Act; any Thing in this Act contained to the contrary notwithstanding.

these Judgements, &c. by 9 & 10 W. 3. c. 16. *Further Provisions concerning Wales*, 11 & 12 *W.* 3. *c.* 9. 8 *Geo.* 1. *c.* 25. 6 *Geo.* 2. *c.* 14. *and* 20 *Geo.* 2. *c.* 42.

## CAP. XXVIII.

### An Act for appropriating certain Duties for paying the *States General* of the *United Provinces* their Charges for his Majesty's Expedition into this Kingdom, and for other Uses. EXP.

## CAP. XXIX.

### An Act for Relief of the Protestant *Irish* Clergy. EXP.

## CAP. XXX.

### An Act to repeal the Statute made in the fifth Year of King *Henry* the Fourth, againſt the multiplying Gold and Silver.

5 H. 4. c. 4. repealed.

'WHEREAS by a Statute made and enacted in the Parliament held in the fifth Year of the Reign of King *Henry* the Fourth, late King of *England*, it was amongſt other Things enacted in theſe Words, or to this Effect, namely, *That none from thenceforth ſhould uſe to multiply Gold or Silver, or uſe the Craft of Multiplication; and if any the ſame do, they ſhould incur the Pain of Felony:* And whereas ſince the making of the ſaid Statute, divers Perſons have by their Study, Induſtry, and Learning, arrived to great Skill and Perfection in the Art of melting and refining of Metals, and otherwiſe improving them and their Ores (which very much abound within this Realm) and extracting Gold and Silver out of the ſame; but dare not exerciſe their ſaid Skill within this Realm, for fear of falling under the Penalty of the ſaid Statute, but exerciſe the ſaid Art in foreign Parts, to the great Loſs and Detriment of this Realm:

II. Be it therefore enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That from henceforth the aforeſaid Branch, Article, or Sentence contained in the ſaid Act, and every Word, Matter, and Thing contained in the ſaid Branch or Sentence, ſhall be repealed, annulled, revoked, and for ever made void; any Thing in the ſaid Act to the contrary in any wiſe whatſoever notwithſtanding.

Conditions of Repeal.

III. Provided always, and be it enacted by the Authority aforeſaid, That all the Gold and Silver that ſhall be extracted by the aforeſaid Art of melting and refining of Metals, and otherwiſe improving of them and their Ores as before ſet forth, be from henceforth employed for no other Uſe or Uſes whatſoever, but for the Increaſe of Monies; and that the Place hereby appointed for the Diſpoſal thereof, ſhall be their Majeſties Mint within the Tower of *London*; at which Place they are to receive the full and true Value for their Gold and Silver ſo extracted from Time to Time, according to the Aſſay and Fineneſs thereof; and ſo for any greater or leſſer Weight: And that none of that Metal of Gold and Silver, ſo refined and extracted, be permitted to be uſed or diſpoſed of in any other Place or Places within their Majeſties Kingdoms and Dominions.

Royal Mine. Explained by 5 & 6 W. & M. c. 6.

IV. Provided alſo, and be it further enacted by the Authority aforeſaid, That no Mine of Copper, Tin, Iron, or Lead, ſhall hereafter be adjudged, reputed, or taken to be a Royal Mine, although Gold or Silver may be extracted out of the ſame.

## CAP XXXI.

EXP.

An additional Act for the appointing Commiſſioners for the executing an Act of this preſent Parliament, intituled, *An Act for a Grant to their Majeſties of an Aid of twelve Pence in the Pound for one Year, for the neceſſary Defence of their Realms.*

## CAP. XXXII.

### An Act for the better preventing the Exportation of Wool, and encouraging the Woollen Manufactures of this Kingdom. *Continued by* 4 & 5 W. & M. Cap. 24. Sect. 10. *(except what relates to Free Importation of Woollen Manufacture) for three Years, with Proviſo that no Wool ſhall be imported from* Ireland *to* Exeter.

25 *Ed.* 1. *c.* 7. *H.* 6. *c.* 22. 23 *H.* 8. *c.* 17. 39 *El. c.* 14. 12 Car. 2. c. 32. *Burn, V.* 2. 583, *&c.*

'WHEREAS through the Remiſneſs and Negligence of Officers and others, in not putting the Laws in Execution againſt the Exportation of Wooll, Wooll-fells, Mortlings, Shorlings, Yarn made of Wooll, Wooll-flocks, Fullers-earth, Fulling-clay, and Tobacco-pipe-clay, and alſo by reaſon of the Doubtfulneſs of ſome Expreſſions in the Statute made in the twelfth Year of the Reign of King *Charles* the Second, divers great Quantities of Wooll, and other the Things above mentioned, have been exported out of the Kingdoms of *England* and *Ireland* into *France*, and other Parts beyond the Seas, which, if not prevented for the future, will tend to the utter Ruin and Undoing of many Thouſands of their Majeſties Subjects, and the great Diminution of the Trade of this Kingdom;' For preventing whereof, and for the better Explanation and Execution of the Laws made againſt the ſaid Exportation; and for the preventing Frauds generally practiſed to avoid the Penalties therein mentioned:

Wooll carried to the Sea Coaſts to be entered. Enforced by 7 & 8 W. 3. c. 28. §. 3.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Owner of Wooll, or their Agent or Agents, that ſhall at any Time carry, or cauſe to be carried any Wooll to any Port or Place on the Sea Coaſts, with an Intention to convey the ſame to any other Port or Place on the Sea Coaſts within the Kingdom of *England*, Dominion of *Wales*, or from the Town of *Berwick* upon *Tweed*, from whence the ſame may be ſhipped off,

ff, or otherwiſe tranſported, conveyed, or carried into foreign Parts, that the ſaid Owner or Owners ſhall in the firſt Place cauſe a due Entry to be made of the ſaid Wooll, at the Port from whence the ſame ſhall be ſo intended to be conveyed, containing the exact Weight, Marks, and Numbers of the ſame, before he or they preſume to load or carry away any of the ſaid Wooll, within five Miles of any ſuch Port or Place on the Sea Coaſts, from whence the ſame is ſo to be conveyed. And if any Wooll ſhall be carrying towards the Sea without being firſt entred in Manner aforeſaid, the Wooll ſo found, as alſo the Horſe or Horſes, Cart, Waggon, or other Beaſts, or Carriages conveying the ſame, ſhall be forfeited and loſt: And the Perſon or Perſons carrying, driving, aiding, or abetting the ſame, ſhall ſuffer and forfeit in ſuch Manner as by the Laws and Statutes now in Force againſt the Exportation of Wooll is provided. 9 & 10 W. 3. c. 40. Extended to Wooll fells and Mortlings, &c. by 5 Geo. 1. c. 11. §. 14. Penalty.

III. Provided always, and it is hereby enacted and declared, That the foregoing Clauſe is not intended, nor ſhall be conſtrued to extend to the hindring any Perſon or Perſons from carrying his or their Wooll from the Place of ſhearing the ſame, on Horſes, or by Carts and Waggons, to his or their own Dwelling-houſe or Houſes, or Out-houſes thereunto belonging, though the ſame be within five Miles or leſs of the Sea, ſo as ſuch Perſon or Perſons within ten Days after the ſhearing of the ſaid Wooll, and before he or they remove or otherwiſe diſpoſe of the ſame, or any Part thereof, from the Place where it was firſt carried after ſhearing, do under his or their Hands certify to the Officers of the Cuſtoms in the next adjacent Port the true Quantity of the ſaid Wooll (that is to ſay) of the Number of Fleeces, and where the ſame is houſed, and that ſuch Perſon or Perſons do not remove or otherwiſe diſpoſe of the ſaid Wooll to any other Place, without firſt certifying the Officer of ſuch Port, under his or their Hands, of his Intention to remove the ſame three Days at leaſt before ſuch Removal. And the Officer and Officers in the reſpective Ports, and the Limits of ſuch Ports, are hereby required to receive and keep ſuch Certificates, and to make a Regiſter of them; but in Caſe any ſuch Perſon or Perſons ſhall neglect to make and ſend ſuch Certificate to the Officer or Officers of the next adjacent Port as aforeſaid, or ſhall remove or otherwiſe diſpoſe of any of the ſaid Wooll, before ſuch Certificate of his Intention ſo to do be made and delivered as aforeſaid, ſuch Perſon or Perſons ſhall have no Benefit by this Proviſo, but be liable to the Penalties expreſſed in the foregoing Clauſe. Perſons carrying Wooll from ſhearing, to certify it. Regiſter of the Certificates.

IV. And be it further enacted by the Authority aforeſaid, That all Cocquets for carrying Wooll from any Port within the Kingdom of *England*, Dominion of *Wales*, or from the Port of *Berwick* upon *Tweed*, ſhall be written upon Paper, and not Parchment, and ſigned by three of the chief Officers of ſuch reſpective Port at leaſt; and all Certificates of landing the ſame again in any other of the ſaid Ports, or from the Kingdom of *Ireland*, ſhall be ſigned in like Manner; and that all ſuch Wooll, both at ſhipping and landing, ſhall be weighed in the Preſence of the ſaid Officers giving ſuch Cocquets and Certificates reſpectively; and that the exact Weight, Marks, and Numbers of ſuch Wooll, ſo ſhipped and landed, ſhall be likewiſe particularly expreſſed in both Cocquet and Certificate. Co Certificate how to be made.

V. And be it further enacted and declared by the Authority aforeſaid, That all and every ſuch Officer and Officers, as ſhall not obſerve the Directions in this Act before mentioned on their Parts to be performed, ſhall be deemed and adjudged as Aiders and Abettors of the ſaid Tranſportation, and ſuffer the Penalties contained in the Statutes made in the twelfth and fourteenth Years of King *Charles* the Second, againſt Tranſportation of Wooll, and other the Things before mentioned. Officers Penalty. 12 Car. 2. c. 32. 13 & 14 Car. 2. c. 18.

VI. Be it further enacted by the Authority aforeſaid, that no Wooll ſhall be ſhipped from the Kingdom of *Ireland*, but from theſe Ports following, (*viz.*) *Dublin*, *Waterford*, *Youghall*, *Kingſale*, *Corke*, and *Drogheda*; and that no Wool ſhall be imported from the Kingdom of *Ireland* into any Ports but theſe following (*viz.*) *Liverpool*, *Cheſter*, *Briſtol*, *Minehead*, *Barnſtaple*, *Bidiford*, and *Exeter*. Ports of Import and Export. Altered by 7 & 8 W. 3. c. 28. §. 5.

VII. And for the better and more effectual Execution of this and other Acts made againſt Exportation of Wooll, be it further enacted by the Authority aforeſaid, That the Right Honourable Sir *Thomas Pilkington* Lord Mayor of the City of *London*, Sir *Henry Goodrick* Baronet, Sir *Patience Ward* Knight, Sir *Matthew Andrews* Knight, Sir *Benjamin Newland* Knight, Sir *John Matthews* Knight, Sir *Peter Rich* Knight, Sir *Robert Daſhwood*, Sir *William Portman* Knight and Baronet, Sir *Henry Aſhhurſt* Baronet, Sir *William Aſhhurſt* Knight, Sir *Richard Newdigate*, Sir *John Fleet*, *William Harbord*, *John Summers*, *John Sandford*, *Foot Onſlow*, *John Pollexfen*, *Richard Bret*, *William Cranmore*, *Edward Montague*, Eſquires; *Samuel Haſſel*, *William Haſſel* ſenior, *John Pariſh*, *John Voyer*, *John Gibbon*, *Barnard Carter*, Gentlemen; Mr. *Montague* of *Horton*, Sir *Thomas Samuel* Baronet, *William Dugdale* Eſquire, *John Aſtley* of *Woley*, Eſquire, Sir *William Langham*, Sir *John Poley* Knight, Sir *Benjamin Ayloffe* Baronet, Sir *Robert Jefferyes* Knight, Sir *John Lethuellier* Knight, Sir *Gabriel Roberts* Knight, Sir *Samuel Daſhwood* Knight, Sir *Thomas Vernon* Knight, *Nathaniel Tench*, *William Huſſey*, *Thomas Canham*, *William Gore*, *Hugh Strode*, *Samuel Meverel*, *John Smith*, *Thomas Firmin*, *Arthur Moore*, *William Crouch*, *Thomas Heatly*, *Thomas Sandys*, *William Folly*, Eſquires; *Paris Slaughter*, *Henry Corniſh*, *John Devinck*, *Richard Scott*, *David Prole*, *Thomas Crandal*, *Philip Bickly*, *John Paris*, *Richard Harriſon*, *John Buſtfield*, *John Haines*, *Edward Bickly*, *Nicholas Broking*, *William Sandford*, *Benjamin Ivie*, *Daniel Ivie*, *Andrew Jeffery*, *Thomas Turner*, *Peter Par*, *Henry Newcomb*, *Joſeph Pince*, *Matthew Ferris*, *William Spry*, *John Keeſe* ſenior, *John Monkly* junior, *William Wrayford*, *John Youat*, *Robert Forſter*, *John Lavington*, *Thomas Potter*, *Robert Burridge*, *John Upcot*, *John Smith*, *John Mudford*, or any five of them, be authorized for putting this and other the ſaid Laws in Execution, who are hereby impowered from Time to Time, by their Agents or Subſtitutes to be deputed under the Hands and Seals of any five or more of them, to ſeize all Wooll, Wooll-fells, and other the Things above mentioned, which ſhall be endeavoured to be tranſported contrary to this Act; and alſo Commiſſioners to execute the Act.

to

to sue and prosecute all Persons offending against this or any the said Laws; any Law, Custom, or Usage to the contrary notwithstanding.

Owners of Ships, &c. discovering, their Reward.

VIII. Provided always, That if any Owner of any Ship or Vessel, or any Master or Mariner, knowing of the Exportation of any Sheeps-wooll, Wooll-fells, Mortlings, Shorlings, Yarn made of Wooll, Woollflocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay, contrary to the true Meaning of this and the other Acts above-mentioned, shall within three Months next after the Knowledge thereof, or after his Return into the Kingdom of *England*, or *Ireland*, or to the said Town of *Berwick*, or into the Dominion of *Wales* aforesaid, give the first Information *bona fide*, before any of the Barons for the time being of the Court of Exchequer in *England*, or the Court of Exchequer in *Ireland*, or before any three of the Commissioners appointed by this Act for the more effectual putting in Execution this and other Laws made against the Exportation of Wooll, or before the Head Officer of any Port where he shall first arrive, upon his or their Oath, of the Number and Quantity of such Sheeps-wooll, Wooll-fells, Mortlings, Shorlings, Yarn made of Wooll, Wooll-flocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay, so carried, conveyed, or exported as aforesaid, and by whom, where, and in what Ship or Vessel, and afterwards shall be ready, upon reasonable Warning, by Process to justify and prove the same, That then such Owner and Owners, Master, Mariner, and Mariners, shall not be liable or subject to any the Penalties or Forfeitures in this or any other Act contained or enacted, for the Offence aforesaid, but shall and is hereby enabled to recover and receive such Benefit and Advantages as is appointed to be allowed by the precedent Act or Acts.

Persons authorized may seize, &c.

IX. Provided nevertheless, That the Powers given to the said Commissioners shall not hinder any Person or Persons lawfully authorized from seizing Wooll, or prosecuting any Person offending against this or any former Act made against the Transportation of Wooll, and other the Things above mentioned.

X. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, Suit, or Information shall be commenced or prosecuted against any Person for what he shall do in Pursuance of this Act, such Person so sued shall and may file a Common Bail, or enter into Common Appearance, and plead the General Issue, *Not guilty*; and upon Issue joined may give this Act in Evidence: And if the Plaintiff or Prosecutor shall become nonsuit, or suffer Discontinuance, or if a Verdict pass against him, or if upon a Demurrer Judgement pass against him, the Defendant shall recover treble Costs and Damages for his Molestation.

A Register of Wooll.

XI. And for the better Execution of the Powers granted by this Act, be it enacted by the Authority aforesaid, That a Register be kept at the Custom-house, *London*, of all the Wooll from time to time imported from *Ireland*; and also of what Wooll shall be sent from one Port to another in this Kingdom; the particular Weights and Numbers, the Ship, Master's Name, Owner's Name, and to whom consigned; to the end the said Commissioners appointed to put this Act in Execution may have an Inspection thereinto, or Copies thereof, from time to time.

Continuance of the Act.

This Act to continue for three Years, and from thence to the End of the next Session of Parliament.

Woollen Manufacture may be exported.

XII. And for the better Encouragement of the Manufacture as well as the Growth of Wooll, be it further enacted by the Authority aforesaid, That from henceforward it shall and may be lawful to and for any Person or Persons whatsoever to buy any Cloth, Stuffs, Stockings, or other Manufacture of Wooll made in the Kingdom of *England*, Dominion of *Wales*, or the Town of *Berwick* upon *Tweed*, and the same freely, without any Molestation or Trouble whatsoever, to export into any Parts beyond the Seas, paying the usual Customs.

Saving to the Companies Charters.

XIII. Provided, That nothing contained in this Act shall be construed to avoid the Charters and Grants made to the *Levant* Company, to the *Eastland* Company, to the *Russia* Company, to the *African* Company, or to the Privileges granted to them, or any of them.

Wooll from Southampton.

XIV. Provided also, and it is hereby enacted by the Authority aforesaid, That it shall and may be lawful to transport from the Port of *Southampton* only, for the only Use or Behoof of the Inhabitants of the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sarke*, and of the Woollen Manufactures there made, one thousand Tods of unkembed Wooll for the Island of *Guernsey*, two thousand Tods of unkembed Wooll for the Island of *Jersey*, two hundred Tods of unkembed Wooll for the Island of *Alderney*, and one hundred Tods of unkembed Wooll for the Island of *Sarke*, more than by the said Act made in the twelfth Year of the Reign of King *Charles* the Second is directed and provided for the same, to be done according to the same Rules, Orders, and Directions, and under the like Penalties and Forfeitures as in the said Act is directed, ordained, appointed and inflicted, and on the further Penalty of twenty Pounds for every Tod of Wooll, and Forfeiture of the Wooll itself (one half thereof to his Majesty, one quarter Part thereof to the Informer, and the other quarter Part to the Poor of the said Islands) in case any Person shall again transport or attempt to transport any of the said Wooll from the said Islands, for every Offence therein; and also that every Person so offending shall from and after the first Offence be incapable of having or enjoying any Grant of any Wooll from the said Port of *Southampton*, nor shall ever hereafter have any Warrant given or granted him for that Purpose; the said Penalties to be recovered by such Person as shall sue for the same by any Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint is to be allowed, or any more than one Imparlance.

10 Annæ, c. 16.

*Farther Provisions relating hereto,* 10 & 11 *W.* 3. c. 10. 3 *Geo.* 1. c. 21. 4 *Geo.* 1. c. 11. 5 *Geo.* 1. c. 11. 12 *Geo.* 1. c. 34. 13 *Geo.* 1. c. 23. 5 *Geo.* 2. c. 21. 12 *Geo.* 2. c. 21. 15 *Geo.* 2. c. 27. 25 *Geo.* 2. c. 14. 26 *Geo.* 2. c. 8. & 11. 29 *Geo.* 2. c. 33. *and* 30 *Geo.* 2. c. 12.

CAP.

## CAP. XXXIII.

### An Act for explaining Part of an Act made in the first Year of King *James* the First, concerning tanned Leather.

'WHEREAS by a Statute made in the first Year of King *James* the First it was enacted, That the Master and Wardens of the several Mysteries of the Cordwainers, Curriers, Girdlers, and Sadlers of the City of *London*, for the time being, or the major Part of the said Master and Wardens of every the said several Mysteries, under the Penalty therein mentioned, should four Times in the Year at least (that is to say) once every Quarter of the Year, or oftner if Need should require, search, and view all Boots, Shoes, Buskins, and other Wares and Things whatsoever made of tanned Leather, in all and every House and Houses, Place and Places, privileged or not privileged, as well within the City of *London* and Suburbs thereof, as in every other Place within three Miles of the same City, where any Shoemaker, Sadler, Girdler, Currier, or other Artificer, using cutting, working, or dressing of Leather, whether the same Boots and Shoes, Wares, Stuff, or other Things, were made of tanned Leather, and were wrought according to the Purport, Effect, and true Meaning of the said Statute, or not: 1 Jac. 1. c. 22. §. 29. Explained by 14 Geo. 2. c. 25.

II. And whereas some Doubts have been made, whether tanned Leather, when and after it hath been fully dressed and curried by the Currier, be a Ware within the said Statute, and several Suits of Law have been carried on against the Master and Wardens of the Company of Curriers, to their great Charge and Vexation, and tending to the utter avoiding the good Provision made in the said Statute for the due and lawful currying and dressing of Leather, and the Search and View thereof, to be made as by the said Statute is required:' For the removing therefore of all Doubts, and that Search and View may be duly made according to the said Statute:

III. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Hide, Skin, or Piece of tanned Leather, shaved or liquored, of what Colour soever, with any lawful liquoring or dressing, and being well and truly curried according to the Directions of the said Statute, shall be adjudged, reputed, and taken to be the made Ware and Manufacture of the said Currier, and subject to the View, Search, and Seizure of the said Master and Wardens, or the major Part, as in and by the said Statute is provided, and shall be liable to be seized, and subject to the same Penalties as other Wares insufficiently made of tanned Leather by the said Statute are liable and subject unto. What shall be adjudged Ware within 1 Jac. 1. c. 22. §. 29. *Burn, V.* 3. 120.

IV. Provided always, That nothing in this or any other Act shall extend to give any Power to the Master and Wardens of the Company of Curriers, to visit, search, or seize any Leather, Hide, or Skin, but such only as shall be curried or dressed within the City of *London*, or three Miles thereof, by some Members of their own Company, nor in any other Place, but in the open Market, or in the Shops, Houses, or Warehouses of such Curriers. The Power of the Master, &c.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Leather-sellers, Curriers, Shoemakers, and all other Person and Persons whatsoever, that do deal or work in Leather, freely to buy all Sorts of red tanned Leather in any open Fair or Market, whether curried or uncurried, the same being first searched and sealed according to the Form of the Statutes in that Case made and provided, and having so bought the same, to sell it again to any Person or Persons whatsoever, in their publick and open Shops, or to cut and convert the same into other made Ware, according to their several and respective Trades. Red tanned Leather how bought and sold.

VI. And be it further enacted, That it shall and may be lawful for any Person or Persons to buy or sell Leather, Hides, and Skins by Weight; any Law, Statute, or other Provision to the contrary in any wise notwithstanding. Leather may be bought and sold by Weight. *Farther provided for, by* 9 *Ann. c.* 6. 12 *Ann. stat.* 2. *c.* 9. 3 *Geo.* 1. *c.* 4. 5 *Geo.* 1. *c.* 2. *and* 12 *Geo.* 2. *c.* 25.

## CAP. XXXIV.

### An Act for prohibiting all Trade and Commerce with *France*. Vide 2 *W. & M. Sess.* 2. *Cap.* 14. *for more effectual executing this Act, and both revived by* 4 *& 5 W. & M. Cap.* 25. *for three Years, if War with* France *last so long.*

'FORASMUCH as your Majesties, upon just and honourable Grounds, have been pleased to declare an actual War with *France*, and to enter into several Confederacies for carrying on the same; and that it hath been found by long Experience, that the importing of *French* Wines, Vinegar, Brandy, Linen, Silks, Salt, Paper, and other the Commodities of the Growth, Product, or Manufacture of *France* or of the Territories or Dominions of the *French* King, hath much exhausted the Treasure of this Nation, lessened the Value of the native Commodities and Manufactures thereof, and greatly impoverished the *English* Artificers and Handicrafts, and caused great Detriment to this Kingdom in general:' 2 W. & M. stat. 2. c. 9. §. 12. 5 & 6 W. & M. c. 20. §. 45.

XIX. And it is hereby enacted, That from and after the tenth Day of *September* one thousand six hundred eighty-nine, no Vintner or Retailer of Wines whatsoever shall sell or utter any Wines by Retail, Retailers to sell Wine in Pewter,

Penalty 5l.

other than by and in Measures made of Pewter, and sealed according to the Statute, under the Pain and Penalty of five Pounds for every such Offence, to the Informer, to be levied and recovered in any of such Courts, and in such Manner, as aforesaid.

7 & 8 W. 3. c. 19. §. 3. 11 & 12 W. 3. c. 15. 2 W. & M. Sess. 2. c. 14. 300l. Penalty for selling sophisticated Wine. 4 & 5 W. & M. c. 25.

XX. And for the preventing of the Mischiefs which may be occasioned by the sophisticating, corrupting, and adulterating of Wines during such Time as they are by this Act allowed to be sold, be it enacted, That if any Merchant, Vintner, Wine-cooper, or other Person selling Wine by Wholesale or Retail, shall corrupt, sophisticate, or adulterate any Wine, or shall utter or sell any Wine corrupted, sophisticated, or adulterated; such Person shall forfeit the Sum of three hundred Pounds for every such Offence, the one Moiety thereof to their Majesties and their Successors, and the other Moiety thereof to such Person as shall sue for the same by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed, and also shall suffer Imprisonment by the Space of three Months, without Bail or Mainprise.

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## SESSIO SECUNDA.

# Anno Regni GULIELMI & MARIÆ primo.

### CAP. I. (35.)

9 & 10 W. 3. c. 8. 12 & 13 W. 3. c. 11. §. 27. 9 Ann. c. 21.

An Act for a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year. Exp.

### CAP. II. (36.)

An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown.

'WHEREAS the Lords Spiritual and Temporal, and Commons, assembled at *Westminster*, lawfully, fully, and freely representing all the Estates of the People of this Realm, did upon the thirteenth Day of *February* in the Year of our Lord one thousand six hundred eighty-eight, present unto their Majesties, then called and known by the Names and Stile of *William* and *Mary*, Prince and Princess of *Orange*, being present in their proper Persons, a certain Declaration in Writing, made by the said Lords and Commons, in the Words following; *viz.*

The Heads of Abdication.

'WHEREAS the late King *James* the Second, by the Assistance of divers evil Counsellors, Judges, and Ministers employed by him, did endeavour to subvert and extirpate the Protestant Religion, and the Laws and Liberties of this Kingdom.

Dispensing Power.

'1. By assuming and exercising a Power of dispensing with and suspending of Laws, and the Execution of Laws, without Consent of Parliament.

Committing Prelates.

'2. By committing and prosecuting divers worthy Prelates, for humbly petitioning to be excused from concurring to the said assumed Power.

Ecclesiastical Commission.

'3. By issuing and causing to be executed a Commission under the Great Seal for erecting a Court called, *The Court of Commissioners for Ecclesiastical Causes*.

Levying Money.

'4. By levying Money for and to the Use of the Crown, by Pretence of Prerogative, for other Time, and in other Manner, than the same was granted by Parliament.

Standing Army.

'5. By raising and keeping a Standing Army within this Kingdom in Time of Peace, without Consent of Parliament, and quartering Soldiers contrary to Law.

Disarming Protestants.

'6. By causing several good Subjects, being Protestants, to be disarmed, at the same Time when Papists were both armed and employed, contrary to Law.

Violating Elections.

'7. By violating the Freedom of Election of Members to serve in Parliament.

Wrong Prosecutions.

'8. By Prosecutions in the Court of King's Bench, for Matters and Causes cognizable only in Parliament; and by divers other arbitrary and illegal Courses.

Juries.

'9. And whereas of late Years, partial, corrupt, and unqualified Persons, have been returned and served on Juries in Trials, and particularly divers Jurors in Trials for High Treason, which were not Freeholders.

Excessive Bail.

'10. And excessive Bail hath been required of Persons committed in criminal Cases, to elude the Benefit of the Laws made for the Liberty of the Subjects.

Fines and Punishments. Grants of Fines, &c.

'11. And excessive Fines have been imposed; and illegal and cruel punishments inflicted.

'12. And several Grants and Promises made of Fines and Forfeitures, before any Conviction or Judgment against the Persons, upon whom the same were to be levied.

'All which are utterly and directly contrary to the known Laws and Statutes, and Freedom of this Realm.'

9 *H.* 3. *stat.* 1. *c.* 14. 3 *Ed.* 1. *c.* 6. 34 *Ed.* 3. *c.* 1.

'And

'And whereas the ſaid late King *James* the Second having abdicated the Government, and the Throne being thereby vacant, his Highneſs the Prince of *Orange* (whom it hath pleaſed Almighty God to make the glorious Inſtrument of delivering this Kingdom from Popery and arbitrary Power) did (by the Advice of the Lords Spiritual and Temporal, and divers principal Perſons of the Commons) cauſe Letters to be written to the Lords Spiritual and Temporal, being Proteſtants; and other Letters to the ſeveral Counties, Cities, Univerſities, Boroughs, and Cinque-ports, for the chooſing of ſuch Perſons to repreſent them, as were of right to be ſent to Parliament, to meet and ſit at *Weſtminſter* upon the two and twentieth Day of *January* in this Year one thouſand ſix hundred eighty and eight, in order to ſuch an Eſtabliſhment, as that their Religion, Laws, and Liberties might not again be in Danger of being ſubverted: Upon which Letters, Elections having been accordingly made,

'And thereupon the ſaid Lords Spiritual and Temporal, and Commons, purſuant to their reſpective Letters and Elections, being now aſſembled in a full and free Repreſentative of this Nation, taking into their moſt ſerious Conſideration the beſt Means for attaining the Ends aforeſaid; do in the firſt Place (as their Anceſtors in like Caſe have uſually done) for the vindicating and aſſerting their ancient Rights and Liberties, declare; The Subjects Rights.

'1. That the pretended Power of ſuſpending of Laws, or the Execution of Laws, by regal Authority, without Conſent of Parliament, is illegal. No diſpenſing Power.

'2. That the pretended Power of diſpenſing with Laws, or the Execution of Laws, by regal Authority, as it hath been aſſumed and exerciſed of late, is illegal. Late diſpenſing illegal.

'3. That the Commiſſion for erecting the late Court of Commiſſioners for Eccleſiaſtical Cauſes, and all other Commiſſions and Courts of like Nature, are illegal and pernicious. Eccleſiaſtical Courts illegal.

'4. That levying Money for or to the Uſe of the Crown, by Pretence of Prerogative, without Grant of Parliament, for longer Time, or in other Manner than the ſame is or ſhall be granted, is illegal. Levying Money.

'5. That it is the Right of the Subjects to petition the King, and all Commitments and Proſecutions for ſuch petitioning are illegal. Right to petition.

'6. That the raiſing or keeping a Standing Army within the Kingdom in Time of Peace, unleſs it be with Conſent of Parliament, is againſt Law. Standing Army.

'7. That the Subjects which are Proteſtants, may have Arms for their Defence ſuitable to their Conditions, and as allowed by Law. Subjects Arms.

'8. That Election of Members of Parliament ought to be free. Freedom of Election.

'9. That the Freedom of Speech, and Debates or Proceedings in Parliament, ought not to be impeached or queſtioned in any Court or Place out of Parliament. Freedom of Speech.

'10. That exceſſive Bail ought not to be required, nor exceſſive Fines impoſed; nor cruel and unuſual Puniſhments inflicted. Exceſſive Bail.

'11. That Jurors ought to be duly impanelled and returned, and Jurors which paſs upon Men in Trials for High Treaſon ought to be Freeholders. Juries.

'12. That all Grants and Promiſes of Fines and Forfeitures of particular Perſons before Conviction, are illegal and void. Grants of Forfeitures.

'13. And that for Redreſs of all Grievances, and for the amending, ſtrengthening, and preſerving of the Laws, Parliaments ought to be held frequently. Frequent Parliaments.

'And they do claim, demand, and inſiſt upon all and ſingular the Premiſſes, as their undoubted Rights and Liberties; and that no Declarations, Judgements, Doings, or Proceedings, to the Prejudice of the People in any of the ſaid Premiſſes, ought in any wiſe to be drawn hereafter into Conſequence or Example.

'To which Demand of their Rights they are particularly encouraged by the Declaration of his Highneſs the Prince of *Orange*, as being the only Means for obtaining a full Redreſs and Remedy therein.

'Having therefore an entire Confidence, That his ſaid Highneſs the Prince of *Orange* will perfect the Deliverance ſo far advanced by him, and will ſtill preſerve them from the Violation of their Rights, which they have here aſſerted, and from all other Attempts upon their Religion, Rights, and Liberties.

'II. The ſaid Lords Spiritual and Temporal, and Commons, aſſembled at *Weſtminſter*, do reſolve, That *William* and *Mary* Prince and Princeſs of *Orange* be, and be declared, King and Queen of *England*, *France*, and *Ireland*, and the Dominions thereunto belonging, to hold the Crown and Royal Dignity of the ſaid Kingdoms and Dominions to them the ſaid Prince and Princeſs during their Lives, and the Life of the Survivor of them; and that the ſole and full Exerciſe of the Regal Power be only in, and executed by the ſaid Prince of *Orange*, in the Names of the ſaid Prince and Princeſs, during their joint Lives; and after their Deceaſes, the ſaid Crown and Royal Dignity of the ſaid Kingdoms and Dominions to be to the Heirs of the Body of the ſaid Princeſs; and for Default of ſuch Iſſue to the Princeſs *Anne* of *Denmark*, and the Heirs of her Body; and for Default of ſuch Iſſue to the Heirs of the Body of the ſaid Prince of *Orange*. And the Lords Spiritual and Temporal, and Commons, do pray the ſaid Prince and Princeſs to accept the ſame accordingly. Tender of the Crown.

'III. And that the Oaths hereafter mentioned be taken by all Perſons of whom the Oaths of Allegiance and Supremacy might be required by Law, inſtead of them; and that the ſaid Oaths of Allegiance and Supremacy be abrogated. New Oaths of Allegiance, &c.

Allegiance. 'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance, to their Ma-
'jeſties King *William* and Queen *Mary*:

*So help me God.*'

Supremacy. 'I *A. B.* do ſwear, That I do from my Heart abhor, deteſt, and abjure, as impious and heretical, that
'damnable Doctrine and Poſition, *That Princes excommunicated or deprived by the Pope, or any Authority*
'*of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever.* And I do declare
'That no Foreign Prince, Perſon, Prelate, State, or Potentate hath, or ought to have, any Juriſdiction,
'Power, Superiority, Pre-eminence, or Authority, Eccleſiaſtical or Spiritual, within this Realm:

*So help me God.*'

Acceptance of the Crown. 'IV. Upon which their ſaid Majeſties did accept the Crown and Royal Dignity of the Kingdoms o
'*England*, *France*, and *Ireland*, and the Dominions thereunto belonging, according to the Reſolution an
'Deſire of the ſaid Lords and Commons contained in the ſaid Declaration.

The two Houſes to ſit. 'V. And thereupon their Majeſties were pleaſed, That the ſaid Lords Spiritual and Temporal, an
'Commons, being the two Houſes of Parliament, ſhould continue to ſit, and with their Majeſties roya
'Concurrence make effectual Proviſion for the Settlement of the Religion, Laws and Liberties of thi
'Kingdom, ſo that the ſame for the future might not be in Danger again of being ſubverted; to whic
'the ſaid Lords Spiritual and Temporal, and Commons, did agree and proceed to act accordingly.'

Subjects Liberties to be allowed. VI. Now in purſuance of the Premiſſes, the ſaid Lords Spiritual and Temporal, and Commons, i
Parliament aſſembled, for the ratifying, confirming and eſtabliſhing the ſaid Declaration, and the Articles
Clauſes, Matters, and Things therein contained, by the Force of a Law made in due Form by Authorit
of Parliament, do pray that it may be declared and enacted, That all and ſingular the Rights and Li
berties aſſerted and claimed in the ſaid Declaration, are the true, ancient, and indubitable Rights an
Liberties of the People of this Kingdom, and ſo ſhall be aſteemed, allowed, adjudged, deemed, and take
to be, and that all and every the Particulars aforeſaid ſhall be firmly and ſtrictly holden and obſerved
as they are expreſſed in the ſaid Declaration; and all Officers and Miniſters whatſoever ſhall ſerve the
Majeſties and their Succeſſors according to the ſame in all Times to come.

William and Mary declared King and Queen. VII. And the ſaid Lords Spiritual and Temporal, and Commons, ſeriouſly conſidering how it hath pleaſ
ed Almighty God, in his marvellous Providence, and merciful Goodneſs to this Nation, to provide and pre
ſerve their ſaid Majeſties royal Perſons moſt happily to reign over us upon the Throne of their Anceſtors
for which they render unto him from the Bottom of their Hearts their humbleſt Thanks and Praiſes
do truly, firmly, aſſuredly, and in the Sincerity of their Hearts think, and do hereby recognize, acknow
ledge and declare, That King *James* the Second having abdicated the Goverment, and their Majeſtie
having accepted the Crown and royal Dignity as aforeſaid, their ſaid Majeſties did become, were, are, an
of Right ought to be, by the Laws of this Realm, our Sovereign Liege Lord and Lady, King and Quee
of *England*, *France*, and *Ireland*, and the Dominions thereunto belonging, in and to whoſe princely Perſon
the royal State, Crown, and Dignity of the ſaid Realms, with all Honours, Stiles, Titles, Regalities
Prerogatives, Powers, Juriſdictions and Authorities to the ſame belonging and appertaining, are moſt fully
rightfully, and intirely inveſted and incorporated, united and annexed.

Limitation of the Crown. VIII. And for preventing all Queſtions and Diviſions in this Realm, by reaſon of any pretended Title
to the Crown, and for preſerving a Certainty in the Succeſſion thereof, in and upon which the Unity
Peace, Tranquillity, and Safety of this Nation doth, under God, wholly conſiſt and depend, The ſai
Lords Spiritual and Temporal, and Commons, do beſeech their Majeſties that it may be enacted, eſta
bliſhed and declared, That the Crown and regal Government of the ſaid Kingdoms and Dominions, wit
all and ſingular the Premiſſes thereunto belonging and appertaining, ſhall be and continue to their ſaid Ma
jeſties, and the Survivor of them, during their Lives, and the Life of the Survivor of them: And that th
intire, perfect, and full Exerciſe of the regal Power and Government be only in, and executed by hi
Majeſty, in the Names of both their Majeſties during their joint Lives; and after their Deceaſes the ſai
Crown and Premiſſes ſhall be and remain to the Heirs of the Body of her Majeſty; and for Default of ſuc
Iſſue, to her Royal Highneſs the Princeſs *Anne* of *Denmark*, and the Heirs of her Body; and for Default o
ſuch Iſſue, to the Heirs of the Body of his ſaid Majeſty: And thereunto the ſaid Lords Spiritual an
Temporal, and Commons, do, in the Name of all the People aforeſaid, moſt humbly and faithfully ſub
mit themſelves, their Heirs and Poſterities for ever; and do faithfully promiſe, That they will ſtand to
maintain, and defend their ſaid Majeſties, and alſo the Limitation and Succeſſion of the Crown herein ſpe
cified and contained, to the utmoſt of their Powers, with their Lives and Eſtates, againſt all Perſon
whatſoever, that ſhall attempt any Thing to the contrary.

Papiſts debarred the Crown. 'IX. And whereas it hath been found by Experience, that it is inconſiſtent with the Safety and Welfar
'of this Proteſtant Kingdom, to be governed by a Popiſh Prince, or by any King or Queen marrying
'Papiſt;' the ſaid Lords Spiritual and Temporal, and Commons, do further pray that it may be enacted
That all and every Perſon and Perſons that is, are, or ſhall be reconciled to, or ſhall hold Communio
with, the See or Church of *Rome*, or ſhall profeſs the Popiſh Religion, or ſhall marry a Papiſt, ſhall b
excluded

excluded, and be for ever incapable to inherit, poſſeſs, or enjoy the Crown and Government of this Realm, and *Ireland*, and the Dominions thereunto belonging, or any Part of the ſame, or to have, uſe, or exerciſe any regal Power, Authority, or Juriſdiction within the ſame; and in all and every ſuch Caſe or Caſes the People of theſe Realms ſhall be, and are hereby abſolved of their Allegiance; and the ſaid Crown and Government ſhall from time to time deſcend to, and be enjoyed by ſuch Perſon or Perſons, being Proteſtants, as ſhould have inherited and enjoyed the ſame, in caſe the ſaid Perſon or Perſons ſo reconciled, holding Communion, or profeſſing, or marrying as aforeſaid, were naturally dead.

All Kings, &c. to take the Declaration of 30 Car. 2. ſtat. 2. c. 1.

X. And that every King and Queen of this Realm, who at any Time hereafter ſhall come to and ſucceed in the Imperial Crown of this Kingdom, ſhall on the firſt Day of the Meeting of the firſt Parliament, next after his or her coming to the Crown, ſitting in his or her Throne in the Houſe of Peers, in the Preſence of the Lords and Commons therein aſſembled, or at his or her Coronation, before ſuch Perſon or Perſons who ſhall adminiſter the Coronation Oath to him or her, at the Time of his or her taking the ſaid Oath (which ſhall firſt happen) make, ſubſcribe, and audibly repeat the Declaration mentioned in the Statute made in the thirtieth Year of the Reign of King *Charles* the Second, intituled, *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.* But if it ſhall happen, that ſuch King or Queen, upon his or her Succeſſion to the Crown of this Realm, ſhall be under the Age of twelve Years, then every ſuch King or Queen ſhall make, ſubſcribe, and audibly repeat the ſaid Declaration at his or her Coronation, or the firſt Day of the Meeting of the firſt Parliament as aforeſaid, which ſhall firſt happen after ſuch King or Queen ſhall have attained the ſaid Age of twelve Years.

If under twelve Years old to be done after Attainment thereof.

King's Aſſent.

XI. All which their Majeſties are contented and pleaſed ſhall be declared, enacted, and eſtabliſhed by Authority of this preſent Parliament, and ſhall ſtand, remain, and be the Law of this Realm for ever; and the ſame are by their ſaid Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, declared, enacted, and eſtabliſhed accordingly.

Non obſtante's made void.

XII. And be it further declared and enacted by the Authority aforeſaid, That from and after this preſent Seſſion of Parliament, no Diſpenſation by *Non obſtante* of or to any Statute, or any Part thereof, ſhall be allowed, but that the ſame ſhall be held void and of no Effect, except a Diſpenſation be allowed of in ſuch Statute, and except in ſuch Caſes as ſhall be ſpecially provided for by one or more Bill or Bills to be paſſed during this preſent Seſſion of Parliament.

Pardons exeepted before October.

XIII. Provided that no Charter, or Grant, or Pardon, granted before the three and twentieth Day of *October* in the Year of our Lord one thouſand ſix hundred eighty-nine, ſhall be any ways impeached or invalidated by this Act, but that the ſame ſhall be and remain of the ſame Force and Effect in Law, and no other than as if this Act had never been made.

*Farther Proviſions concerning Succeſſion of the Crown,* 12 *W.* 3. *c.* 2, 13 *W.* 3. *c.* 6.

## CAP. III. (37.)

An Act for preventing all Doubts and Queſtions concerning the collecting the publick Revenue. EXP.

## CAP. IV. (38.)

An Act for puniſhing Officers or Soldiers who ſhall mutiny or deſert their Majeſty's Service, and for puniſhing falſe Muſters. EXP.

## CAP. V. (39.)

An Act for a Grant to their Majeſties of an additional Aid of twelve Pence in the Pound for one Year. EXP.

## CAP. VI. (40.)

An Act for the charging and collecting the Duties upon Coffee, Tea, and Chocolate, at the Cuſtom Houſe.

'WHEREAS it hath been found by Experience, that the collecting of the Duty ariſing to your Majeſties by virtue of ſeveral Acts of Parliament, by way of Exciſe, upon the Liquors of Coffee, Chocolate, and Tea, is not only very troubleſome and unequal upon the Retailers of thoſe Liquors, but requireth ſuch Attendance of Officers, as makes the neat Receipt very inconſiderable: For Remedy thereof,' *Burn, F.* 1. 351.

Acts for collecting Excize upon Coffee, &c. repealed. The reſt of this Act is repealed.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the nine and twentieth Day of *September* one thouſand ſix hundred and ninety, ſo much of every Act of Parliament as concerns and requires the collecting the reſpective Duties by any of thoſe Acts, by way of Exciſe, upon any of the Liquors aforeſaid, ſhall ceaſe and determine; and

See 4 & 5 W. & M. c. 5. §. 13. & 7 W. 3. c. 7. 9 & 10 W. 3. c. 14. 12 & 13 W. 3. c. 11. 3 & 4 Annæ, c. 4. 6 Annæ, c. 22. 7 Annæ, c. 7. §. 26. 10 Annæ, c. 26. 3 Geo. 1. c. 7. §. 1. 10 Geo. 1. c. 10. 12 Geo. 1. c. 28. §. 29. 4 Geo. 2. c. 14. 18 Geo. 2. c. 26. The Duties upon Coffee, &c. to be collected at the Cuſtom Houſe. Half Duty on Coffee after 25 March 1693. during this Act diſcharged by 4 & 5 W. & M. c. 5. §. 13. One Pound of Cocoa Nuts imported from Engliſh Plantations 6 d. from other Countries 8 d. One Pound of Tea 1 s. One Pound Weight of Chocolate ready made 1 s. All to be paid above Duties charged in the Book of Rates. Penalty for Nonpayment. Two Thirds repaid upon Exportation. Nutmegs, &c. how imported. See 8 Geo. 1. c. 15. §. 17.

ſo much of every of the ſaid Acts as requires the collecting of the ſaid Duty, by way of Exciſe, ſhall hereby be, and are repealed, as to that Part only that requires ſuch Collection.

## CAP. VII. (41.)

EXP. An Act for Review of the late Poll granted to their Majeſties, and for an additional Poll, towards the reducing of *Ireland*.

## CAP. VIII. (42.)

An Act for preventing vexatious Suits againſt ſuch as acted in order to the bringing in their Majeſties, or for their Service.

'WHEREAS about the Time of his Majeſty's glorious Enterprize, for delivering this Kingdom from Popery and Arbitrary Power, and in Aid and Purſuance of the ſame, divers Lords, Gentlemen, and other good People, well affected to their Country, did act as Lieutenants, Deputy-Lieutenants, Juſtices of the Peace, or other Officers, civil or military, though not ſufficiently authorized thereunto, and did apprehend and put into Cuſtody ſeveral criminous and ſuſpected Perſons, and did ſeize and uſe divers Horſes, Arms, and other Things, and did enter into the Houſes and Poſſeſſions of ſeveral Perſons, and did quarter, and cauſe to be quartered, Soldiers and others there; in which Proceedings ſome Force and Violence, and Defect of Form was unavoidable, which in a Time of Peace and common Safety would not have been warrantable: And alſo ſince their Majeſties happy Acceſſion to the Crown, by reaſon of the Wars and Troubles raiſed and occaſioned by the Enemies of their Majeſties and this Kingdom, divers like Matters and Things have been acted and done, all which were neceſſary and allowable in regard of the Exigence of publick Affairs, and ought to be juſtified, and the Parties concerned therein indemnified: Nevertheleſs, ſome Perſons ill affected to their Majeſties Government, and the Safety and Welfare of this Kingdom, have commenced and proſecuted, and threaten to commence and proſecute Actions and Suits againſt their Majeſties good Subjects, for and by reaſon of their Actings and Doings aforeſaid: Therefore for the preventing the Trouble and Charges which the ſaid good Subjects might
EXP. be put to by the Means of ſuch vexatious Suits, *&c.*'

## CAP. IX. (43.)

An Act for the better Security and Relief of their Majeſties Proteſtant Subjects of *Ireland*.

'WHEREAS the Kingdom of *Ireland* is (as well by the Laws of this Kingdom, as thoſe of *Ireland*) annexed and united to the Imperial Crown of *England*, and all Acts, Judgements, Sentences, Orders, Decrees, or other Proceedings, of what Kind ſoever, there had, made, or done, without or againſt the Authority of the Kings or Queens of this Kingdom of *England*, are abſolutely null and void; and all Perſons in *Ireland* that oppoſe or ſubmit not to the Government of the Crown of this Realm, are Rebels, and guilty of High Treaſon; notwithſtanding which, ſeveral Perſons, ſince the happy Acceſſion of their Majeſties King *William* and Queen *Mary* to the Imperial Crown of this Realm, have been lately aſſembled at or near the City of *Dublin* in the Kingdom of *Ireland*, without any Authority from their ſaid Majeſties, pretending to be, or calling themſelves by the Name of a Parliament, and in ſuch rebellious Aſſembly have made and paſſed ſeveral pretended Acts or Statutes, in manifeſt Oppoſition to the Sovereignty, and to the inherent Rights and Dignities of the Crown of this Realm, and to the general Prejudice and Violation of the Rights and Properties of their Majeſties good Subjects of that Kingdom: And although all the ſaid Proceedings are abſolutely null and void in themſelves, yet nevertheleſs, for the more plain and expreſs declaring and aſſerting the Sovereignty, Rights, and Dignities of the Crown of *England*, and for the clearing all Doubts, and quieting the Minds of their Majeſties good Subjects of that Kingdom, as alſo for the remedying, preventing, and avoiding the ſeveral Miſchiefs and Incon-
EXP. veniencies intended by this Act to be provided againſt, *&c.*'

## SESSIO PRIMA.

## Anno Regni GULIELMI & MARIÆ ſecundo.

At the Parliament held at *Weſtminſter* the twentieth Day of *March* [a] 1689.

[a] The former Editions have it the twentieth of May 1690.

### CAP. I.

An Act for Recognizing King *William* and Queen *Mary*, and for avoiding all Queſtions touching the Acts made in the Parliament aſſembled at *Weſtminſter*, the thirteenth Day of *February* one thouſand ſix hundred eighty-eight.

King and Queen recognized.

WE your Majeſty's moſt humble and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, do beſeech your moſt excellent Majeſties, that it may be publiſhed and declared in this High Court of Parliament, and enacted by Authority of the ſame, That we do recognize and acknowledge, your Majeſties were, are, and of Right ought to be, by the Laws of this Realm, our Sovereign Liege Lord and Lady King and Queen of *England*, *France*, and *Ireland*, and the Dominions thereunto belonging, in and to whoſe princely Perſons the Royal State, Crown and Dignity of the ſaid Realms, with all honours, Stiles, Titles, Regalities, Prerogatives, Powers, Juriſdictions, and Authorities to the ſame belonging and appertaining, are moſt fully, rightfully, and intirely inveſted and incorporated, united and annexed.

Laſt Parliament declared good.

II. And for the avoiding of all Diſputes and Queſtions concerning the Being and Authority of the late Parliament aſſembled at *Weſtminſter* the thirteenth Day of *February* one thouſand ſix hundred eighty-eight, we do moſt humbly beſeech your Majeſties that it may be enacted, and be it enacted by the King's and Queen's moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and ſingular the Acts made and enacted in the ſaid Parliament were and are Laws and Statutes of this Kingdom, and as ſuch ought to be reputed, taken, and obeyed by all the People of this Kingdom.

### CAP. II.

An Act for raiſing Money by a Poll, and otherwiſe, towards the reducing of *Ireland*, and proſecuting the War againſt *France*. EXP.

### CAP. III.

An Act for granting to their Majeſties for their Lives, and the Life of the Survivor of them, certain Impoſitions upon Beer, Ale, and other Liquors.

THE Commons aſſembled in Parliament, duly conſidering how much it conduceth to the Safety, Peace, and Proſperity of a Kingdom, that the publick Revenue thereof be in ſome meaſure proportionable to the publick Charges, and with Thankfulneſs and Admiration calling to Remembrance his Majeſty's glorious and ſucceſsful Undertaking for the Deliverance of the People of this Nation from Popery, and Arbitrary Power, have unanimouſly given and granted, and do hereby give and grant unto their Majeſties (whom God long preſerve) the ſeveral Rates, Impoſitions, Duties, and Charges upon Beer, Ale, Cyder, and other Liquors, mentioned in an Act of Parliament made in the twelfth Year of the Reign of his late Majeſty King *Charles* the Second, intituled, *A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life*, and thereby granted to the ſaid King for his Life (except ſuch, and ſo much of them, concerning which it is otherwiſe provided or ordained by any Act made in the laſt Parliament) and do moſt humbly beſeech their Majeſties that it may be enacted: 12 Car. 2. c. 23.

Rates upon Beer, &c. given by 15 Car. 2. c. 23. now given to the King and Queen for their Lives.

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Rates, Duties, and Impoſitions upon Beer, Ale, Cyder, and other Liquors aforeſaid, be levied, collected, and paid unto their Majeſties, during their Lives, and the Life of the Survivor of them, in the ſame Manner and Form, and at ſuch Places, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned, expreſſed, and directed in and by the ſaid Act; and alſo in and by another Act of Parliament made in the fifteenth Year of the Reign of his ſaid late Majeſty, intituled, *An Additional Act for the better ordering and collecting the Duty of Exciſe, and preventing the Abuſes therein*, or by any other Law now in Force, relating to the ſaid Revenue of Exciſe; and that the aforeſaid Acts, and every Article, Rule, and Clauſe therein mentioned, ſhall be of full Force and Effect, to all Intents and Purpoſes, during their Majeſties Lives, and the Life of the Survivor of them, in like Manner as if the ſame were particularly and at large recited and ſet down in the Body of this Act.

15 Car. 2. c. 11. Further continued by 1 Ann. ſtat. 1. c. 7. 1 Geo. 1. ſtat. 2. c. 1. and perpetuated by 1 Geo. 1. ſt. 2. c. 12. §. 8. Manner of Levying.

III.

*Burn, V.* 1. 336.

' III. And whereas their Majeſties are contented and pleaſed that it be enacted, That the Rates, Impoſitions, Duties, and Charges by this Act given and granted to them as aforeſaid, ſhould be made a Fund of Credit for the raiſing a Sum not exceeding two hundred and fifty thouſand Pounds, towards the reducing of *Ireland*, and carrying on the preſent War againſt the *French* King, not doubting but that their good Subjects (in whoſe Love and dutiful Affections their Majeſties are firmly perſuaded the Strength and Glory of the Crown doth principally conſiſt) will in due Time make Proviſion for the taking off and diſcharging the ſaid Anticipations: Be it therefore enacted, *&c.* EXP.

If their Majeſties die,

given to their Succeſſors till December 169 . Clauſe of Credit for 250,000 l. at 8 per Cent. Three Parts in four to be kept apart by the Commiſſioners of the Exciſe till December 1693, and the Money to be paid weekly into the Exchequer. Power given to the King to ſettle 20,000 l. per Annum upon Princeſs Anne. Their Majeſties may ſettle 20,000 l. per Annum upon Prince George, &c. if Princeſs Anne die before their Majeſties.

## CAP. IV.

An Act for granting to their Majeſties a Subſidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes Exported and imported. *Continued by* 6 W. & M. cap. 1. *for five Years.* Tonnage and Poundage given to the King for four Years. Several Acts continued for four Years. Clauſe of Credit for 500,000*l.* at 8 *per Cent.* EXP.

12 Car. 2. c. 4. 12 Car. 2. c. 19. 13 & 14 Car. 2. c. 11. 22 Car. 2. c. 13. 25 Car. 2. c. 6. 25 Car. 2. c. 7. 1 Jac. 2. c. 19.

## CAP. V.

An Act for enabling the Sale of Goods diſtrained for Rent, in caſe the Rent be not paid in a reaſonable Time.

' WHEREAS the moſt ordinary and ready Way for Recovery of Arrears of Rent is by Diſtreſs, yet ſuch Diſtreſſes not being to be ſold, but only detained as Pledges for enforcing the Payment of ſuch Rent, the Perſons diſtraining have little Benefit thereby:' For the Remedying whereof,

Goods diſtrained for Rent may be appraiſed and ſold.

Farther provided for by 8 Ann. c. 14. 11 Geo. 2. c. 19.

II. Be it enacted and ordained by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June* in the Year of our Lord one thouſand ſix hundred and ninety, that where any Goods or Chattels ſhall be diſtrained for any Rent reſerved and due upon any Demiſe, Leaſe, or Contract whatſoever, and the Tenant or Owner of the Goods ſo diſtrained ſhall not within five Days next after ſuch Diſtreſs taken, and Notice thereof (with the Cauſe of ſuch Taking) left at the chief Manſion-houſe, or other moſt notorious Place on the Premiſſes charged with the Rent diſtrained for, replevy the ſame, with ſufficient Security to be given to the Sheriff according to Law, that then in ſuch Caſe, after ſuch Diſtreſs and Notice as aforeſaid, and Expiration of the ſaid five Days, the Perſon diſtraining ſhall and may, with the Sheriff or Under Sheriff of the County, or with the Conſtable of the Hundred, Pariſh, or Place where ſuch Diſtreſs ſhall be taken (who are hereby required to be aiding and aſſiſting therein) cauſe the Goods and Chattels ſo diſtrained to be appraiſed by two ſworn Appraiſers (whom ſuch Sheriff, Under Sheriff, or Conſtable are hereby impowered to ſwear) to appraiſe the ſame truly, according to the beſt of their Underſtandings; and after ſuch Appraiſement ſhall and may lawfully ſell the Goods and Chattels ſo diſtrained for the beſt Price can be gotten for the ſame, towards Satisfaction of the Rent for which the ſaid Goods and Chattels ſhall be diſtrained, and of the Charges of ſuch Diſtreſs, Appraiſment, and Sale, leaving the Overplus (if any) in the Hands of the ſaid Sheriff, Under Sheriff, or Conſtable, for the Owner's Uſe.

Corn looſe, &c. may be detained and ſold.

' III. And whereas no Sheaves or Cocks of Corn looſe or in the Straw, or Hay in any Barn, or Granary, or on any Hovel, Stack, or Rick, can by the Law be deſtrained, or otherwiſe ſecured for Rent, whereby Landlords are often Times couſened and deceived by their Tenants, who ſell their Corn, Grain, and Hay to Strangers, and remove the ſame from the Premiſſes chargeable with ſuch Rent, and thereby avoid the Payment of the ſame;' Be it further enacted by the Authority aforeſaid, That for remedying the ſaid Practice and Deceit, it ſhall and may, from and after the ſaid firſt Day of *June*, be lawful to and for any Perſon or Perſons having Rent arrear, and due upon any ſuch Demiſe, Leaſe, or Contract as aforeſaid, to ſeize and ſecure any Sheaves or Cocks of Corn, or Corn looſe or in the Straw, or Hay lying or being in any Barn or Granary, or upon any Hovel, Stack, or Rick, or otherwiſe upon any Part of the Land or Ground charged with ſuch Rent, and to lock up or detain the ſame in the Place where the ſame ſhall be found, for or in the Nature of a Diſtreſs, until the ſame ſhall be replevied upon ſuch Security to be given as aforeſaid; and in Default of replevying the ſame as aforeſaid, within the Time aforeſaid, to ſell the ſame after ſuch Appraiſment thereof to be made; ſo as nevertheleſs ſuch Corn, Grain, or Hay ſo diſtrained as aforeſaid, be not removed by the Perſon or Perſons diſtraining, to the Damage of the Owner thereof, out of the Place where the ſame ſhall be found, and ſeized, but be kept there (as impounded) until the ſame ſhall be replevied, or ſold in Default of replevying the ſame within the Time aforeſaid.

Treble Damages for Pound-breach. 1 Latw. 213. Carthew 321.

IV. And be it further enacted by the Authority aforeſaid, That upon any Pound-breach or Reſcous of Goods or Chattels diſtrained for Rent, the Perſon or Perſons grieved thereby ſhall, in a ſpecial Action upon the Caſe for the Wrong thereby ſuſtained, recover his and their treble Damages and Coſts of Suit againſt the Offender or Offenders in any ſuch Reſcous or Pound-breach, any or either of them, or againſt

the Owners of the Goods diſtrained in caſe the ſame be afterwards found to have come to his Uſe or Poſſeſſion.

V. Provided always, and be it further enacted, That in caſe any ſuch Diſtreſs and Sale, as aforeſaid, ſhall be made by Virtue or Colour of this preſent Act for Rent pretended to be arrear and due, where in Truth no Rent is arrear or due to the Perſon or Perſons diſtraining, or to him or them in whoſe Name or Names, or Right, ſuch Diſtreſs ſhall be taken as aforeſaid, that then the Owner of ſuch Goods or Chattels diſtrained and ſold as aforeſaid, his Executors or Adminiſtrators, ſhall and may, by Action of Treſpaſs, or upon the Caſe, to be brought againſt the Perſon or Perſons ſo diſtraining, any or either of them, his or their Executors or Adminiſtrators, recover double of the Value of the Goods or Chattles ſo diſtrained and ſold, together with full Coſts of Suit. Double Damages and Coſts againſt wrongful Diſtrainer. 52 *H.* 3. *c.* 1. 13 *Ed.* 1. *ſtat.* 1. *c.* 36.

## CAP. VI.

An Act for the Exerciſe of the Government by her Majeſty during his Majeſty's Abſence. EXP. 1 W. & M. ſ. 2. c. 2.

## CAP. VII.

An Act to declare the Right and Freedom of Election of Members to ſerve in Parliament for the *Cinque Ports*.

'WHEREAS the Election of Members to ſerve in Parliament ought to be free; and whereas the late Lord Wardens of the *Cinque Ports* have pretended unto, and claimed as of Right, a Power of nominating and recommending to each of the ſaid *Cinque-Ports*, the two ancient Towns, and their reſpective Members, one Perſon whom they ought to elect to ſerve as a Baron or Member of Parliament for ſuch reſpective Port, ancient Town, or Member, contrary to the ancient Uſage, Right, and Freedom of Elections:

II. Be it therefore declared and enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all ſuch Nominations or Recommendations were and are contrary to the Laws and Conſtitutions of this Realm, and for the future ſhall be ſo deemed and conſtrued, and hereby are declared to have been and are void to all Intents and Purpoſes whatſoever; any Pretence to the contrary notwithſtanding. Recommendations of Members to the Cinque-Ports void. *Farther Proviſions relating to Parliament*, 5 & 6 *W.* & *M.* *c* 7. *ſ.* 57. & *c.* 20 *ſ.* 48. 6 *W.* & *M.* *c.* 2. 7 *W.* 3. *c.* 4. 7 & 8 *W.* 3. *c.* 7, 15 & 25. 10 & 11 *W.* 3. *c* 7. 11 & 12 *W.* 3 *c.* 2. 12 & 13 *W.* 3. *c.* 3 & 10. 2 & 3 *Ann.* *c.* 18. 6 *Ann.* *c.* 7 & 23. 9 *Ann.* *c.* 5. 10 *Ann.* *c.* 19 & 23. 1 *Geo.* 1. *c.* 38 & 56. 2 *Geo.* 2. *c.* 24. 6 *Geo.* 2. *c.* 23. 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

## CAP. VIII.

An Act for reverſing the Judgment in a *Quo Warranto* againſt the City of *London*, and for reſtoring the City of *London* to its ancient Rights and Privileges.

'WHEREAS a Judgement was given in the Court of *King's Bench* in or about *Trinity* Term, in the five and thirtieth Year of the Reign of the late King *Charles* the Second, upon an Information in the Nature of a *Quo Warranto*, exhibited in the ſaid Court againſt the Mayor and Commonalty and Citizens of the City of *London*, that the Liberty, Privilege, and Franchiſe of the ſaid Mayor and Commonalty and Citizens, being a Body Politick and Corporate, ſhould be ſeized into the King's Hands as forfeited: And foraſmuch as the ſaid Judgment, and the Proceedings thereupon, is and were illegal and arbitrary; and for that the reſtoring of the ſaid Mayor and Commonalty and Citizens, to their ancient Liberties, of which they had been deprived, tends very much to the Peace and good Settlement of this Kingdom:

II. Be it declared and enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſaid Judgment given in the ſaid Court of *King's Bench* in the ſaid *Trinity* Term, in the five and thirtieth Year of the Reign of the ſaid King *Charles* the Second, or in any other Term, and all and every other Judgment given or recorded in the ſaid Court, for the ſeizing into the ſaid late King's Hand, the Liberty, Privilege, or Franchiſe of the Mayor and Commonalty and Citizens of the City of *London*, of being of themſelves a Body Corporate and Politick, by the Name of 'The Mayor and Commonalty, and Citizens of the City of *London*,' and by that Name to plead and be impleaded, and to be anſwered, or in what Manner or Words ſoever ſuch Judgment was entred, is, ſhall be, and are hereby reverſed, annulled, and made void, to all Intents and Purpoſes whatſoever; and that Vacates be entred upon the Rolls of the ſaid Judgment, for the Vacating and Reverſal of the ſame accordingly. Judgment againſt the City Charter void.

III. And be it further declared and enacted by the Authority aforeſaid, That the Mayor and Commonalty and Citizens of the City of *London*, ſhall and may for ever hereafter remain, continue, and be, and preſcribe to be, a Body Corporate and Politick, *in re facto & nomine*, by the Name of 'Mayor and Commonalty and Citizens of the City of *London*,' and by that Name, and all and every other Name and Names London made a Corporation.

Names of Incorporation, by which they at any Time before the ſaid Judgment were incorporatrd, to ſue, plead, and be impleaded, and to anſwer and to be anſwered, without any Seizure or Forejudger of the ſaid Franchiſe, Liberty, and Privilege, or being thereof excluded or ouſted, for or upon any Pretence of any Forfeiture or Miſdemeanor at any Time heretofore, or hereafter to be done, committed, or ſuffered; and the ſaid Mayor and Commonalty and Citizens of the ſaid City, ſhall and may, as by Law they ought, peaceably have and enjoy all and every their Rights, Gifts, Charters, Grants, Liberties, Privileges, Franchiſes, Cuſtoms, Uſages, Conſtitutions, Preſcriptions, Immunities, Markets, Duties, Tolls, Lands, Tenements, Eſtates, and hereditaments whatſoever, which they lawfully had, or had lawful Right, Title, or Intereſt of, in, or to, at the Time of the recording or giving the ſaid Judgment, or at the Time or Times of the ſaid pretended Forfeitures.

Their Liberties regranted to them.

IV. And be it enacted by the Authority aforeſaid, That all Charters, Letters Patents, and Grants, for incorporating the Citizens and Commonalty of the ſaid City, or any of them, and all Charters, Grants, Letters Patents and Commiſſions, touching or concerning any of their Liberties or Franchiſes, or the Liberties, Privileges, Franchiſes, Immunities, Lands, Tenements, and Hereditaments, Rigths, Titles, or Eſtates of the Mayor and Commonalty and Citizens of the City of *London*, made or granted to any Perſon or Perſons whatſoever, by the late King *Charles* the Second, ſince the ſaid Judgment given, or by the late King *James* the Second, be and are hereby declared and adjudged null and void to all Intents and Purpoſes whatſoever.

Grants ſince the Judgment void.

V. Provided nevertheleſs, That no Recoveries, Verdicts, Judgments, Statutes, Recognizances, Inquiſitions, Indictments, Preſentments, Informations, Decrees, Sentences, Executions, nor any Plaints, Proceſs, or Proceedings in Law or Equity, had, made, given, taken, or done, or depending in the Mayor's or either of the Sheriffs Courts, or any other Court within the ſaid City or Liberties thereof, ſince the ſaid Judgment given, ſhall be avoided for Want or Defect of any legal Power in thoſe that acted as Judges, Juſtices, Officers or Miniſters of, in, or as belonging to any of the ſaid Courts; but that all and every ſuch Recoveries, Verdicts, Judgments, and other Things above mentioned, and the Actings, Doings, and Proceedings thereupon, ſhall be of ſuch and no other Force, Effect, and Virtue, than as if ſuch Judges, Juſtices, Officers, and Miniſters had acted by Virtue of legal Authority; and that no Perſon or Perſons ſhall be in any wiſe proſecuted, ſued, impeached, or moleſted for any Cauſe or Thing by him or them lawfully acted or done, in Purſuance of any ſuch Charters, Letters Patents, Grants, or Commiſſions.

Proceſs in the Mayor's Court, &c. good.

VI. Provided, That this Act ſhall not extend to diſcharge any Perſon or Perſons from any Penalty or Penalties, or Forfeitures by him or them incurred, for not duly qualifying him or themſelves to act upon the ſaid Charters, Letters Patents, Grants, or Commiſſions.

Perſons not qualified liable.

VII. And be it enacted by the Authority aforeſaid, That all Officers and Miniſters of the ſaid City, that rightfully held any Office or Place in the ſaid City or Liberties thereof, or in the Borough of *Southwark*, at the Time when the ſaid Judgment was given, are hereby confirmed, and ſhall have and enjoy the ſame as fully as they held them at the Time of the ſaid Judgment given; except ſuch as have voluntarily ſurrendered any ſuch Office or Place, or have been removed for any juſt Cauſe; and that every Perſon who, ſince the ſaid Judgment given, hath been choſen, admitted, and placed into any Office or Imployment within the ſaid City, upon the Death, Surrender, or Removal as aforeſaid, of the former Officer, ſhall be and is hereby confirmed in his ſaid Office or Imployment, and ſhall have and enjoy the ſame in as full and ample Manner, as if he had been admitted or placed therein according to the ancient Cuſtoms of the ſaid City.

Officers at the Time of the Judgment confirmed.

VIII. Provided alſo, and be it enacted by the Authority aforeſaid, That all Leaſes and Grants of any of the Lands, Tenements, Hereditaments, and other Things, before the Time of the ſaid Judgment given, belonging to the ſaid Mayor and Commonalty and Citizens, and uſually leaſed or granted by them, made ſince the Time of the ſaid Judgment given by the ſaid late King *Charles* the Second, or King *James* the Second, or by any Perſon or Perſons taking upon them to be Truſtees for the ſaid City, for the Preſervation or Maintenance of the Government or publick Offices of the ſaid City, by or upon Pretence of any Grant or Commiſſion by their ſaid late Majeſties, King *Charles* the Second, and King *James* the Second, or either of them, ſuch Grants and Leaſes being made for juſt, good, and valuable Conſiderations, and whereupon the old accuſtomed yearly Rent, or more hath been reſerved, payable into the Chamber or Bridge-houſe, or any of the Hoſpitals of the ſaid City, ſhall be as good and valid for the Terms, and under the Rents, Payments, Proviſoes, Conditions, Covenants, and Agreements therein reſpectively contained, againſt the Mayor and Commonalty and Citizens of the ſaid City, and their Succeſſors, as if the ſame had been made by the Mayor and Commonalty and Citizens of the ſaid City, under their Common Seal, and the ſaid Judgment had never been given, and not otherwiſe. And the ſaid Mayor and Commonalty and Citizens, and their Succeſſors, ſhall have the Benefit and Advantage of all Rents, Reſervations, Payments, Conditions, Covenants, Clauſes, and Agreements in every ſuch Grant or Leaſe contained, and the like Remedy for Non-payment, Breach, or Non-obſervance thereof, as if the ſaid Grants or Leaſes had been made by the ſaid Mayor and Commonalty and Citizens, and the ſaid Rents, Payments, Conditions, Covenants, Clauſes, and Agreements had been made payable, reſerved, covenanted, or agreed to and with the ſaid Mayor and Commonalty and Citizens.

Leaſes made ſince the Judgment, good.

IX. And be it further enacted by the Authority aforeſaid, That all Judgments, Decrees, and Sentences had or obtained by any Perſon or Perſons taking upon them to be Truſtees as aforeſaid, for or concerning any Lands, Tenements, Duties, Tolls, and Intereſts whatſoever, of or belonging to the ſaid Mayor and

Judgments for the City good.

Commonalty and Citizens of the ſaid City, ſhall ſtand and remain in Force, and ſhall be proſecuted and executed by, and to and for the Uſe of the ſaid Mayor and Commonalty and Citizens, as if the ſame had been obtained in the Name of the ſaid Mayor and Commonalty and Citizens; and that all Perſons being natural-born Subjects or Denizens, that have been admitted into the Freedom of the ſaid City, ſince the ſaid Judgment given, ſhall be free thereof, and have and enjoy the ſaid Freedom to all Intents and Purpoſes, as if they had been thereunto admitted before the ſaid Judgment given. Freedoms good.

X. Provided always, That the preſent Mayor, Sheriffs, Chamberlain, and Common Council of the ſaid City, ſhall continue until a new Election ſhall be made of ſuch Officers, and the Perſons elected ſworn into their reſpective Offices, and that ſuch new Election be made at the Times hereafter mentioned; that is to ſay, the Election of the Mayor, and Sheriffs, and Chamberlain, ſhall be made on the ſix and twentieth Day of *May* in the Year one thouſand ſix hundred and ninety; and the Election of the Common Council ſhall be made on the tenth Day of *June* in the Year one thouſand ſix hundred and ninety; and ſuch Perſons ſo elected ſhall continue till the uſual Times of Election of ſuch Officers, according to the ancient Uſage and Cuſtom of the ſaid City, and from thence ſhall continue for the Year enſuing. Mayor, &c. to continue till New Election.

XI. Provided nevertheleſs, and be it enacted, That if the Mayor, Sheriffs, Chamberlain, and Common Council, ſhall not be elected at the Times hereby limited, the Mayor, Sheriffs, Chamberlain, and Common Council, which were in being at the Time of the ſaid Judgment given, ſhall be and continue in thoſe reſpective Offices and Places, till new Elections be made of the like Officers and Common Council, according to the ancient Uſage and Cuſtom of the ſaid City. Old Mayor, &c. in, if no Choice.

XII. And be it further enacted, That all Perſons ſo to be reſtored and continued, ſhall be and are hereby required to take the Oaths appointed by a certain Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, the next Term after ſuch Reſtitution, under the Penalties, Forfeitures, Diſabilities, and Incapacities in the ſaid Act provided and appointed. Perſons reſtored, &c. to take the new Oaths. 1 W. & M. ſeſſ. 1. c. 8.

XIII. And be it enacted, That the Mayor, Sheriffs, and Chamberlain, ſo to be elected, ſhall be ſworn in uſual Manner on or before the twentieth Day of *June* next enſuing. Mayor, &c. ſworn as uſual.

XIV. And be it enacted by the Authority aforeſaid, That all and every of the ſeveral Companies and Corporations of the ſaid City ſhall from henceforth ſtand and be incorporated by ſuch Name and Names, and in ſuch Sort and Manner, as they reſpectively were at the Time of the ſaid Judgment given, and every of them are hereby reſtored to all and every the Lands, Tenements, Hereditaments, Rights, Titles, Eſtates, Liberties, Powers, Privileges, Precedences, and Immunities, which they lawfully had and enjoyed at the Time of giving the ſaid Judgment; and that as well all Surrenders, as Charters, Letters Patents, and Grants for new incorporating any of the ſaid Companies, or touching or concerning any of their Liberties, Privileges, or Franchiſes, made or granted by the ſaid late King *James*, or by the ſaid King *Charles* the Second, ſince the giving of the ſaid Judgment, ſhall be void, and are hereby declared null and void to all Intents and Purpoſes whatſoever. Provided nevertheleſs, That no Perſon or Perſons ſhall be in any wiſe proſecuted, ſued, impeached, or moleſted for any Cauſe or Thing by him or them lawfully acted or done in purſuance of any ſuch Charters, Letters Patents, or Grants. Companies reſtored.

XV. Provided alſo nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That all Leaſes, Terms, and Eſtates made or granted by any of the ſaid Companies ſince the giving of the ſaid Judgment, for juſt and valuable Conſiderations, and whereupon the old accuſtomed yearly Rents, or more, are reſerved, ſhall ſtand, and be of the ſame Force and Effect, as if the ſame had been made or granted by the ſaid ſeveral Companies as hereby reſtored; and the ſaid reſpective Companies and their Succeſſors ſhall have the Benefit and Advantage of all Rents, Reſervations, Payments, Conditions, Covenants, Clauſes, and Agreements, in all and every ſuch Leaſe or Grant contained, and the like Remedy therefore, as if the ſame Grants and Leaſes had been made by the ſaid reſpective Companies as now reſtored, and the ſaid Rents, Payments, Conditions, Covenants, Clauſes, and Agreements had been made payable, reſerved, covenanted, and agreed to or with them reſpectively. Leaſes made ſince the Judgment, good.

XVI. Provided alſo, and be it enacted, That all and every Perſon and Perſons, who at any Time ſince the ſaid Judgment have been admitted into the Freedoms, or into the Liveries of the ſaid Companies, according to the Uſages and Cuſtoms of the ſaid City, and their reſpective Companies, ſhall be and enjoy all the Rights and Privileges of a Freeman and of a Liveryman, to all Intents and Purpoſes, as if they had been admitted before the ſaid Judgment. Freedoms good.

XVII. Provided always, and be it enacted by the Authority aforeſaid, That this preſent Act of Parliament ſhall be accepted, taken, and reputed to be a general and publick Act of Parliament; of which all and every the Judge and Judges of this Kingdom in all Courts ſhall take Notice on all Occaſions whatſoever, as if it were a publick Act of Parliament relating to the whole Kingdom; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding. Publick Act.

## CAP. IX.

### An Act for the diſcouraging the Importation of Thrown Silk.

WHEREAS the Importation of ſome ſorts of Thrown Silk into this Realm is greatly prejudicial to the Exportation of the Woollen Manufactures thereof, and tends very much to the impoveriſhing great Numbers of Artificers, whoſe Livelyhood and Subſiſtence depends upon the Throwing of Raw 19 *H.* 7. *c.* 21. 13 & 14 *Car.* 2. *c.* 15.

'Raw Silk, and if longer permitted, may endanger the overthrowing of that Art or Myſtery in this Nation: And whereas of late great Quantities of Thrown Silk have been imported from ſeveral Parts and 'Places in *Europe*, which are not the Places of its Growth or Production, and thereby the true Intent and 12 Car. 2. c. 18. 'Meaning of the Act made in the twelfth Year of King *Charles* the Second, intituled, *An Act for the 'Encouragement and Increaſing of Shipping and Navigation*, is evaded:' For the Prevention of which Miſchiefs, and for the better Encouraging the ſeveral Manufactures of this Kingdom, and of that uſeful and national Trade into *Turkey*, and the better ſupporting the Art of Throwing Silk in this Realm, and the Poor therein employed:

Thrown Silk no Manufacture within 12 Car. 2. c. 18.

II. Be it declared and enacted by the King's and Queen's moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Throwing of Silk is not, nor ought to be conſtrued, a Manufacture within the Intention of the ſaid Act, for the encouraging and increaſing of Shipping and Navigation; and that no Thrown Silk of the Growth or Production of *Turkey*, *Perſia*, *Eaſt India*, or *China*, or of any other Country or Place (except only ſuch Thrown Silk, as is or ſhall be of the Growth or Production of *Italy*, *Sicily*, or the Kingdom of *Naples*, and which ſhall be imported in ſuch Ships or Veſſels, and navigated in ſuch Manner, as in the ſaid Act of Navigation is directed or allowed, and brought from ſome of the Ports of thoſe Countries or Places, whereof the ſame is of the Growth or Production, and which ſhall come directly by Sea, and not otherwiſe) ſhall at any Time after the five and twentieth Day of *May* in the Year of our Lord one thouſand ſix hundred and ninety, be brought or imported into the Kingdom of *England*, Dominion of *Wales*, the Iſlands of *Jerſey* or *Guernſey*, or the Town of *Berwick* upon *Tweed*; under the Penalty and Forfeiture of all ſuch Thrown Silk, ſo imported contrary to the Purport, true Intent, and Meaning of this Act; one Moiety whereof ſhall be to the Uſe of the King's and Queen's Majeſties, their Heirs and Succeſſors, and the other Moiety thereof to ſuch Perſon or Perſons as ſhall ſeize, inform, or ſue for the ſame, to be recovered by Bill, Plaint, Information, or other Action, in any of their Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Thrown Silk how to be imported.

Penalty.

Thrown Silk from Italy.

III. Provided nevertheleſs, That this Act ſhall not extend to any Thrown Silk of the Growth or Production of *Italy*, *Sicily*, or Kingdom of *Naples*, that ſhall be brought in, or imported into *England*, otherwiſe than by this Act is directed, at or before the firſt Day of *September* one thouſand ſix hundred and ninety, and which ſhall be proved by the Oath of the Party, his Servant or Agent, to whom the ſame doth belong or appertain, to have been provided and bought by his and their Order from *England*, in ſome Part or Place in *Italy*, *Sicily*, or the Kingdom of *Naples*, at or before the firſt Day of *June* one thouſand ſix hundred and ninety; which ſaid Oath the Commiſſioners of the Cuſtoms, or any two of them, for the Time being, are hereby impowered to adminiſter.

Thrown Silk from India, &c. See 5 & 6 W. & M. c. 3.

IV. Provided always, That no Thrown Silk, laden in *India*, *Perſia*, or *China*, to be imported into *England*, on or before the twentieth Day of *September*, one thouſand ſix hundred ninety-one, ſhall be liable to any Forfeiture by Virtue of this Act; any Thing to the contrary in any wiſe notwithſtanding.

*Farther Proviſions relating hereto*, 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9. & 20. *and* 26 *Geo.* 2. *c.* 21.

## CAP. X.

An Act for the King's and Queen's moſt Gracious, General, and Free Pardon.

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# SESSIO SECUNDA.

# Anno Regni GULIELMI & MARIÆ ſecundo.

At the Parliament held at *Weſtminſter*, the twentieth Day of *March* [a] 1690.

[a] The former Editions have it December.

## CAP. I. (11.)

EXP. An Act for granting an Aid to their Majeſties of the Sum of ſixteen hundred fifty-one thouſand ſeven hundred and two Pounds, eighteen Shillings.

## CAP. II. (12.)

An Act concerning the Commiſſioners of the Admiralty.

'WHEREAS the Office of Lord High Admiral of *England* hath at ſundry Times, and for ſeveral 'Years, been executed, and all the Authorities to the ſame belonging exerciſed, by divers Com'miſſioners for that Purpoſe appointed by their Majeſties and the late Kings, but of late ſome 'Doubt hath riſen, whether certain Authorities belonging to the ſaid Office of Lord High Admiral did or 'do of Right belong to, and might, may, or ought to have been or be exerciſed by ſuch Commiſſioners 'for the Time being: Now for avoiding all ſuch Doubts and Queſtions,

The Power of Admiral may be executed by Commiſſioners.

II. Be it declared and enacted by the King's and Queen's moſt excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and ſingular Authorities, Juriſdictions, and Powers, which

which by any Act of Parliament or otherwise have been, and are lawfully vested, settled, and placed in the Lord High Admiral of *England* for the Time being, have always appertained to, and of Right might have been, and may, and shall be had, enjoyed, used, exercised, and executed by the Commissioners for executing the Office of High Admiral of *England* for the Time being, according to their Commissions, to all Intents and Purposes, as if the said Commissioners were Lord High Admiral of *England*.

III. Provided, That nothing in this Act contained shall extend, or be taken, or construed to extend, to give or allow to the Lord High Admiral, or to the Commissioners for executing the Office of Lord High Admiral, any other Authority, Jurisdiction, or Power, than the Lord High Admiral lawfully had, or might have had, used and exercised, if this Act had not been made. This Act gives no new Power

IV. Provided always, *&c.* ' This Clause directing the Oath to be taken by Officers upon Trials is repealed by 22 *Geo.* 2. *c.* 33.

## CAP. III. (13.)

An Act for doubling the Duty of Excise upon Beer, Ale, and other Liquors, during the Space of one Year.

## CAP. IV. (14.)

An Act for granting to their Majesties certain Impositions upon all *East India* Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandize, to be imported after the five and twentieth Day of *December* one thousand six hundred and ninety.

*Most Gracious Sovereigns,*

THE Commons assembled in Parliament, for a further Supply of your Majesties present Occasions, in the necessary Defence of your Realms, the perfect reducing of *Ireland*, and the effectual Prosecution of the War against *France*, have given and granted, and hereby give and grant unto your Majesties the additional and other Rates, Impositions, Duties, and Charges upon the several Sorts of Goods and Merchandize to be imported into this your Majesties Kingdom, herein after expressed, during such Time, and in such Manner and Form, as herein after followeth: And do humbly pray your Majesties that it may be enacted; Impost. 1690. 6 Annæ, c. 19. §. 6. Farther continued by 8 Annæ, and made perpetual by 9 Annæ, c. 21. §. 1.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be answered and paid to their Majesties and their Successors, for the several Goods and Merchandizes hereafter mentioned, over and above all Impositions, Duties and Charges already imposed and payable upon and for the same, the further Rates and Duties following, *viz.*

III. For all Callicoes, and all other *Indian* Linen and for all wrought Silks, and other Manufactures of *India* and *China* (except Indigo) imported after the five and twentieth Day of *December* one thousand six hundred and ninety, and before the tenth Day of *November* one thousand six hundred and ninety-five, twenty Pounds for every hundred Pounds value thereof. Callico altered by 4 & 5 W. & M. c. 5. §. 11.

IV. For all wrought silks imported within the Time aforesaid, from any other Place, ten Pounds for every hundred Pounds Value thereof.

V. For all Raw Silks imported within the Time aforesaid, from *China* or from the *East Indies*, five Pounds for every hundred Pounds Value thereof.

VI. For all Linen imported within the Time aforesaid, from any Parts from whence the same may be by Law imported (other than Linen Cloth of the Manufacture of the *Spanish Netherlands*, or of the *United Provinces*, not exceeding an *English* Ell and Half-quarter in Breadth) one Moiety over and above what is already imposed upon the same in the Book of Rates. Linen altered by 4 & 5 W. & M. c. 5.

VII. And for all Linen Cloth of the Manufacture of the *Spanish Netherlands*, or of the *United Provinces*, of the Breadth of two Ells or upwards, and under three Ells, as much more as what the same is charged with in the Book of Rates, and of the Breadth of three Ells or upwards, treble as much as what the same is charged with in the Book of Rates.

VIII. And for all Deal Timber, or other Timber, Boards, Wainscot, Pipe Staves, Box Wood, and other Wood imported within the Time aforesaid from any Part of *Europe* (except *Ireland*) ten Pounds for every hundred Pounds Value thereof, above what is charged thereupon in the Book of Rates.

IX. For every Ton of Hempseed Oil, Rape Oil, and other Seed Oil, imported after the five and twentieth Day of *December* one thousand six hundred and ninety, and before the tenth Day of *November* one thousand six hundred and ninety-five, eight Pounds; and so in proportion for any greater or lesser Quantity of the respective Goods and Merchandize before mentioned.

X. For every hundred Weight of Hops, containing one hundred and twelve Pounds, imported from foreign Parts after the said five and twentieth Day of *December* one thousand six hundred and ninety, and before the tenth Day of *November* one thousand six hundred and ninety-five, twenty Shillings, over and above what the same are charged with in the Book of Rates; and so in proportion for any greater or lesser Quantity.

For Reduction of theſe Duties ſee 8 Geo. 1. c. 15. §. 15.

XI. For every hundred Weight of Pepper, containing one hundred and twelve Pounds, imported after the ſaid five and twentieth Day of *December*, and before the ſaid tenth Day of *November* one thouſand ſix hundred and ninety-five, twenty-eight Shillings, over and above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity; one third Part of the ſaid Duty charged upon Pepper to be paid down, and Bond to be given for Payment of the Reſidue at the End of twelve Months, or elſe to diſcount after the Rate of ten Pounds *per Centum*, on paying down the whole Duty.

Raiſins 100l. Value after 25 March 1693, to pay but 5l. by 4 & 5 W. & M. c. 5. §. 10.

XII. For every hundred Pound Value of Grocery Wares and Druggs (other than Pepper and Liquorice, which are hereby particularly charged; and alſo except Currans, Sugar, Tobacco, Mace, Cinnamon, Nutmegs, and Cloves) imported after the ſaid five and twentieth Day of *December* one thouſand ſix hundred and ninety, and before the tenth Day of *November* one thouſand ſix hundred and ninety-five, ten Pounds.

But new Duties are added by 8 Ann. c. 7. §. 6.

XIII. And for every hundred Pound Value of Currans imported within the Time aforeſaid, five Pounds, over and above what the ſame are reſpectively charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

100l. Value of Currans after 25 March, 1693, to pay but 50s. by 4 & 5 W. & M. c. 5. §. 10.

XIV. For every Ton of Iron wrought or unwrought, or caſt (except Buſhel Iron) imported from any foreign Parts after the five and twentieth Day of *December* one thouſand ſix hundred and ninety, and before the tenth Day of *November* one thouſand ſix hundred and ninety-five, in any other Ship or Veſſel than ſuch as are *Engliſh* built, and whereof the Maſter and three Fourths of the Mariners at the leaſt are *Engliſh*, thirty-three Shillings.

XV. And for every Ton of ſuch Iron which ſhall be imported in ſuch *Engliſh*-built Ship or Veſſel ſo navigated, three and twenty Shillings, over and above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XVI. And for all ſorts of foreign Iron Wire (except Card Wire, and all Sorts of Iron Wire ſmaller than the Sorts commonly called or known by the Names of *Fine fine* and *Superfine*, and all Wooll Cards, or any other Wares made of Iron Wire) to be imported between the five and twentieth Day of *December* one thouſand ſix hundred and ninety, and the tenth Day of *November* one thouſand ſix hundred and ninety-five, there ſhall be paid for every hundred Weight, containing one hundred and twelve Pounds, two and twenty Shillings and Six-pence, and alſo the Duty mentioned in the Book of Rates; to be paid by the Importer, and ſo in proportion for any greater or leſſer Quantity; which Sorts of Iron Wire (except as aforeſaid) it ſhall and may be lawful for any Perſon or Perſons whatſoever to import within the Time aforeſaid, and no longer; any Law, Statute, or Uſage to the contrary notwithſtanding.

XVII. And for all Sorts of Steel Wire imported within the Time aforeſaid, the Sum of fourteen Shillings for every hundred Weight, containing as aforeſaid, over and above the Duty charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XVIII. And for every Iron Pot, and Iron Kettle, imported within the Time aforeſaid, one Shilling and three Pence, over and above what is charged in the Book of Rates.

XIX. For every ſmall Back for Chimnies, imported within the Time aforeſaid, one Shilling and two Pence, over and above what is charged in the Book of Rates.

XX. For every large Back for Chimnies, imported within the Time aforeſaid, two Shillings and four pence, over and above what is charged in the Book of Rates.

XXI. For every hundred Weight of Iron ſlit or hammered into Rods, commonly known by the Name of *Rod Iron*, containing one hundred and twelve Pounds, imported within the Time aforeſaid, five Shillings, over and above what is charged in the Book of Rates; and ſo in proportion for a greater or leſſer Quantity.

XXII. For every hundred Weight of Frying-pans, containing as aforeſaid, imported within the Time aforeſaid, four Shillings, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XXIII. For every hundred Weight of Steel, containing one hundred and twelve Pounds, imported within the Time aforeſaid, five Shillings and ſix Pence, over and above what is charged in the Book of Rates; and ſo in Proportion for any greater or leſſer Quantity.

XXIV. For every hundred Wieght of Anvils wrought, containing one hundred and twelve Pounds, imported within the Time aforeſaid, nine Shillings and three Pence, over and above what is charged in the Book of Rates; and ſo in Proportion for any greater or leſſer Quantity.

XXV. For every hundred of ſingle white or black Plates, imported within the Time aforeſaid, four Shillings and four Pence, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XXVI. For every hundred of double white or black Plates, imported within the Time aforeſaid, eight Shillings and eight Pence, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XXVII. For every Harneſs-plate, or Iron double, imported within the Time aforeſaid, one Shilling and four Pence, over and above what is charged in the Book of Rates.

XXVIII. For every hundred Weight of Iron drawn or hammered, leſs than three Quarters of an Inch Square, and all other Iron Ware manufactured, containing one hundred and twelve Pounds, imported within the Time aforeſaid, five Shillings, over and above what is charged in the Book of Rates.

XXIX. Provided, That no manufactured Iron or Iron Ware, which by this Act is charged to pay by the Piece or hundred Weight, ſhall be liable to pay the Duty of thirty-three Shillings, or twenty three Shillings by the Ton, impoſed by this Act.

XXX.

XXX. And for every hundred Weight of Braſs, Latten, or Copper Wire, containing one hundred and twelve Pounds, imported within the Time aforeſaid, fifteen Shillings, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XXXI. For every Laſt of Hemp-ſeed, Cole-ſeed, and Rape-ſeed, imported after the ſaid five and twentieth Day of *December* one thouſand ſix hundred and ninety, and before the tenth Day of *November* one thouſand ſix hundred and ninety-five, four Pounds, above what the ſame is charged with in the Book of Rates.

XXXII. For all Yarn of Flax or Hemp, other than Cable Yarn, imported after the ſaid five and twentieth Day of *December* one thouſand ſix hundred and ninety, and before the tenth Day of *November* one thouſand ſix hundred and ninety-five, an additional Duty of as much as what is now charged thereupon in the Book of Rates.

XXXIII. For every hundred Weight of Cable Yarn, containing one hundred and twelve Pounds, imported within the Time aforeſaid, five Shillings; and ſo in proportion for any greater or leſſer Quantity of the ſaid Seeds or Yarn.

XXXIV. For all Drinking Glaſſes and other Glaſs, and all Manufactures of Glaſs (except *Rheniſh* and *Muſcovia* Window Glaſs) imported within the Time aforeſaid, three Shillings for every twenty Shillings Value thereof, above what the ſame is charged with in the Book of Rates.

XXXV. For every hundred Weight of Moloſſes, containing one hundred and twelve Pounds imported within the Time aforeſaid, from any other Place than the *Engliſh* Plantations in *America*, eight Shillings, over and above what the ſame is charged with in the Book of Rates.

XXVI. For every hundred Weight of Tallow, containing one hundred and twelve Pounds, imported within the Time aforeſaid, five Shillings; and ſo in proportion for any greater or leſſer Quantity.

XXXVII. For every hundred Weight of Tallow Candles imported within the Time aforeſaid, and containing one hundred and twelve Pounds ten Shillings; and ſo in proportion for any greater or leſſer Quantity.

XXXVIII. For every Pound of Bever Wooll cut and combed, imported within the Time aforeſaid (except Wooll combed in *Ruſſia*, and imported from thence in *Engliſh* Ships) fifteen Shillings.

XXXIX. For every Barrel of Pot-aſhes, containing two hundred Weight neat, imported within the Time aforeſaid, eight Shillings, above what the ſame is charged with in the Book of Rates; and ſo proportionably for any greater or leſſer Quantity.

XL. For every hundred Weight of Cordage ready wrought, containing one hundred and twelve Pounds, imported within the Time aforeſaid, five Shillings, over and above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XLI. For every Ton of Olive Oil imported within the Time aforeſaid, four Pounds above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XLII. For all Paper imported within the Time aforeſaid, the ſeveral Duties following, over and above what the ſame are reſpectively charged with in the Book of Rates (that is to ſay) for every Ream of Royal Paper two Shillings; for every Ream of Blue Paper, Demy Paper, and painted Paper, one Shilling and ſix Pence; for every Bundle of Brown Paper two Pence; and for all other Paper ſo imported, as much more as what the ſame is now charged with in the Book of Rates.

XLIII. For every hundred Weight of Liquorice, containing one hundred and twelve Pounds, imported within the Time aforeſaid, eighteen Shillings and eight Pence, above what the ſame is charged with in the Book of Rates; and ſo proportionably for any greater or leſſer Quantity.

XLIV. And for every ſuch hundred Weight of Liquorice-powder imported within the Time aforeſaid, one Pound ſeventeen Shillings and four Pence.

XLV. And for every Pound Weight of Juice of Liquorice imported within the Time aforeſaid, one Shilling, and ſo proportionably for any greater or leſſer Quantity.

XLVI. For every hundred Weight of Barilla or Saphora, containing one hundred and twelve Pounds, imported within the Time aforeſaid, two Shillings and ſix Pence, above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XLVII. For every hundred Weight of Sope imported within the Time aforeſaid, containing one hundred and twelve Pounds, ten Shillings, over and above what is charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

XLVIII. For all Earthen Ware, not mentioned in the Book of Rates, imported within the Time aforeſaid, two Shillings and ſix Pence for every twenty Shillings Value thereof.

XLIX. For every hundred Weight of Starch, containing one hundred and twelve Pounds, imported within the Time aforeſaid, twenty Shillings, above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

L. For every hundred Weight of Allom, containing one hundred and twelve Pounds, imported within the Time aforeſaid, two Shillings and ſix Pence, above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

LI. For every hundred Weight of Brimſtone, containing one hundred and twelve Pounds, imported within the Time aforeſaid, four Shillings and eight Pence, above what the ſame is charged with in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

LII. For every hundred Weight of Tin, imported within the Time aforeſaid, containing one hundred and twelve Pounds, thirty Shillings, over and above what the ſame is charged in the Book of Rates; and ſo in proportion for any greater or leſſer Quantity.

Value of Goods not here mentioned how settled. Repealed by 11 Geo. 1. c. 7. and other Provisions made relating hereto.

LIII. Provided always, and be it enacted, That where any Duties upon Goods and Merchandize herein before granted, are to be levied according to the Value of the same, where such Goods or Merchandizes are particularly rated in the Book of Rates, the Value shall be understood and taken according to such Rate; and where they are not particularly rated, the Value shall be taken by and according to the Oath of the Importer, and not otherwise; the Duties imposed by this Act not to be reckoned into the Value of the same.

12 Months time for paying Custom or 10 per Cent for prompt Payment.

LIV. And be it further enacted by the Authority aforesaid, That for all additional Duties hereby imposed upon the aforementioned Goods and Merchandize to be imported as aforesaid, the Importer giving Security at the Custom-house, shall have Time, not exceeding twelve Months (where the same is not otherwise hereby limited) for the Payment of the same, from the Importation, to be paid by four equal and quarterly Payments; or in case such Importer shall pay ready Money, he shall have after the Rate of ten Pounds *per Cent.* for a Year of the said Duty abated to him or her; and if the Goods and Merchandize to be imported as aforesaid, for which the additional Duty is paid or secured at the Importation thereof, be again exported within twelve Months after the Importation, then the aforesaid Duties shall be wholly repaid, or the Security vacated, as to what shall be so exported.

Custom repaid or Security vacated upon Exportation. Enlarged to 3 Years by 7 Geo. 1. stat. 1. c. 21. §. 10.

Foreign Stores already sold to the Navy Office, excepted.

LV. Provided nevertheless, and be it enacted by the Authority aforesaid, That the new or additional Duties, imposed by this Act, shall not extend to affect such foreign Stores as have been sold to the Use of their Majesties Navy, by Contract with the Navy Board, or Commissioners of the Victualling, before the fifteenth Day of *November* one thousand six hundred and ninety, so as a Certificate be given from the Commissioners of the Navy or Victualling, that such foreign Stores have been so contracted for by them for their Majesties Service as aforesaid, and so as the Importer of the same do make Oath before the Commissioners appointed to manage the Customs (which Oath they are hereby impowered to administer) of the Truth of the said Contract, and that he will deliver the said Goods into their Majesties Stores, pursuant to the Contract so certified by the Commissioners of the Navy or Victualling.

Duties how to be levied.

12 Car. 2. c. 4.

LVI. And be it enacted, That the several Impositions and Duties above mentioned shall be raised, levied, collected, and paid unto their Majesties and their Successors, during the Times afore mentioned, in in the same Manner and Form, with such Advantages, and by such Rules, Means, and Ways, and under such Penalties and Forfeitures, as are mentioned and expressed in one Act of Parliament made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *A Subsidy granted to the King of Tunnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported*, and the Rules and Orders thereunto annexed; which said Act, and every Article, Rule, and Clause therein contained, shall stand and be in Force for the Purposes aforesaid, during the Continuance of this Act.

Clause of Credit at 8 per Cent.

LVII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for any Person and Persons to advance and lend unto their Majesties, upon the Security of this Act, any Sum or Sums of Money, and to have and receive for the Forbearance thereof any Sum not exceeding eight Pounds by the hundred for one whole Year, and no more, directly or indirectly.

An Office for Receipt of these Duties to be in London, and Duties paid to Receiver General of Customs, and kept apart, and paid weekly into the Exchequer. 2 W. & M. ff. 2. c. 10. Register to be kept in the Exchequer; Tallies, Orders, and Payment in Course.

LVIII. And to the End that all Monies, which shall be lent unto their Majesties upon the Credit of this Act, may be well and sufficiently secured out of the Monies arising and payable by this Act; Be it further enacted by the Authority aforesaid, That there shall be provided and kept in their Majesties Exchequer (that is to say) in the Office of the Auditor of the Receipts, one Book or Register, in which all Monies that shall be paid into the Exchequer by Virtue of this Act, shall be entred and registered apart and distinct from all other Monies paid or payable to their Majesties upon any other Branch of their Majesties Revenue, or upon any other Account whatsoever; and that all and every Person and Persons, who shall lend any Money to their Majesties upon the Credit of this Act, and pay the same into the Receipt of the Exchequer, shall immediately have a Talley of Loan struck for the same, and an Order for his Repayment, bearing the same Date with his Talley; in which Order shall be also contained a Warrant for Payment of Interest for Forbearance after the Rate so to be allowed for the same, so as such Interest do not exceed the Rate of eight Pounds *per Centum per Annum*, for his Consideration, to be paid every three Months, until Repayment of his Principal; and that all Orders for Repayment of Money shall be registred in Course, according to the Date of the Talley respectively, without Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand entred in the said Register Book, so as that the Person, Native or Foreigner, his Executors, Administrators, and Assigns, who shall have his Order or Orders first entred in the said Book of Register, shall be taken and accounted as the first Person to be paid upon the Monies to come in by Virtue of this Act; and he or they who shall have his or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively, and in Course; and that the Monies to come in by this Act shall be in the same Order liable to the Satisfaction of the said respective Parties, their Executors, Administrators, or Assigns successively, without Preference of one before another, and not otherwise, and not to be divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly be demanded or taken of any of their Majesties Subjects for providing or making of any such Books, Registers, Entries, View or Search in or for Payment of Money lent, or the Interest, as aforesaid, by any of their Majesties Officer or Officers, their Clerks, or Deputies, on pain of Payment of treble Damages to the Party grieved by the Party offending, with Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also. And if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, Damages, and Costs, to the Party grieved, and shall be forejudged from his Place

Place or Office; and if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after uncapable of his Place or Office; and in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment, according to each Perſon's due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid. All which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

LIX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference which of thoſe he enters firſt, ſo he enters them all the ſame Day.

LX. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Teller do pay ſubſequent Orders of Perſons that come and demand their Money, and bring their Orders, before other Perſons that did not come to demand their Money, and bring their Orders in their Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

LXI. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons to whom any Monies ſhall be due by Virtue of this Act, after Order entred in the Book of Regiſter aforeſaid for Payment thereof, his Executors, Adminiſtrators, or Aſſigns, by Indorſement of his Order, may aſſign and transfer his Right, Title, Intereſt, and Benefit of ſuch Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officers ſhall, upon Requeſt, without Fee or Charge accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may in like manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons, who have or hath made ſuch Aſſignments, to make void, releaſe, or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Orders for Money how transferable.

Made perpetual. 9 Ann. c. 21. 3 Geo. 1. c. 8. and Part of the South Sea Fund.

## CAP. V. (15.)

## An Act for the Continuance of ſeveral former Acts therein mentioned, for the laying ſeveral Duties upon Wines, Vinegar, and Tobacco.

*Moſt Gracious Sovereigns,*

WE your Majeſties moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, taking into our ſerious Conſideration the great and neceſſary Expences in which your Majeſties are engaged for our Defence and Safety, have cheerfully and unanimouſly given and granted unto your Majeſties the Impoſitions and Duties hereafter mentioned, for and during the Term hereafter expreſſed; and we do moſt humbly beſeech your Majeſties that it may be enacted;

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Impoſitions and Duties upon Wines and Vinegar, granted by an Act made in the firſt Year of the late King *James*, intituled, *An Act for granting his Majeſty an Impoſition upon all Wines and Vinegar, imported between the four and twentieth Day of* June *one thouſand ſix hundred eighty-five, and the four and twentieth Day of* June *one thouſand ſix hundred ninety and three*, ſhall be continued from the three and twentieth Day of *June* in the ſaid Year one thouſand ſix hundred ninety-three, and ſhall be raiſed, levied, collected, anſwered and paid unto their Majeſties and their Succeſſors, until the four and twentieth Day of *June* one thouſand ſix hundred and ninety-ſix, and no longer: And that the ſaid Act, and all Powers, Proviſions, Penalties, Articles, and Clauſes therein contained, ſhall continue and be of full Force and Effect, until the ſaid four and twentieth Day of *June* one thouſand ſix hundred and ninety-ſix, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying the ſaid Duties hereby continued, according to the Tenor and Intent of this preſent Act.

Duties upon Wine and Vinegar continued till June 1696.

III. And be it further enacted by the Authority aforeſaid, That the Rates and Duties for all Sorts of Tobacco granted by an Act made in the firſt Year of the Reign of the late King *James*, intituled, *An Act for granting to his Majeſty an Impoſition upon all Tobacco and Sugar, imported between the four and twentieth Day of* June *one thouſand ſix hundred eighty-five, and the four and twentieth Day of* June *one thouſand ſix hundred ninety-three*, ſhall be continued from the three and twentieth Day of *June* in the ſaid Year one thouſand ſix hundred and ninety-three, and ſhall be raiſed, levied, collected, anſwered, and paid unto their Majeſties and their Succeſſors, until the four and twentieth Day of *June* one thouſand ſix hundred and ninety-ſix, and no longer; and that the ſaid laſt mentioned Act, as for and concerning Tobacco only, and all

Duty upon Tobacco and Sugar continued till June 1696. Made Part of the South Sea Fund. 9 Ann. c. 21. 3 Geo. 1. c. 9.

all Powers, Proviſions, Penalties, Articles, and Clauſes therein contained, concerning the ſaid Rates and Duties upon all Sorts of Tobacco, ſhall continue and be of full Force and Effect, until the ſaid four and twentieth Day of *June* one thouſand ſix hundred and ninety-ſix, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying the ſaid Duties upon Tobacco hereby continued, according to the Tenor and Intent of this preſent Act.

Not to extend to 1 W. & M. ſſ. 1. c. 34.

IV. Provided nevertheleſs, That this Act, nor any Thing therein contained, ſhall not extend, or be conſtrued or taken to repeal or alter an Act made in the firſt Year of their Majeſty's Reign, intituled, *An Act for prohibiting all Trade and Commerce with* France, or any Part of the ſame.

Credit of Loan at 8 per Cent.

V. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any Perſon or Perſons to advance and lend unto their Majeſties, as well upon the Security of this Act, as upon the Security of the ſaid two former Acts made in the Reign of the late King *James* (from and after the Sum of ſix hundred thouſand Pounds, mentioned in an Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for appropriating certain Duties for paying the* States General *of the* United Provinces *their Charges for his Majeſty's Expedition into this Kingdom, and for other Uſes*, ſhall be fully ſatisfied and paid to the ſaid *States General*) any Sum or Sums of Money, and to have and receive for the Forbearance thereof any Sum not exceeding eight Pounds by the hundred for one whole Year, and no more, directly or indirectly. The reſt of this Act is omitted, being expired.

1 W. & M. ſſ. 1. c. 28. An Office for Receipt of theſe Duties to be in London, and paid by Receiver General of Cuſtoms, and kept apart,

and paid Weekly into the Exchequer. 2 W. & M. ſſ. 2. c. 10. EXP. Wages due to King Charles the Second's Servants ſaved.

## CAP. VI. (16.)

EXP.

An Act for puniſhing Officers and Soldiers who ſhall mutiny or deſert their Majeſties Service, and for puniſhing falſe Muſters.

## CAP. VII. (17.)

An Act for reviving a former Act for regulating the Meaſures and Prices of Coals.

16 & 17 Car. 2. c. 2.

'WHEREAS an Act was made in the ſixteenth and ſeventeenth Years of the Reign of the late King *Charles* the Second, intituled, *An Act for regulating the Meaſures and Prices of Coals*, which Act was to continue for three Years thence next following, and thenceforth to the End of the next Seſſion of Parliament, and no longer, and is expired: And whereas the ſaid Act was found to be very uſeful and beneficial to this Kingdom:'

Revived for Seven Years. 12 C. 2. c. 18. §. 6. Coal Ships may be navigated by Foreigners, during the War. EXP.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and every Clauſe, Article, and Branch therein contained, ſhall be, and is, and are hereby revived and continued in full Force, Strength, and Virtue, to all Intents and Purpoſes whatſoever, and ſhall ſo ſtand and continue from the firſt Day of *December* one thouſand ſix hundred and ninety, for the Space of ſeven Years, and from thence to the End of the firſt Seſſion of Parliament then next following, and no longer.

*Farther Proviſions relating hereto,* 6 & 7 *W.* 3. *c.* 10 & 18. 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. 8 *Ann. c.* 4. 9 *Ann. c.* 6, 23 & 28. 12 *Ann. St.* 2. *c.* 9 & 17 5 *Geo.* 1. *c.* 9. 8 *Geo.* 1. *c.* 14. 3 *Geo.* 2. *c.* 26. 4 *Geo.* 2. *c.* 30. 10 *Geo.* 2. *c* 32. 11 *Geo.* 2. *c.* 15. 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. *and* 33 *Geo.* 2. *c.* 15.

## CAP. VIII. (18.)

An Act for paving and cleanſing the Streets in the Cities of *London* and *Weſtminſter*, and Suburbs and Liberties thereof, and Out Pariſhes in the County of *Middleſex*, and in the Borough of *Southwark*, and other Places within the Weekly Bills of Mortality, in the County of *Surrey*, and for regulating the Markets therein mentioned.

13 & 14 Car. 2. c. 2.

'WHEREAS an Act was made at a Parliament held at *Weſtminſter*, in the thirteenth and fourteenth Years of the Reign of his late Majeſty, King *Charles* the Second, for the repairing the Highways and Sewers, and for paving and keeping clean the Streets in and about the Cities of *London* and *Weſtminſter*, wherein (amongſt other Things) many neceſſary and wholeſome Proviſions were made for the cleanſing and paving the ſaid Streets, and other Pariſhes and Places comprized within the Weekly Bills of Mortality; which ſaid Act being ſince expired, many Perſons in the Out Pariſhes in *Middleſex*, and other Pariſhes in the Limits aforeſaid, which have been choſen to ſerve the Office of Scavenger, refuſe to take the Execution of the ſaid Office upon them; and others, who have been rated and aſſeſſed towards the cleanſing and carrying away the Dirt and Soil out of the Streets, have refuſed to pay the Rates aſſeſſed upon them, there being no Law in Force to compel them thereunto, ſo that no Perſon can be imployed to be Raker, to carry the Dirt out of the ſaid Streets, for Want of ſome Proviſion for Payment for doing that Service; and the poorer Sort of People daily throw into the ſaid Streets all the Dirt, Filth, and Coal Aſhes made in their Houſes; by reaſon whereof the ſaid Streets are become extremely dirty and filthy, ſo that their Majeſties Subjects cannot conveniently paſs through the ſame about their lawful Occaſions, and many other Inconveniencies daily ariſe for Want of the like Proviſions in

other

' other Caſes relating to the Streets, Pavements, and Common Ways ;' may it therefore pleaſe your moſt excellent Majeſties that it may be enacted :

Inhabitants in Middleſex, &c. to ſweep the Streets twice a Week.

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, that from and after the fifteenth Day of *December* one thouſand ſix hundred and ninety, all and every Perſon and Perſons inhabiting in the ſaid Pariſhes of *Middleſex* and *Weſtminſter*, and the Liberties thereof, and in the Borough of *Southwark*, or in any of the ſaid Streets, Lanes, or Alleys, comprized within the weekly Bills of Mortality, and the Town of *Kenſington*, ſhall twice in every Week (that is to ſay, on every *Wedneſday* and *Saturday* at the leaſt) ſweep and cleanſe, or cauſe to be ſwept and cleanſed, all the Streets, Lanes, Alleys, and publick Places, before their reſpective Houſes, Buildings, and Walls, and the Buildings and Walls of Churches, and other publick Places, to the End the Dirt and Soil in the ſaid Streets may be ready for the Scavenger, Raker, or other Officer appointed for that Purpoſe, to carry away, upon Pain to forfeit three Shillings and four Pence for every Offence or Neglect reſpectively ; and that no Perſon or Perſons whatſoever ſhall throw, caſt, or lay, or cauſe, permit, or ſuffer to be thrown, caſt, or laid, any Seacoal Aſhes, Duſt, Dirt, Rubbiſh, Dung, or other Filth or Annoyance in any open Street, Lane, or Alley, within the ſaid City or Places aforeſaid, before his, her, or their own Dwelling-houſes, Stables, Buildings, or Walls, or the Buildings and Walls of Churches, Church-yards, and other publick Places, on the Penalty of five Shillings ; and no Perſon or Perſons ſhall lay any Aſhes, Dirt, or Soil, before the Houſes, Buildings, or Walls of any Perſon or Perſons, Inhabitants of the City, Pariſhes, or Places aforeſaid, or before or againſt any Church, Church-yard Wall, or any of their Majeſties Buildings, Palaces, or Places whatſoever ; or ſhall caſt, lay, or throw, or cauſe to be caſt, laid, or thrown into any common or publick Sink, Vault, Water-courſe, or common Sewer, or Highway, within any of the Pariſhes or Places aforeſaid, or any other private Vault or Sink of any of the Inhabitants aforeſaid, any Aſhes, Dirt, Filth, Ordure, or any other noiſome Thing whatſoever ; but ſhall keep, or cauſe the ſame to be kept in their reſpective Houſes, Yards, or Backſides, or the Yards or Backſides of Churches, and other publick Buildings, until ſuch Time as the Raker, Scavenger, or other Officer thereto appointed of the ſaid Ward, Pariſh, Street, or Place where they dwell, or ſuch Churches or Buildings, as do come by or near their Houſes, Doors, or Places, with his Cart, Barrow, or other Thing or Things uſed for the cleanſing the Streets, and carrying away thereof, and then ſhall carry, or cauſe to be carried, the ſaid Aſhes, Dirt, Dung, or other ſuch Filth or Annoyance aforeſaid, out of their Houſes, Yards, and Backſides, and deliver it unto the Raker, Scavenger, or other Officer, or otherwiſe to put the ſame into his Cart, Barrow, or other Thing as aforeſaid, upon Pain to forfeit the Sum of twenty Shillings for every ſuch Offence.

Penalty.

No Perſon to caſt any Aſhes, &c. into the Street.

Enlarged by 8 & 9 W. 3. c. 37. §. 1.

But ſhall deliver the Aſhes, &c. to the Scavenger.

Penalty.

Churchwardens, &c. liable.

III. And be it further enacted by the Authority aforeſaid; That the reſpective Churchwardens, and the Houſe-keepers and other Keepers of *Whitehall*, *Somerſet-Houſe*, *Saint James's Houſe*, and *Saint James's Park*, and the Guard-houſes and Stables near it, and other their Majeſties Houſes ; and the Uſhers, Porters, or Keepers of Courts of Juſtice, and all other publick or other Houſes and Places reſpectively, ſhall be liable to and ſuffer the like Penalties, Forfeitures, and Puniſhments for every the beforementioned Offences or Neglects done, committed, or ſuffered to be done before any Church or Church-yard, or before any of their Majeſties Houſes, Buildings, or Walls, or before any Houſes, Buildings, or Walls, or before any publick Buildings, Houſes, or Places whatſoever.

Hooping Barrels, &c.

Penalty.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifteenth Day of *December*, no Perſon or Perſons ſhall hoop, waſh, or cleanſe any Pipes, Barrels, or other Caſks or Veſſels in any of the Streets, Lanes, or open Paſſages aforeſaid ; nor ſhall ſet out any Dung, Soil, Rubbiſh, or empty Coaches to make or mend, or rough Timber or Stones to be ſawn or wrought, in the Streets, on the Penalty of twenty Shillings for every Offence.

Scavengers to carry away all Dirt, &c.

Penalty.

V. And be it further enacted by the Authority aforeſaid, That the Rakers, Scavengers, or other Officers thereunto appointed, every Day in the Week, except *Sundays* and other Holidays, ſhall bring or cauſe to be brought Carts, Dung-pots, and other fitting Carriages, into all their reſpective Pariſhes, Limits, Precincts, Streets, Charges, and Diviſions, where ſuch Carts and Carriages can paſs, and at or before their Approach, by a Bell, Horn, or Clapper, or otherwiſe, ſhall make diſtinct and loud Noiſe, and give Notice to the Inhabitants thereof of their coming, and make the like Noiſe, and give the like Notice in every Court, Alley, or Place, unto which the ſaid Carts cannot paſs, and abide and ſtay there a convenient Time, in ſuch ſort that all Perſons concerned may bring forth their reſpective Duſt, Dirt, Aſhes, Filth, and Soil, to the reſpective Carts and Carriages ſo ſtaying as aforeſaid ; all which the ſaid Rakers, Scavengers, or other Officers aforeſaid, ſhall daily carry, or cauſe to be carried away upon Pain to forfeit forty Shillings for every ſuch Offence or Neglect reſpectively.

Paved Streets to be kept in Repair.

VI. And be it further enacted by the Authority aforeſaid, That all open Streets, Lanes, and Alleys, which now are paved, within any of the Pariſhes or Places aforeſaid, ſhall be from time to time repaired, amended, and paved, at the Coſts and Charges of the Houſeholders Inhabitants in any ſuch Streets and Lanes, reſpectively ; and where any Houſes ſhall be empty and unoccupied in any ſuch Streets and Lanes, then to be paved and repaired at the Charge of the Owners or Proprietors thereof in Manner following (that is to ſay) Every of the ſaid Houſholders, Owners, or Proprietors of Houſes, to repair, pave, and keep repaired, amended, and paved, the Streets, Lanes, or Alleys before his Houſe, Stables, or Out-houſes, ſo far as his Houſing, Walls, or Buildings extend, unto the Denter-ſtone, Chanel, or Middle of the ſame Street, Lane, or Alley ; upon Pain to forfeit twenty Shillings for every Perch or Rod, and after

after that Rate for a greater or lesser Quantity for every Default, and of twenty Shillings a Week for every Week after, until the same shall be sufficiently paved and amended.

Justice of Peace may order new Streets, &c. to be paved.

'VII. And whereas there are in the Parishes aforesaid many new Streets and Ways made, which are 'fit and convenient to be paved with Stones, but for Want of good Order therein, are almost un-'passable to Passengers;' Be it enacted by the Authority aforesaid, That it shall and may be lawful for any one or more Justice or Justices of the Peace of the Place or Division where any new Streets or Ways are or shall be made, from time to time to view and inspect the same; and if upon such View they shall judge them fit to be paved or otherwise amended, to certify the same under their Hands to the Justices of the Peace, at the next respective General Quarter-Sessions of the Peace for the Place where such Streets or Ways are or shall be made, who are hereby respectively thereupon authorized and required to take such Order for the paving or otherwise amending the same, as they shall think fit. And all and every Person and Persons, Owners and Inhabitants of all and every the Houses new built, or hereafter to be built, or adjoining to any new Streets or Ways adjudged to be paved or amended, shall, and are hereby required, according to their several and respective Interests therein, by Order of such Justices at their Session, and by a Time in such Order limited, pave with Stone or Gravel, or otherwise amend, all the Ground that doth or shall lie in Front before every Dwelling-house or other Buildings in such Streets and Ways, extended to the Middle of the Way that doth or shall lie before the same: And every Person offending herein, or that shall not from time to time repair and amend his or her Proportion of the Pavements in such Streets and Ways where they shall be paved, shall forfeit forty Shillings for every such Offence or Default for every Perch, and after that Rate for a greater or lesser Quantity, and the like Sum for every Week, till the same be paved, or amended and repaired, and when paved or amended, the like Sum as those that shall not pave and repair open Streets, Lanes, and Alleys, now paved by virtue of this Act.

Penalty.

Streets paved as formerly.

VIII. Provided always, That such ancient Streets, Lanes, and Alleys within the said Places, or any of them, as by Custom and Usage have been repaired and paved by any other Order, or in any other Manner, shall be hereafter repaired, paved, and maintained in such Sort and Manner, and by such Person and Persons as have heretofore used to repair, pave, and maintain the same, under the Penalties aforesaid; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Charges of cleansing how raised.

1 Salk. 356.

IX. And for the better raising and levying of Monies to defray the Charges, and pay the Wages of the said Scavengers, Rakers, and other Officers employed in cleansing of the Streets, and other Places aforesaid, and carrying away the said Ashes, Dirt, Filth, and Soil; Be it further enacted by the Authority aforesaid, That within the Parishes of Saint *Anne* and Saint *James*, within the Liberty of *Westminster*, the Scavengers, Rakers, and such like Officers, shall be chosen as by the said respective Acts is directed and appointed: And the Rates, Taxes, and Assessments for Scavengers, Rakers, and such like Officers Wages for cleansing the Streets, shall be rated, taxed, and assessed, raised, and paid by the Parishioners and Inhabitants of those respective Parishes, according to the Custom and Usage of the said City, where it is not otherwise in the said Acts provided and enacted: And the Receivers of all such Monies shall be accountable in such Manner as they now are by the said Acts, or otherwise by the Law in case there is no Provision for the same thereby appointed: And all new Messuages, Tenements, and Houses, now, or at any Time hereafter built and erected within the Limits and Parishes aforesaid, shall be likewise rated, taxed, and assessed, and shall pay proportionable with others. And in all other Places and Parishes aforesaid, upon every *Monday* or *Tuesday* in *Easter Week*, the Constables, Churchwardens, and Overseers of the Poor, and Surveyors of the Highways of every of the said Parishes and Places respectively, or the greater Number of them, giving Notice unto, or calling together, such other ancient Inhabitants of their respective Parishes, as according to the Custom of the said Parishes or Places are usually present at the Election of Parish Officers, they, or the greater Number of them present, shall make Choice of, and shall nominate and appoint, two or more able Persons, that are Tradesmen of their Parish, to be Scavengers for the Streets, Lanes, and Alleys, and other open Passages of each Ward and Division within their said Parish for the Year then next ensuing, and until others be chosen and settled in their Places; which Persons so chosen, and being approved and confirmed under the Hand of any two Justices of the Peace within their respective Limits and Jurisdictions, shall within seven Days after their Election and Confirmation, and Notice thereof, take that Office and Duty upon them, upon Pain to forfeit ten Pounds for every Refuser respectively; and in case of Refusal by any Person or Persons so chosen and confirmed, then other able Persons shall be chosen and confirmed in Manner aforesaid, within seven Days after such Refusal, in the Place of him or them which shall so refuse; and the Person or Persons so chosen and confirmed, and having Notice thereof, shall undergo the like Pain of ten Pounds in case of Refusal, or not taking upon him or them the said Office or Duty within seven Days after he or they shall be chosen and confirmed, and have Notice thereof, as aforesaid. The said Penalties to be paid to the Surveyors of the Highways of the Place, and disposed of and employed by them for and towards the mending and repairing of the Highways and Streets of the same Parish, Ward, or Division, and to be levied by Distress and Sale of the Goods and Chattels of the Offenders, by Warrant under the Hand and Seal of any one Justice of Peace of any of the Places aforesaid, to be directed to the Constables or other Officers of the same Parish, or any two or more of them, rendring the Overplus to the Party (reasonable Charges for the Distress only to be deducted) and in Default of Distress or Non-payment within six Days after Demand thereof, or Notice left in Writing at the House or Dwelling-place of the Offender, by the said Constables or Officers respectively, the said Offender to be committed to the Common Gaol of the said County, City, or Place respectively, by the Warrant of any such Justice under his Hand and Seal, there to remain without Bail or Mainprize, until Payment be thereof made as aforesaid; and so in like manner for every Person or Persons neglecting or refusing the same.

Election of Scavengers, and Punishment of Refusers.

X. And be it further enacted by the Authority aforeſaid, That within twenty Days after the Election and Confirmation of the ſaid Scavengers as aforeſaid, the Conſtables, Churchwardens, and Overſeers of the Poor, and Surveyors of the Highways of the Pariſhes and Places aforeſaid reſpectively, or the greater Number of them, giving Notice unto, or calling together, ſuch Inhabitants of their reſpective Pariſhes as aforeſaid, they or the greater Number of them then preſent, ſhall make and ſettle a Tax, Rate, or Aſſeſſment, according to a Pound Rate, to be impoſed or ſet upon the Inhabitants of every reſpective Pariſh, Ward, or Diviſion, for the Year following, for the Purpoſes aforeſaid; which being allowed and confirmed by any two of the Juſtices of the Peace of the Places aforeſaid reſpectively (which they are hereby authorized and required, as far as the ſame ſhall be equal and reaſonable, to allow) ſhall be quarterly paid by every reſpective Inhabitant, upon Demand made thereof by the Scavengers or Officers appointed to gather and collect the ſame; and in caſe of a Refuſal or Neglect ſhall, by Warrant under the Hands and Seals of any two Juſtices of the Peace of the Diviſion, Pariſh, or Place, be levied by Diſtreſs and Sale of the Offender's Goods, and for want of Diſtreſs, by Impriſonment of the Offender (he not being a Peer of this Realm) until Payment as aforeſaid.

Inhabitants may make a Pound Rate.

Penalty for Non-payment.

XI. Provided always, and be it enacted, That ſuch Sums of Money as ſhall be yearly aſſeſſed and collected in the ſaid Pariſhes for cleanſing the Streets, ſhall be yearly accounted for by the Scavenger for the Time being, which collected the ſame, to two or more of the next Juſtices of the Peace for the Place, reſiding in or near to the reſpective Places for which ſuch Scavengers were appointed, within eight and twenty Days after the Election of new Scavengers for the enſuing Year; and ſuch Sum or Sums as ſhall be remaining in their Hands, ſhall be by them paid over to the next ſucceeding Scavengers elected for ſuch Pariſh; and any two ſuch Juſtices of the Peace, as aforeſaid, ſhall and may virtue hereof commit to Priſon every one of the ſaid Scavengers which ſhall refuſe to account, there to remain without Bail or Mainprize, until he have made a true Account, and ſatisfied and paid ſo much as upon the ſaid Account ſhall be remaining in his Hands.

Scavenger muſt account and pay the Overplus.

Penalty.

XII. Provided always, That the reſpective Scavengers and Rakers for any of the Pariſhes aforeſaid ſhall have Liberty, by the Approbation and Order of the Juſtices at their Petit Seſſions, or any two or more of them, to lodge their Dirt, Duſt, Aſhes, or other Filth, in ſuch vacant and publick Places in or near the Streets or Highways, as ſhall be thought convenient by the ſaid Juſtices, for the Accommodation of the Country Carts returning empty from the ſaid Pariſhes, they giving Satisfaction to the Owners and Occupiers of ſuch vacant Places; and in caſe of unreaſonable Demands, ſuch Juſtices in their Petit Seſſions ſhall hear, moderate, and determine the ſame according to Equity and good Conſcience. And in caſe any Perſon ſhall find him, her, or themſelves aggrieved with any Rate, Tax, or Aſſeſſment made by virtue of this Act, or any ways prejudiced by any Determination of the ſaid Juſtices in their Petit Seſſions, he or they ſo grieved or prejudiced ſhall and may have Recourſe, in all ſuch Caſes, to the Juſtices of the Peace aſſembled at the General Quarter-Seſſions of the Peace to be held for the Place wherein the Matter of Grievance doth ariſe, to ſet forth his, her, or their Caſe, by Petition or otherwiſe; and the ſaid Juſtices in ſuch their Quarter-Seſſions are hereby impowered to hear and determine all Matters to them complained of, concerning the ſame reſpectively, and their Determination and Order therein ſhall be final, without any Appeal to any other Court whatſoever.

Where the Scavenger muſt lay his Dirt, &c.

Appeal to Quarter-Seſſions.

'XIII. And whereas there are many common Highways within the ſaid Pariſhes, which cannot be ſufficiently amended, repaired, and ſupported, by means of the Laws now in Force, without the Help of this 'preſent Act;' Be it enacted, That for the better amending and repairing the ſame, one or more Aſſeſſment or Aſſeſſments upon all and every the Inhabitants, Owners, and Occupiers of Lands, Houſes, Tenements, and Hereditaments, or any perſonal Eſtate uſually ratable to the Poor within any of the ſaid Pariſhes, ſhall be from time to time made, levied, collected, and allowed by ſuch Perſon and Perſons as the ſaid Juſtices at ſuch their General Quarter-Seſſions ſhall direct and appoint in that Behalf, and the Money thereby raiſed ſhall be employed and accounted for according to the Order and Direction of the ſaid Juſtices for and towards the amending, repairing, and ſupporting ſuch Highways from time to time, as Need ſhall require; and the ſaid Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of every Perſon ſo aſſeſſed (not paying the ſame within fourteen Days after Demand) rendring the Overplus of the Value of the Goods ſo diſtrained, to the Owner and Owners thereof; the neceſſary Charges of making and felling ſuch Diſtreſs being firſt deducted. Provided always, That no ſuch Aſſeſſment or Aſſeſſments, to be made in any one Year, ſhall exceed the Rate of four Pence in the Pound of the yearly Value of any Lands, Houſes, Tenements, and Hereditaments ſo aſſeſſed, nor the Rate of eight Pence for every twenty Pounds in perſonal Eſtate.

Aſſeſſment how made for the Highways.

To be levied by Diſtreſs.

'XIV. And whereas many new Sewers, Sinks, and Vaults have been made in the Pariſhes within the 'City and Liberty of *Weſtminſter*, and other the Pariſhes aforeſaid, by the Commiſſioners appointed by the 'ſaid recited Act, which ſince the Expiration thereof are much neglected, and noiſome to the Inhabitants, 'becauſe of ſome Doubt whether ſuch new Sewers are within the Juriſdiction of the Laws of Sewers;' Be it therefore enacted by the Authority aforeſaid, That all new Sewers at any Time ſince the twelfth Year of the Reign of the ſaid late King *Charles* the Second, made in any of the ſaid Pariſhes, ſhall be henceforth ſubject to the Commiſſion of Sewers, and to the Laws and Statutes made for Sewers, as fully to all Intents and Purpoſes, as if ſuch Sewers, Sinks, and Vaults had been expreſly mentioned in the ſaid Statutes of Sewers, to be under the Survey of the ſaid Commiſſioners; and the Commiſſioners of Sewers for the time being, within the Limits of their reſpective Commiſſions ſhall have Power and Authority by Virtue of this Act to alter, amend, cleanſe, and ſcower any ſuch new Sewers, Sinks, and Vaults, and to order and direct the making of any other new Vaults and Sewers, and to cut into any Drain or Sewer already made,

New Sewers ſubject to the Commiſſion of Sewers.

6 H. 6. c. 5.
3 H. 6. c. 3.
23 H. 8. c. 5.
25 H. 8. c. 10.
3 & 4 Ed. 6. c. 8.
1 Ma. ſt. 3. c. 11.
13 Eliz. c. 9.
3 Jac. 1. c. 14.

and to alter or take away any Nuſances in the ſame, and to alter or take away any Croſs Gutter or Channels, in all or any of the Streets and Lanes in the Pariſhes aforeſaid.

Houſholders to ſet up Lights.

XV. And be it further enacted by the Authority aforeſaid, That every Houſholder within any of the Pariſhes, Places, or Precincts in the Counties of *Middleſex* and *Surrey*, and City and Liberty of *Weſtminſter*, compriſed within the weekly Bills of Mortality, whoſe Houſe adjoins unto or is near the Street, from *Michaelmas* unto our *Lady-day* yearly, ſhall every Night ſet or hang out Candles or Lights in Lanthorns on the Out-ſide of the Houſe next the Street, to enlighten the ſame for the Conveniency of Paſſengers, from time to time, as it ſhall grow dark, until twelve of the Clock in the Night, upon Pain to forfeit the Sum of two Shillings for every Default; excepting ſuch Perſon or Perſons as ſhall agree to make uſe of Lamps of any Sort, to be placed at ſuch Diſtances in the Street, as ſhall be approved of by two or more Juſtices of the Peace.

The Weight of a Truſs of Hay.

'XVI. And whereas great Abuſes and Deceits are committed by Carters and others, who bring and ſet Hay within the Cities of *London* and *Weſtminſter*, and the Hay-markets and Places compriſed within the Weekly Bills of Mortality, the Loads and Truſſes of ſuch Hay being of leſs Weight than they ought, and are pretended and declared to be between the Buyer and Seller thereof:' For Remedy herein be it further enacted by the Authority aforeſaid, That every Truſs of old Hay brought or offered to be ſold hereafter in any Place within the Cities of *London* and *Weſtminſter*, and all other Places compriſed within the Weekly Bills of Mortality, between the laſt Day of *Auguſt* and the firſt Day of *June* ſhall contain and be the full Weight of ſix and fifty Pounds at leaſt; and that every Truſs of Hay brought or offered to be ſold within the Cities or Places aforeſaid, between the firſt Day of *June* and the laſt Day of *Auguſt* in any Year, being new Hay of that Summer's Growth, ſhall be and contain the full Weight of ſixty Pounds, and old Hay of any former Year's Growth, the Weight of ſix and fifty Pounds as aforeſaid; and if any Hay after the ſaid fifteenth Day of *December* ſhall be brought or offered to be ſold within the Cities or Places aforeſaid, whereof any Truſs ſhall be of leſs Weight than aforeſaid the Perſon or Perſons aforeſaid, ſo bringing or offering ſuch Hay to be ſold, ſhall forfeit for every ſuch Truſs of Hay, not being the full Weight aforeſaid, the Sum of eighteen Pence.

Penalty.

Loaden Hay Carts when to ſtand.

'Notice to be given of the Time by ringing a Bell by 8 & 9 W. 3. c. 16. §. 5.'

XVII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifteenth Day of *December*, no Perſon or Perſons whatſoever ſhall permit or ſuffer his or their Waggon, Cart, or Car to ſtand or be in the Place now called the *Hay-Market* near *Piccadilly*, in the Pariſh of Saint *Martin* in the Fields, and Saint *James*, within the Liberty of *Weſtminſter*, or Borough of *Southwark*, or any other Place in the Pariſhes within the Weekly Bills of Mortality, loaden with Hay or Straw, to ſell the ſame, from *Michaelmas* to *Lady-day*, after two of the Clock in the Afternoon, and from *Lady-day* till *Michaelmas* after three of the Clock in the Afternoon, on Pain to forfeit for every Offence and Neglect five Shillings reſpectively.

*Farther Proviſions relating hereto, 8 W. 3. c. 17.*

Offenders how to be convicted.

XVIII. And for the more ſpeedy Reformation and Puniſhment of all and every the Offences aforeſaid be it further enacted by the Authority aforeſaid, That every Juſtice of the Peace within the Counties of *Middleſex* and *Surrey*, and City and Liberties of *Weſtminſter* and Places aforeſaid, within their ſeveral Limits reſpectively, ſhall have Power and Authority upon his own Knowledge or View, Confeſſion of the Party or Proof of one credible Witneſs upon Oath before him (which Oath the ſaid Juſtice is hereby impowered to adminiſter) to convict any Perſon or Perſons of any the Offences aforeſaid, whereby ſuch Perſon or Perſons ſo convict ſhall incur the Pains, Penalties, and Forfeitures aforeſaid; one Moiety whereof ſhall be diſpoſed and employed for and towards the Relief of the Poor of the Pariſh or Place where the Offence ſhall be committed or done, to be paid to the Overſeers of the Poor of the ſame for that Uſe, and the other Moiety thereof for him or them that ſhall diſcover and proſecute the ſame, in caſe the ſaid Conviction be by Diſcovery and Proſecution; and if the Conviction ſhall be by the View or Knowledge of any one or more Juſtice or Juſtices of the Peace, then one half of the Penalty ſhall be diſpoſed of to the Relief of the Poor as aforeſaid, and the other Moiety if for a Default of Pavement, to go to and be employed for and toward the repairing, paving, and cleanſing of the ſaid Streets or Places, to be paid to the Scavengers of the Place and by them employed for that Uſe, or otherwiſe to the Relief of the Poor as aforeſaid; and all the ſaid Penalties ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender by Warrant under the Hand and Seal of any Juſtice of the Peace of the Place, to be directed to the Conſtables and Headboroughs of the ſame Pariſh where the Offence was done, rendring the Surpluſage to the Party; and in Default of Diſtreſs, or Not-payment of the ſaid Penalties, within ſix Days after Demand thereof, where it is not hereby otherwiſe provided, or Notice in Writing left at the Houſe or Dwelling-place of the Offender by the ſaid Conſtable or Headborough, the ſaid Offender (not being a Peer of this Realm) ſhall be committed to the Common Gaol of the ſaid Counties or City reſpectively, by the Warrant of any ſuch Juſtice under his Hand and Seal, there to remain without Bail or Mainprize until Payment.

Penalty how diſpoſed.

Penalty how to be levied.

Cart Wheels how to be made.

This Clauſe diſpenſed with 3 & 4 W. & M. c. 12. §. 16.

'XIX. And whereas the Wheels of many Carts, Cars, and Brewers Drays, now commonly uſed for the Carriage of Goods, Beer, Ale, and other Things from Place to Place within the Cities of *London* and *Weſtminſter*, and Pariſhes aforeſaid, where the Streets are paved, are made thinner or narrower in the Felley than formerly, and many are ſhod with Iron Tires, by means whereof the Pavements in the Streets of the ſaid Cities and Places are daily impaired and broken up, and made dirty and rough:' For Prevention whereof for the time to come, be it therefore enacted by the Authority aforeſaid, That from and after the ſaid fifteenth Day of *December*, the Wheels of every Cart, Car, or Dray to be uſed for the Carriage of any

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Thing whatſoever, from any Place within the ſaid Cities and Places, to any Place ſituate in the ſaid Cities and Places where the Streets are paved, ſhall be made to contain the full Breadth of ſix Inches in the Felley, and ſhall not be wrought about with any Iron Work whatſoever, nor be drawn with above the Number of two Horſes, after they are up the Hills from the Water Side; and the Owners and Proprietors of any Cart, Car, or Dray to be uſed as aforeſaid, the Wheels whereof ſhall not be made ſix Inches in the Breadth, or ſhall be ſhod with Iron, or be drawn with above two Horſes as aforeſaid, ſhall forfeit the Sum of forty Shillings for every Time ſuch Cart, Car, or Dray ſhall be uſed as aforeſaid, for the Uſes, and to be levied as aforeſaid. Provided nevertheleſs, That this ſhall not extend to any County Cart or Waggon that ſhall bring any Goods to the Cities or Places aforeſaid, or ſhall carry any Goods half a Mile beyond the paved Streets of the ſaid Cities and Places. 15 Geo. 2. c. 2. 18 Geo. 2. c. 33. Penalty. Country Carts excepted.

XX. And for the better keeping and preſerving the Streets and Sewers in and about the ſaid Cities of *London* and *Weſtminſter*, and the Liberties thereof, and the Borough of *Southwark*, and other the Pariſhes aforeſaid, be it further enacted, That no Perſon or Perſons whatſoever, from and after the ſaid fifteenth Day of *December*, ſhall breed, feed, or keep any Sort or Manner of Swine within any Part of the Houſes or Backſides of the paved Streets of the ſaid Cities, Borough, or Pariſhes, where the Houſes are contiguous, upon pain of forfeiting the ſame to the Churchwardens and Overſeers of the Poor of the Pariſh where ſuch Swine ſhall be kept, bred, or fed, to the Uſe of the Poor thereof; and that it ſhall and may be lawful for all or any of the Churchwardens, Chapelwardens, Overſeers of the Poor, Conſtables, Beadles, Headboroughs, or Tythingmen of any of the Pariſhes of the ſaid Cities and Places reſpectively, at all Times hereafter, in the Day-time, by Warrant under the Hand and Seal of the ſaid Mayor of *London*, or any other of their Majeſties Juſtices of the Peace of the Place reſpectively, to ſearch in all ſuch Places in their reſpective Pariſhes for the finding all ſuch Swine, and all that ſhall be ſo found to ſeize, take, drive, and carry away, and the ſame to ſell for the beſt Price that can be had, and the Money thereby produced forthwith to deliver to the Churchwardens or Overſeers of the Poor of the Pariſh where ſuch Swine ſhall be ſeized, to be diſtributed to the Poor of the ſame, in ſuch Manner and Proportions as the ſaid Churchwardens and Overſeers reſpectively ſhall think fit. Swine kept within London, &c. forfeited. Explained and enforced by 8 & 9 W. 3. c. 37. §. 4. 2 Salk. 460.

XXI. And for the better cleanſing and keeping clean the Streets, Lanes, and Paſſages within the City of *London* and Liberties thereof, at all Times hereafter, be it enacted by the Authority aforeſaid, That the ſame ſhall be ordered and managed, and Rates and Impoſitions laid and levied, and all other Ways and Means therefore uſed and obſerved, according to the ancient Uſage and Cuſtom of the ſaid City. Cuſtom of London for cleanſing, &c. continued.

XXII. And for the better effecting the ſame, and preventing the throwing out or laying any Aſhes, Soil, Duſt, or Rubbiſh, or other Nuſance or Obſtruction in any the Streets, Lanes, or Paſſages of the ſaid City or Liberties thereof, it is further enacted, That it ſhall and may be lawful to and for the Lord Mayor of the ſaid City for the Time being, and to and for any Alderman of the ſaid City for the Time being, upon his own proper Knowledge or View, in the open General Seſſions, to make Preſentment for any ſuch Offence committed, done, or ſuffered within the ſaid City or Liberties thereof, which Preſentment ſhall be good and effectual; and the Lord Mayor and Juſtices of the ſame City ſhall immediately, at the ſame General Seſſions, have Authority to aſſeſs Fines for ſuch Offences, not exceeding twenty Shillings for any one Offence; which Fines, ſo to be aſſeſſed as aforeſaid, ſhall be levied and paid unto the Chamberlain of the City of *London* for the time being, for the Uſe of the ſame City, to be employed in the publick Payments of the ſame City; any Law or Statute to the contrary notwithſtanding. Lord Mayor, &c. may preſent upon View. Fine upon the Preſentment.

'XXIII. And whereas there are many good Proviſions made and ordained for the cleanſing the Sewers, 'and well paving the Streets in *London*, by one Act made in the two and twentieth and three and twen-'tieth Years of King *Charles* the Second, intituled, *An Act for the better paving and cleanſing the Streets and* '*Sewers in and about the City of* London, which have been much obſtructed by Occaſion of many frivolous 'and vexatious Actions commenced and proſecuted by evil diſpoſed Perſons againſt Officers and others em-'ployed in the Execution of the ſaid Act;' Wherefore to prevent the like vexatious Proſecutions for the future, be it further enacted, That if any Action, Suit, Plaint, or Information, ſhall at any Time after the ſaid fifteenth Day of *December* be commenced or proſecuted againſt any Perſon or Perſons, for what he or they ſhall do in Purſuance of or in Execution of the ſaid laſt recited Act, or this Act, ſuch Perſon or Perſons, ſo ſued in any Court whatſoever, ſhall or may plead the general Iſſue, and upon any Iſſue joined, may give the ſaid reſpective Acts, or either of them, as the Caſe may require, and the ſpecial Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him or her, the Defendant and Defendants ſhall recover their treble Coſts, for which they ſhall have the like Remedy as in any Caſe where Coſts by the Law are given to Defendants. 22 & 23 Car. 2. c. 17. General Iſſue. Treble Coſts.

XXIV. And it is hereby enacted and declared, for avoiding any Doubt touching the Highway leading from the Eaſt Side of *Clerkenwell Green* to Saint *John's Street*, That the ſaid Way ſhall be paved according to the Direction of this Act. St. John's. See 2 Geo. 2. c. 11.

CAP.

## CAP. IX. (19.)

### An Act for the encouraging the Diſtilling of Brandy and Spirits from Corn, and for laying ſeveral Duties on Low Wines, or Spirits of the firſt Extraction.

1 W. & M. ſt. 1. c. 34. Vide 10 & 11 W. 3. c. 4.

WHEREAS by an Act made in the Parliament held in the firſt Year of their Majeſties Reign, intituled, *An Act for prohibiting all Trade and Commerce with* France, all Brandies, *Aqua Vitæ*, and Spirits are prohibited to be imported into this Kingdom: And whereas good and wholſome Brandies, *Aqua Vitæ*, and Spirits, may be drawn and made from malted Corn: For the Encouragement therefore of the making of Brandy, Strong Waters, and Spirits, from malted Corn, and for the greater Conſumption of Corn, and the Advantage of Tillage in this Kingdom:'

Exciſe upon Spirits till 1695. Continued to March 1696. by 7 W. 3. c. 2. §. 6.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the four and twentieth Day of *December* in the Year of our Lord one thouſand ſix hundred and ninety, until the five and twentieth Day of *December* in the Year of our Lord one thouſand ſix hundred ninety-five, there ſhall be paid by way of Exciſe unto their Majeſties and their Succeſſors, for all low Wines or Spirits of the firſt Extraction, drawn by Diſtillers or other Makers of Spirits and ſtrong Waters for Sale within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, the Rates and Duties following (that is to ſay) For every Gallon of low Wines of the firſt Extraction, made or drawn from any foreign or imported Materials, or any Mixture with foreign Materials, eight Pence; for every Gallon of low Wines or Spirits of the firſt Extraction, made or drawn from Brewers Waſh or Tilts, or from any Sort of *Engliſh* Materials, other than from Drink brewed and prepared from any Sort of malted Corn, or from Perry or Cyder, twelve Pence; for every Gallon of low Wines of the firſt Extraction, drawn or made only from Drink brewed and made of any Sort of malted Corn, one Penny; and for every Gallon of low Wines of the firſt Extraction, drawn or made from Cyder or Perry, or any Mixture therewith, three Pence.

The ſeveral Rates.

Diſtillers ſhall draw their Spirits from Corn, without Moloſſes, &c.

III. And be it further enacted by the Authority aforeſaid, That all Diſtillers and others, who ſhall draw or make any low Wines, Spirits, or Brandy, from Corn, ſhall brew, or cauſe their Corn to be brewed and made into clean and wholeſome Drink, and from ſuch Drink ſo made and prepared (without any Mixture with any Moloſſes, Waſh, or Tilts, or other Materials whatſoever) ſhall draw their low Wines or Spirits of the firſt Extraction; and that it ſhall and may be lawful for the Gager and Gagers of Exciſe, from time to time, to gage and keep an Account of the Liquors, Worts, and Drink made and drawn by ſuch Diſtillers or others, for the making ſuch low Wines, Spirits, or Brandies, and to ſee that the ſame be drawn and made from Drink made of malted Corn entirely, without any Mixture as aforeſaid; and in caſe any Diſtillers or others ſhall therewith mix any other Materials, either in the brewing, or after the ſame is made into Drink, and before the ſame be diſtilled into low Wines, the ſaid Gagers ſhall charge the low Wines, drawn from the Drink ſo mixed, with the Duty of twelve Pence for every Gallon, which ſaid Duty ſhall be anſwered and paid to their Majeſties and their Succeſſors.

Gagers ſhall ſee and keep Account of the Spirits.

Penalty upon mixing other Materials.

Penalty upon Diſtiller making or receiving other Materials.

IV. And be it further enacted, That no Diſtillers or others, drawing low Wines or Spirits from Corn, prepared as aforeſaid, ſhall prepare any Waſh from Moloſſes or other Materials, or receive any Waſh of Moloſſes or other Materials from any other Perſon whatſoever, until he has drawn off and diſtilled all the Liquors made or prepared from Corn as aforeſaid, on Pain of Forfeiture for every Barrel of ſuch Liquors made of Corn as aforeſaid, found undiſtilled or drawn into low Wines, the Sum of five Pounds.

Penalty upon Officer's falſe Return.

V. And be it further enacted by the Authority aforeſaid, That if any Gager or other Officer of Exciſe ſhall wittingly and willingly make a falſe Charge, by returning to the Commiſſioners any Quantity of low Wines or Spirits of the firſt Extraction, not made from malted Corn, as made and drawn from malted Corn, ſuch Gager or Officer ſhall forfeit his Office or Employment, and alſo ſhall forfeit for every Gallon of low Wines ſo falſly charged or returned, the Sum of ten Shillings.

Diſtiller may export malted Spirits.

VI. And for the further Encouragement of Diſtillers and others, to draw and make Spirits or Brandies from malted Corn brewed into Drink as aforeſaid, and to export the ſame as Merchandize into Parts beyond the Seas, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to or for any Diſtillers or others, upon Oath made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any Brandy or ſtrong Waters is or are intended to be exported, that the ſame were or was made and drawn from Drink brewed from malted Corn, without any Mixture with any other Materials, and that the ſame is not mixed with any low Wines, nor drawn a ſecond Time, nor with any other Spirits or Brandy made from any other Materials, either native or foreign, and that the Duties of the ſame are duly entred or paid, and that the ſame are exported for Merchandize, to be ſpent beyond the Seas, to export ſuch Spirits or Brandies made from Corn prepared as aforeſaid; and upon a Certificate under the Hands of the Officer of Exciſe for the Port or Place where ſuch Spirits or Brandies were ſhipt off, of the Quantity ſo ſhipt, and that the ſame was ſhipt in the Preſence of ſuch Officers, that ſuch Diſtiller, or others ſo exporting, ſhall be allowed or paid back by the Commiſſioners, or their Collector for the Port or Place where ſuch Spirits or Brandy ſhall be ſhipt off, the Sum of three Pence for every ſuch Gallon of Brandy or Spirits ſo ſhipt off.

Rebate of 3d. per Gallon upon Exportation.

VII. And be it further enacted by the Authority aforeſaid, That the Gager and Gagers of Exciſe ſhall, from Time to Time, gage and take Account of all Waſh and other Materials prepared or preparing for the making of Low Wines, and alſo of all Low Wines, Spirits, or Strong Waters found in the Houſes, Cellars, or Warehouſes, or in any Waſh, Back, Caſk, or other Veſſel or Veſſels uſed by any Diſtiller or Maker of Low Wines or Spirits; and in caſe he ſhall miſs any Quantity or Quantities of Liquor or Drink brewed or made from Corn, or any Waſh, or other Materials prepared for making of Low Wines, which he found or gaged the laſt time ſuch Gager was at ſuch Diſtiller's, not exceeding twenty-four Hours before, and ſhall not on Demand receive Satisfaction what is become of ſuch Drink or Waſh, or other ſuch like Materials, that in every ſuch Caſe it ſhall be lawful for ſuch Gager to charge ſuch Diſtiller with ſo much Low Wines as ſuch Liquor, Drink, Waſh, or other Materials ſo miſſing, in his Judgment would reaſonably have made.

Gager ſhall take Account of Waſh, &c.

Gager ſhall charge Diſtiller with Quantities miſſing.

VIII. And to the Intent that the Duties payable to their Majeſties for all Low Wines, Spirits, *Aqua Vitæ*, and Strong Waters, may be the better aſcertained, collected and levied, be it enacted by the Authority aforeſaid, That from and after the ſaid four and twentieth Day of *December*, no Diſtiller or Maker of Low Wines, Spirits, *Aqua Vitæ*, and Strong Waters, ſhall diſtil or ſet their Stills at work for the drawing or making any the Liquors above mentioned, or ſhall deliver or carry out any Low Wines, Spirits, or *Aqua Vitæ*, to any of their Cuſtomers, in Caſk or by the Gallon, without Notice thereof firſt given to the Officer of Exciſe for the Place or Diviſion where ſuch Diſtiller or Maker ſhall live, to the Intent that ſuch Officer may be preſent to ſee and gage the ſame, unleſs at ſuch Times as herein after are mentioned (that is to ſay) from the nine and twentieth Day of *September* to the twenty-fifth of *March* yearly, between the Hours of five of the Clock in the Morning, and eight of the Clock in the Evening; and from the twenty-fifth Day of *March* to the twenty-ninth of *September* yearly, between the Hours of three of the Clock in the Morning, and nine of the Clock in the Evening, upon Pain that every Diſtiller and Maker of the Liquors aforeſaid, doing contrary hereunto, ſhall for every ſuch Offence forfeit the Sum of ten Pounds.

Diſtiller ſhall give Notice to Gager of Time of diſtilling and removing Spirits, except at certain Times mentioned.

10l. Penalty.

IX. And be it further enacted by the Authority aforeſaid, That the ſeveral Rates and Duties of Exciſe, hereby impoſed on the Liquors aforeſaid, ſhall be raiſed, levied, collected, recovered, and paid unto their Majeſties and their Succeſſors during the Time before mentioned, and in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned, expreſſed, and directed in and by one Act of Parliament, made in the twelfth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*; and alſo in and by one other Act of Parliament made in the fifteenth Year of his ſaid Majeſty's Reign, intituled, *An additional Act for the better ordering and collecting the Duties of Exciſe, and preventing the Abuſes therein*, or in either of them, or by any other Law now in Force, relating to the Revenue of Exciſe.

Manner of levying, collecting, &c.

12 Car. 2. c. 24.

15 Car. 2. c. 11.

X. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures by this Act impoſed, ſhall be ſued for, recovered, and levied by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*; and that one Moiety of ſuch Fine, Penalty, or Forfeiture ſhall be to their Majeſties and their Succeſſors, and the other Moiety to him or them that ſhall diſcover, inform, or ſue for the ſame.

Fines upon this Act how recoverable.

XI. Provided always, and be it enacted and declared by the Authority aforeſaid, That it ſhall and may be lawful to or for any Perſon or Perſons, during the Continuance of this Act, to make, draw, or diſtil for Sale, or to be retailed, any Low Wines or Spirits, from Drink brewed from malted Corn only, paying the Duties, and being ſubject to all Fines and Penalties as other Diſtillers are; any Law, Charter, or other Thing to the contrary notwithſtanding.

Any Perſon may diſtil.

Enlarged by 8 & 9 W. 3. c. 19. §. 13.

XII. And be it further enacted by the Authority aforeſaid, That all Strong Waters, Brandy, *Aqua Vitæ*, or Spirits brought from the Iſlands of *Guernſey*, *Jerſy*, *Sark*, or *Alderney*, ſhall be charged with the Duty of eight Shillings for every Gallon, to be paid to the Collector or Officer of Exciſe, upon Entry thereof before landing; and that all other exciſeable Liquor brought from the ſaid Iſlands, or any of them, except Beer, Ale, and Mum, ſhall be charged and chargeable with ſuch and the like Duties as are charged or chargeable on the like Liquors made in this Kingdom, to be entred and paid as aboveſaid: And that before the Landing of any ſuch Liquors, Oath ſhall be made by the Importer or Owner of ſuch Brandy, Strong Waters, or Spirits, and other Liquors, before the Collector or principal Officer of the Cuſtoms of the Port where the ſame are to be landed, that the ſame are of the Growth and Manufacture of the ſaid Iſlands, or one of them, and are not made from or mixed with any foreign Liquors or Materials. And in caſe any ſuch Liquors ſhall be imported and landed before due Entry, ſuch Oath made, and the ſaid Duties paid; the ſaid Strong Waters, Brandy, and other Liquors, ſhall be taken and adjudged to be of the Growth and Manufacture of the Territories of the *French* King, and the ſaid Liquors ſhall be deſtroyed, and all Perſons concerned in the Importation or Sale thereof, ſhall forfeit and ſuffer all and every the Penalties mentioned in an Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for prohibiting all Trade and Commerce with* France, in ſuch and the ſame Manner, as if the ſaid Liquors had been of the Growth and Manufacture of the Territories of the *French* King, and ſhall be proſecuted and recovered as in the ſaid Act is appointed.

Exciſe upon Brandy and other Liquors from Guernſey, &c.

Oath muſt be made that they are of the Manufacture of thoſe Iſlands, otherwiſe adjudged French Commodities.

Continued by 12 & 13 W. 3. c. 11. §. 8. and 3 & 4 Annæ, c. 4. §. 3. &c. Charters for

ing the Continuance of thoſe Acts. 1 W. & M. ſt. 1. c. 34. viz. the Forfeiture of the Value for the firſt Offence, and double for the ſecond, the ſole making of Brandy void. Part of the Aggregate Fund, 1 Geo. 1. c. 12.

XIII.

XIII. Provided alſo, and be it enacted, That all Charters and Letters Patents already made, or hereafter to be made or granted, for the ſole making of Brandy, Spirits, or Strong Waters from Corn of any Sort, or in any Manner whatſoever, as a new Invention, or whereby the Power and Liberty given by this Act to all Perſons for the diſtilling and making Brandy, Spirits, or Strong Waters from Corn, ſhall be in any Manner reſtrained, ſhall be, and are hereby declared and adjudged to be void to all Intents and Purpoſes whatſoever.

## CAP. X. (20.)

An Act for granting to their Majeſties ſeveral additional Duties of Exciſe upon Beer, Ale, and other Liquors for four Years, from the Time that an Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire.

*Moſt Gracious Sovereigns,*

12 Car. 2. c. 24. WE your Majeſties moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament, taking into ſerious Conſideration the great and urgent Occaſions which do preſs your Majeſties to an extraordinary Expence of Treaſure, for the Defence of your Kingdoms and Dominions againſt Invaſion, and for preſerving to your ſaid Subjects the Intercourſe of Trade; for which Purpoſe your Majeſties have found yourſelves obliged to equip and ſet out to Sea a Royal Navy, and to maintain a War againſt the *French* King; and in moſt thankful Acknowledgement of your Majeſties tender Care of the Welfare of your People, and for the augmenting the Naval Strength of this your Kingdom, by building ſome new Ships of War; have cheerfully and unanimouſly given and granted, and do hereby give and grant to your Ma-
*Burn, V.* 1. 336. jeſties the ſeveral additional Rates and Duties of Exciſe herein after mentioned; and do moſt humbly beſeech your Majeſties that it may be enacted;

Additional Exciſe. II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the ſeventeenth Day of *November* in the Year of our Lord one thouſand ſix hundred and ninety-one, there ſhall be throughout your Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, and collected, and paid unto your Majeſties and your Succeſſors, during the Space and Term of four Years, and no longer, for Beer, Ale, Cyder, and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges, and Impoſitions by any former Act or Acts (then unexpired) ſet and impoſed, and in Manner and Form following (that is to ſay) For every Barrel of Beer or Ale above ſix Shillings the Barrel, excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out Beer or Ale, publickly or privately, to be paid by the common Brewer, or by ſuch other Perſon or Perſons reſpectively, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for the ſame, one Shilling ſix Pence; for every Barrel of Beer or Ale of ſix Shillings the Barrel or under, brewed by the common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out Beer or Ale, publickly or privately, to be paid by the ſaid common Brewer, or by ſuch other Perſon or Perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for the ſame, ſix Pence; for every Barrel of Vinegar or Vinegar Beer, brewed, or made of any *Engliſh* Materials, by any common Brewer, or any other Perſon for Sale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties of Exciſe, payable for the ſame, three Shillings; for every Barrel of Vinegar, or Liquor prepared for Vinegar, made here for Sale, that hath run through Rape, or made with or paſſing through any foreign Materials, or any Mixture with foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, eight Shillings; for every Barrel of Beer, Ale, or Mum, imported from beyond the Seas, or from the Iſlands of *Guernſey* or *Jerſey*, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importers before landing, over and above the Duties payable for the ſame, ſix Shillings; for every Ton of Cyder or Perry imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importer before landing, over and above the Duties payable for the ſame, eight Pounds; for every Gallon of Single Brandy, Spirits, or *Aqua Vitæ*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, four Shillings. *Repealed by* 4 & 5 *W. & M. cap.* 6. For every Gallon of Brandy, Spirits, or *Aqua Vitæ* above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, eight Shillings. *Repealed by* 4 & 5 *W. & M. cap.* 6. For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above the Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, two Shillings ſix Pence; for all Metheglin or Mead made for Sale, whether by Retail or otherwiſe, to be paid by the Maker, for every Gallon ſix Pence.

For the Continuance of theſe Duties, ſee 5 & 6 W. & M. c. 7. & c. 20. 4 Ann. c. 6. 1 Geo. 1. ſtat. 2. c. 12. §. 8. They are now expired, and others granted.

6s Beer.

Beer under 6s.

Vinegar Engliſh.

Vinegar Foreign.

Beer, &c.

Cyder per Ton.

Brandy ſingle.

Brandy double.

Cyder retailed.

Metheglin.

Manner of levying. III. And be it further enacted by the Authority aforeſaid, That the ſeveral Rates and Duties of Exciſe hereby impoſed on the Liquors aforeſaid, ſhall be raiſed, levied, collected, recovered and paid unto their Majeſties and their Succeſſors, during the Time before mentioned, and in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned, expreſſed, and directed in and by one Act of Parliament made in the firſt Year of their preſent Majeſties Reign,

Reign, intituled, *An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors*, or by any other Law now in Force relating to the Revenue of Excise. 1 W. & M. ss. 1. c. 24.

IV. Provided that nothing in this Act contained shall be construed to continue the Duties of Excise granted by an Act made in the first Year of their Majesties Reign, intituled, *An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors*, or any other Duties of Excise upon Beer, Ale, or other Liquors, for any longer Time than the same are respectively granted by the said Act, or any other Act or Acts for that Purpose. Excise formerly given not prolonged by this Act. 1 W. & M. ss. 1. c. 24.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Victuallers or Retailers, or common Brewers, who for or within the Space of one Year before the Seventeenth of *November* last, have not brewed their own Beer and Ale, to brew and make the Strong Beer, small Beer, or Ale, drank, consumed, spent, or sold in their respective Houses, Out-houses, or other Places, paying the Duty of Excise for the same, in Manner as Brewers and Retailers of Beer and Ale brewing and making the same are liable by the Laws of Excise now in Force; and on their entring the Beer and Ale by them respectively made, at the Excise Office within the Limits wherein such Beer and Ale shall be made, and on the Payment of the Duty of Excise for the same, such Person and Persons shall not be liable to the Penalty of one hundred Pounds imposed in an Act made in this present Parliament, intituled, *An Act for doubling the Duty of Excise upon Beer, Ale, and other Liquors, during the Space of one Year*; any Thing in the same Act to the contrary notwithstanding. Victuallers, &c. may brew, paying the Excise. Ante c. 3.

'VI. And whereas by an Act made in the first Year of their Majesties Reign, intituled, *An Act for appropriating certain Duties for paying the* States General *of the* United Provinces *their Charges for his Majesty's Expedition into this Kingdom, and for other Uses*, the Money accruing and payable to their Majesties by Force of another Act made in the said first Year of their Majesties Reign, intituled, *An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors* (together with other Money arising and payable by certain other Acts of Parliament) was appropriated for and towards the Payment of six hundred thousand Pounds to the States of the *United Provinces:* And after the said six hundred thousand Pounds so paid, the Residue of the Money which should accrue and be payable to their Majesties by virtue of the said Act, to be for and towards the subduing of the Rebellion of *Ireland*, and other Charges of the War against *France:* And whereas the Increase of the Naval Strength and Force of this Kingdom is one of the best and most effectual Means for carrying on the War against *France*, and for maintaining the Honour and Safety of the Realm;' Be it further enacted by the Authority aforesaid, That all Monies which shall accrue and become payable to their Majesties by virtue of the said Act, intituled, *An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors*, from and after the said six hundred thousand Pounds shall be paid to the *States General:* And also all Monies to be collected, levied, and paid by virtue of this Act, shall be applied to the Uses following (that is to say) the Sum of five hundred and seventy thousand Pounds, Part thereof, shall be applied and appropriated, and is hereby appropriated for the Building, and for the Guns, Rigging, and other furnishing of seven and twenty Ships of War, whereof seventeen to be of the third Rate, and to contain and measure eleven hundred Tons, or thereabouts, and to carry eighty Guns apiece; and ten to be of the fourth Rate, and to contain and measure nine hundred Tons or thereabouts, and to carry sixty Guns apiece. 1 W. & M. ss. 1. c. 24. Appropriation of this and the Residue of the Excise before given to the building 27 Men of War.

VII. And be it further enacted by the Authority aforesaid, That the said seven and twenty Ships of War hereby directed to be built, as aforesaid, shall be, and are hereby directed to be built and furnished with all convenient Expedition, the whole Number to be compleated with Guns, Rigging, and Furniture, within the Space of four Years, to be accounted from the five and twentieth Day of *March* one thousand six hundred ninety-one. The Residue of the former

Excise and this to be kept apart, and paid weekly into the Exchequer. 1 W. & M. ss. 1. c. 24. One third Part to be paid the Treasurer of the Navy, &c. Treasurer of the Navy, &c. may assign over the third Part. Officers of the Navy to sign Bills only for Building. Clause of Credit for 1,000,000 l. upon the two Thirds, Annual Surplus of Duties arising by 5 & 6 W. & M. c. 7. to be applied for Payment of Principal and Interest due for two Thirds of the Excise hereby granted. Money transferrable. Punishment upon Officers neglecting or Misapplying.

'XX. And whereas by an Act made in this present Session of Parliament, intituled, *An Act for granting unto their Majesties certain Impositions upon all* East-India *Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thousand six hundred and ninety*, it is enacted, That it shall be lawful for any Person or Persons to advance and lend to their Majesties any Sum or Sums of Money upon the Security of the said Act; and whereas by another Act made in this present Session of Parliament, intituled, *An Act for the Continuance of several former Acts therein mentioned, for the laying several Duties upon Wines, Vinegar, and Tobacco*, it is enacted, That it shall be lawful for any Person or Persons to advance and lend to their Majesties any Sum or Sums of Money, as well upon the Security of the same Act, as upon the Security of two former Acts therein mentioned, made in the Reign of the late King *James*, in such Manner as in the said last mentioned Act made in this present Session of Parliament is expressed:' Now to the End that it may appear what Monies shall arise or become payable to their Majesties by virtue of the said Acts, whereby the Monies advanced to their Majesties upon the Credit of the same may be the better secured, be it enacted by the Authority aforesaid, That from and after the five and twentieth Day of *December* one thousand six hundred and ninety, during the Continuance of the said Acts respectively, there shall be continued, and be within the City of *London*, an Office for the Receipt of all the Duties and Sums of Money granted or payable to their Majesties by virtue of the said last mentioned Acts, or either of them; in which Office all the Monies arising by the same with in the Port of *London*, or in the Out-ports, or elsewhere, shall Sess. 2. c. 4. Cap. 5. An Office of Receipt for Customs given formerly upon East India Goods and Tobacco, &c. to be in London.

shall be well and truly answered and paid to the Receiver or Receivers General of their Majesties Customs, to be appointed by their Majesties; which said Receiver or Receivers General is and are hereby directed and required from Time to Time, at the said Office, to separate and keep apart the whole Receipt of the
Cap. 4. said Monies due and payable by virtue of the said Act, intituled, *An Act for granting to their Majesties certain Impositions upon all* East India *Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thousand six hundred and ninety:* As also to separate and keep apart the whole Receipt of all Monies granted to their Majesties
Cap. 5. by the said Act, intituled, *An Act for the Continuance of several former Acts therein mentioned, for the laying several Duties upon Wine, Vinegar, and Tobacco*; or thereby made a Fund of Credit as aforesaid, as the same shall respectively become due, and be paid into the said Office by the several Receivers, Collectors, or any others who are or shall be employed to pay the same, and shall remain from Time to Time, after the Payments which shall be made thereout by virtue of any Laws in Force, upon Debentures for Goods that shall be reshipt, or for Corn exported, or for Discounts upon Bonds, where Discounts are allowable by Law, and of such Allowances of damaged Goods, and of Bills of Portage, as have usually been made; and the Comptroller General of the Accounts of the Customs for the Time being is hereby also required and commanded to keep perfect and distinct Accounts, in Books fairly written, of the said several and respective Duties and Sums of Money, as the same shall respectively come in; to which Books all Persons concerned shall have free Access at all seasonable Times, without Fee or Charge. And the said Receiver or Receivers General is and are hereby required and strictly enjoined, from Time to Time, to pay weekly, to wit, on *Wednesday* in every Week, unless it be an Holiday, and then the next Day after which shall not be an Holiday, the said several and respective Sums as aforesaid, into the Receipt of their Majesties Exchequer, distinct and apart from all the other Monies which he or they shall receive for their Majesties Use: And if the Receiver or Receivers General for the Time being shall refuse or neglect to pay into the Receipt of the Exchequer, the said Sums of Money arising as aforesaid, in such Manner as he or they are before required or enjoined to do, or shall divert or misapply any Part of the same, then he or they for any such Offence shall forfeit his or their Office of Receiver or Receivers General, and be incapable of any Office, Employment, or Place of Trust whatsoever, and shall be liable to pay the full Value of any Sums or Sums so diverted or misapplied, to any Person or Persons who shall sue for the same, by any Action of Debt, Bill, Plaint, or Information in any of their Majesties Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or Privilege, or more than one Imparlance shall be granted or allowed.

Appropriation of the Residue of Money.

XXI. And be it enacted by the Authority aforesaid, That out of the Money which shall be levied and paid by virtue of this Act into the Receipt of the Exchequer, as well upon Loan as otherwise, the Sum of seven hundred thousand Pounds shall be applied and appropriated, and is hereby appropriated to and for the Payment of Seamen that shall serve in their Majesties Navy Royal, for the Year one thousand six hundred ninety-one; and to and for the Building of three Ships to be of the third Rate, to contain and Measure each of them one thousand and fifty Tons, and for providing Guns, Rigging, and other Furniture for the said Ships; and to and for the paying for Stores, Provisions, and Victuals to be supplied for the said Navy; and to and for the Expences of their Majesties Office of Ordnance in respect to Naval Affairs, and for other necessary Uses and Services to be performed for the said Navy in the Time aforesaid; and that out of all other the Money which shall be levied and paid into the Money Receipt of the Exchequer, as well upon Loan as otherwise, by virtue of this Act, or any other Act of this Session of Parliament, for granting Aids or Supplies to their Majesties for reducing *Ireland*, or prosecuting the War against *France*,
Cap. 1. other than what is as aforesaid appropriated by this Act, and the Act *For granting an Aid to their Majesties of the Sum of sixteen hundred fifty-one thousand seven hundred and two Pounds eighteen Shillings*, for the Payment of Seamen, and other Payments relating to their Majesties Navy, the Sum of fifteen hundred thousand Pounds shall be applied and appropriated, and is hereby appropriated to and for the Payment of their Majesties Land Forces and Armies that have served and shall serve in *England* or *Ireland*, or elsewhere, and the paying for Arms, Ammunition, Carriages, and all other incident Charges necessary to the same, and not otherwise; and that all other Sums of Money paid and payable into the Exchequer by virtue of any of the said Acts, over and above the Sums appropriated to and for the Uses therein expressed, during their respective Continuance, shall be applied and appropriated to and for the Prosecution of the said War against *France*, and the reducing *Ireland*, and the Payment of the Debts that shall be incurred by reason of the said War, and to no other Use or Purpose whatsoever.

Ships to be built in a Year.

XXII. Provided always, and be it enacted, That the said three Ships of War herein last mentioned to be built, shall be, and are hereby directed to be built and compleated with Guns, Rigging, and other Furniture, within the Space of one Year, to be accounted from the twentieth Day of *March* next ensuing.

The King may dispose of 500,000 l. not appropriated.

XXIII. Provided always, and be it enacted, That it shall and may be lawful to and for their Majesties to make use of any Sum or Sums of Money, not exceeding five hundred thousand Pounds in the whole, granted in this present Session of Parliament, and not particularly appropriated, so as the same be repaid and applied to the carrying on of the present War, out of such Monies as shall arise from their Majesties Revenue before the four and twentieth Day of *March* in the Year of our Lord one thousand six hundred ninety and one; any Thing to the contrary thereof notwithstanding.

*Farther Provisions concerning Excise.* 4 *W. & M. c.* 3. 5 *W. & M. c.* 20. 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 & 12. 1 *Ann. St.* 2. *c.* 3. 4 *Ann. c.* 6. 8 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. St.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* I. *c.* 30. 12 *Geo.* I. *c.* 28. 1 *Geo.* 2. *c.* 16. 23 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. 1 *Geo.* 3. *c.* 7.

CAP.

## CAP. XI. (21.)

An Act for appointing and enabling Commiſſioners to examine, take, and ſtate the publick Accounts of the Kingdom. *Exp. Revived by* 5 & 6 W. & M. cap. 23. *till* 25 April 1695. EXP.

## CAP. XII. (22.)

An Act for raiſing the Militia of this Kingdom, for the Year one thouſand ſix hundred ninety and one, although the Month's Pay formerly advanced be not repaid. *Exp.*

## CAP. XIII. (23.)

An Act for preventing Vexatious Suits againſt ſuch as acted for their Majeſties Service, in Defence of the Kingdom. EXP.

## CAP. XIV. (24.)

An Act for the more effectual putting in Execution an Act, intituled, *An Act for prohibiting all Trade and Commerce with* France. [Continued by 4 & 5 W. & M. cap. 25. for three Years, if the War with *France* laſt ſo long.]

'WHEREAS by an Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for prohibiting all Trade and Commerce with* France, it was provided, That if any *French* Wines, Vinegar, Brandy, Linen, Silks, Salt, Paper, and other Commodities, of the Growth, Product, or Manufacture of *France*, or of the Territories or Dominions of the *French* King, or any Goods, Commodities, or Manufactures, mixed with any Goods or Commodities being of the Growth, Product, or Manufacture of any of the Dominions or Territories of the *French* King, ſhould be imported contrary to the ſaid Act, they ſhould be ſtaved, ſpilt, deſtroyed, or burnt, in ſuch Manner as is by the ſaid Act directed: Notwithſtanding which, divers of the ſaid Goods, Commodities, and Manufactures taken, or pretended to be taken, as Prizes, have been imported, but not ſtaved, ſpilt, burnt or deſtroyed, according to the Proviſion of the ſaid Act:' For Remedy whereof, and for the more effectual putting the ſaid Act in Execution: 1 W. & M. ſ. 1. c. 34.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Officer or Officers of the Cuſtoms or Prizes ſhall wilfully or knowingly ſuffer any of the ſaid Goods, Commodities, or Manufactures, imported as Prizes or otherwiſe, contrary to the ſaid Act, to be admitted to an Entry, or to be embezilled, and not ſtaved, ſpilt, burnt, or deſtroyed, in ſuch Manner as by the ſaid Act is directed; every ſuch Officer or Officers ſhall, being thereof lawfully convicted, forfeit the Sum of five hundred Pounds, whereof one Moiety to be to their Majeſties, their Heirs, and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall diſcover and ſue for the ſame, and alſo ſhall for ever afterwards be incapable of having or executing any Office in their Majeſties Revenue. EXP. Penalty on Officer offending.

III. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons, at any Time or Times from and after the firſt Day of *February* one thouſand ſix hundred and ninety, ſhall ſell, or utter by Retail, in or by any Glaſs Bottle or Bottles, or in or by any other retail Meaſure, not made of Pewter, and ſealed according to Law, any kind of Wine or Wines whatſoever, or any other Liquor expoſed to Sale for Wine, or ſhall ſell the ſame for a greater Price than by the aforementioned Act is appointed, and ſhall be convicted thereof by the Confeſſion of the Party, or by the Oath of two credible Witneſſes, before one or more Juſtice or Juſtices of the Peace of the County, City, or Place where ſuch Offence ſhall be committed (who are hereby required and impowered to adminiſter an Oath to that Purpoſe) ſuch Perſon being proſecuted for ſuch Offence within thirty Days next after ſuch Offence committed; that then every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence the Penalty and Sum of fifty Shillings, which, if not paid upon Demand, ſhall be levied by Diſtreſs and Sale of the Goods and Chattles of every ſuch Offender, by Warrant under the Hand and Seal of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made; which Warrant the ſaid Juſtice and Juſtices are hereby impowered and required to grant to the Conſtable, Headborough, or Tythingman of the Pariſh or Place where ſuch Offence ſhall be committed, who are hereby required and authorized immediately to levy the ſame accordingly, rendring the Overplus to the Owner thereof; the ſaid Penalty, Forfeiture, and Monies ſo levied, to be given to the Informer; and for want of ſufficient Diſtreſs, the Offender ſhall be committed to the common Gaol, there to remain without Bail or Mainprize, until he ſhall pay the ſaid Money and Penalty, and all neceſſary Coſts and Charges of ſuch Conviction and Proſecution; the ſaid Coſts to be taxed by the Juſtice or Juſtices before whom the ſaid Conviction was made. Penalty upon any ſelling Wine in Veſſels unſealed, &c.

IV. Provided, That where any Offender ſhall be puniſhed by Force of this Act, he ſhall not be proſecuted, nor incur the Penalty of any other Law or Statute for the ſame Offence; and that no Writ or Writs of *Certiorari* ſhall be granted or allowed to ſuperſede or remove any Conviction or Proceedings in purſuance of this Act, but that Execution and all other Proceedings, ſhall and may be had and made thereupon; any ſuch Writ or Writs, or Allowance thereof notwithſtanding. Perſon puniſhed exempt from other Laws No Certiorari.

Penalty upon Perſons diſturbing Informers.

'V. And whereas ſeveral Officers and Informers have been hindered, abuſed, beaten, and wounded, to the 'Hazard of their Lives, in the due Execution of their ſeveral Truſts and Services in their reſpective Places, 'by Companies and Multitudes of Men; and prohibited Goods have by Force and Violence, as well by 'Land as by Water, been forcibly carried and conveyed away;' Be it enacted by the Authority aforeſaid, That where any Officer or Informer, or any other Perſon or Perſons impowered by this Act, or the aforeſaid Act of Prohibition, ſhall be by any Perſon or Perſons forcibly hindred, abuſed, beaten, or wounded in the due Execution of this or the aforeſaid Act, all and every Perſon and Perſons ſo reſiſting, abuſing, beating, or wounding the ſaid Officer or Informer, or other Perſons impowered thereby, or ſuch as ſhall act in their Aid and Aſſiſtance, ſhall by the next Juſtice of the Peace, or other Magiſtrate, be committed to Priſon, there to remain till the next Quarter-Seſſions; and the Juſtices of the ſaid Quarter-Seſſions ſhall and are hereby impowered to puniſh the Offenders by Fine, not exceeding five Pounds; and the Offender is to remain in Priſon till he be diſcharged both of the Fine and Impriſonment, by order of the ſaid Juſtices, or any two of them.

CAP. XV. (25.)

22 & 23 Car. 2. c. 20. 30 Car. 2. ſtat. 1. c. 4.

An Act for Relief of Poor Priſoners for Debt, or Damages. [Revived by 5 & 6 W. & M. Cap. 8. EXP.]

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# Anno Regni GULIELMI & MARIÆ tertio.

'AT the Parliament begun at *Weſtminſter* the twentieth Day of *March Anno Dom.* 1689, in the ſecond Year of the Reign of our Sovereign Lord and Lady, WILLIAM and MARY, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King and Queen, Defenders of the Faith, &c. And from thence continued by ſeveral Prorogations and Adjournments to the two and twentieth Day of *October* 1691, being the third Seſſion of this preſent Parliament.

## CAP. I.

An Act for granting to their Majeſties certain Impoſitions upon Beer, Ale, and other Liquors, for One Year. Exciſe upon Beer, &c. given for a Year. Lodgers of Carriers, &c. Retailers. No private Perſon ſhall brew where there is a common Brewer, except he has brewed within a Year, and he ſhall pay Exciſe. Juſtices of Peace, &c. may try Crimes about Exciſe. Penalties here given how recovered. Rebate upon Exportation of Mum, &c. Brewer ſhall not carry away Part of his Guile before the whole be finiſhed, nor mix ſtrong Worts with the ſmall. Exciſe charged upon the common Brewer. This Act in Force for a Year only. Officers of the Exciſe not to meddle in Elections of Parliament. Gagers to give Notes of their laſt Gages. Revived by 4 & 5 W. & M. Cap. 5. to continue during that Act, and to the End of the next Seſſion. Exp.

1 W. & M. Seſſ. 1. c. 24. 3 W. & M. Seſſ. 1. c. 22. 5 & 6 W. & M. c. 20. §. 48.

## CAP. II.

An Act for the abrogating the Oath of Supremacy in *Ireland*, and appointing other Oaths.

'WHEREAS by a Statute made in *Ireland* in the ſecond Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, intituled, *An Act reſtoring to the Crown the ancient Juriſdiction over the Eſtate Eccleſiaſtical and Spiritual, and aboliſhing all Foreign Power repugnant to the ſame*, the Perſons there'in mentioned are thereby obliged to take the Oath in the ſaid Act expreſſed:'

The Oath made in *Ireland*, 2 Eliz. c. 1. abrogated.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth no Perſon whatſoever reſiding in *Ireland* ſhall be obliged to take the ſaid Oath by Force or Virtue of the ſaid recited Statute, or any other Statute whatſoever; but that the ſaid Statute, and every other Statute, for ſo much only as concerns the ſaid Oath, ſhall be and are hereby repealed, utterly abrogated and made void.

What Perſons are bound to take the new Oaths.

III. And be it further enacted, That the Oaths appointed, intended, or required by this Act to be taken, from and after the firſt Day of *January* next in the Year of our Lord one thouſand ſix hundred ninety-one, be taken by the Perſons herein and hereafter mentioned, and by every ſuch other Perſon and Perſons, as were appointed and required by the ſaid recited Act, or any other Statute whatſoever made in *Ireland*, to take the ſaid abrogated Oath, before ſuch Perſon or Perſons, and in ſuch Court as hereafter in this Act is expreſſed (that is to ſay) all and every Archbiſhop and Biſhop of the Realm of *Ireland*, that now is, and all and every Perſon of or above the Degree of a Baron of Parliament there, and all and every other Perſon and Perſons Inhabitants of or reſiding within the ſaid Realm of *Ireland*, now having any Promotion, Office, or Employment Eccleſiaſtical, Civil, or Military, or receiving any Pay, Salary, Fee, or Wages, by Reaſon of any Patent or Grant of their Majeſties, or any of their Predeceſſors, or being Maſter, Governor, Head, or Fellow of the College or Univerſity of *Dublin*, or Maſter of any Hoſpital, or School, or Barriſter at Law, Clerk in Chancery, Attorney, or Profeſſor of Law, Phyſick, or other Science, that ſhall inhabit, be, or reſide within the City of *Dublin*, or within thirty Miles of the ſame, on

Perſons within 30 Miles of Dublin, to take them in the King's Bench.

on the first Day of *Hilary* Term next, or at any Time during the said Term, in their Majesties High Court of *Chancery* in that Kingdom, or in the Court of *King's Bench* there, in publick and open Court, between the Hours of nine of the Clock and twelve in the Forenoon; and all the said Persons which inhabit at greater Distance from the said City, at the General Quarter-Sessions to be holden for that County, Barony, or Place in *Ireland* aforesaid, where he or they shall be or reside, in open Court between the said Hours of nine and twelve in the Forenoon, at any Time before the five and twentieth Day of *July* next; and shall likewise make and subscribe, and audibly repeat, the Declaration herein and hereafter mentioned, and expressed; all which shall be put on record in the said respective Courts; and every Person taking the same shall pay to the Clerk for recording thereof, one Shilling, and no more. Any if any Archbishop or Bishop, or any other Person having any ecclesiastical Dignity or Promotion, or being a Lecturer or Curate, shall neglect or refuse to take the said Oaths, and make and subscribe the said Declaration, as aforesaid, then he or they shall be *ipso facto* deprived, and is and are hereby adjudged to be deprived of his and their Offices, Dignities, and Promotions Ecclesiastical, and incapable to be Lecturer or Curate in any Place or Cure whatsoever; and all and every other Person having any Office, or receiving any pay, Salary, Fee, or Wages, by reason as aforesaid, or being Master, Governor, Head, or Fellow of the said University or College, or Master of any Hospital, or School, Barrister at Law, Clerk in Chancery, Attorney, or Professor of Law, Physick, or other Science, as aforesaid, that shall neglect or refuse to take the said Oaths, and make and subscribe the said Declaration, within the Time, and in the Manner aforesaid respectively, shall be *ipso facto* thenceforth adjudged uncapable and disabled in Law, to all Intents and Purposes whatsoever, to have, occupy or enjoy such Office, Pay, Salary, Fee, Wages, Mastership, Governor's Place, Headship, Fellowship, Employment or Employments, or any Part of them, or any Matter or Thing aforesaid, or any profit or Advantage appertaining to them, or any of them; and every such Office and Place shall be void, and is hereby adjudged to be void.

Persons above 30 Miles off, in the Sessions.

They must repeat the Declaration.

Clerk's Fee.

Penalty upon Clergymen not taking the Oaths, &c.

Penalty upon other Persons offending.

IV. And be it further enacted by the Authority aforesaid, That every Person that shall become a Barrister at Law, Attorney, Clerk, or Officer in Chancery, or any other Court, their Deputy or Deputies, or shall succeed or practise as such in *Ireland*, at any Time after the last Day of *Hilary Term* next, shall and is hereby required to take the said Oaths, and make and subscribe the said Declaration, in the Court of *King's Bench* at *Dublin*, in open Court in Term Time, between the Hours aforesaid, to be recorded as aforesaid, before he shall be admitted to enjoy or exercise any Place or Office, or to practise or plead in any Court of Law or Equity, or any other Court of Record, or not of Record; and that all Persons that shall after the first Day of *March* next be admitted into any Office or Employment, Ecclesiastical or Civil, or come into any Capacity, in respect or by reason whereof they should have been obliged to take the said abrogated Oath in the said recited Act mentioned, shall take the said Oaths, and make and subscribe the said Declaration hereby appointed, hereafter expressed, in such Manner, at such Times, and before such Persons, as they should or ought to have taken the said former Oath, by virtue of the said recited Act, in case the same had not been hereby abrogated as aforesaid.

Barristers, &c. to take the Oaths before admitted to Employment.

All Persons, who were to take the abrogated Oath, to take this and the Declaration.

'V. And forasmuch as great Disquiet and many dangerous Attempts have been made, to deprive their Majesties and their Royal Predecessors of the said Realm of *Ireland*, by the Liberty which the Popish Recusants there have had and taken to sit and vote in Parliament;' Be it enacted by the Authority aforesaid, That from and after the last Day of *January* next, no Person that now is, or shall be hereafter a Peer of that Realm, or Member of the House of Peers there, shall vote or make his Proxy in the said House of Peers, or sit there during any Debate in the said House; nor any Person that after the said last Day of *January* shall be a Member of the House of Commons, shall be capable to vote in the said House, or sit there during any Debate in the same, after their Speaker is chosen, until he first take the Oaths herein and hereafter mentioned and expressed, and make, subscribe, and audibly repeat this Declaration following:

No Member of either House of Parliament shall sit before he has taken the new Oath and Declaration.

'I *A. B.* do solemnly and sincerely in the Presence of God profess, testify, and declare, That I do believe, that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ, at or after the Consecration thereof by any Person whatsoever: And that the Invocation or Adoration of the Virgin *Mary*, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of *Rome*, are superstitious and idolatrous. And I do solemnly in the Presence of God profess, testify, and declare, That I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the Words read unto me, as they are commonly understood by Protestants, without any Evasion, Equivocation, or mental Reservation whatsoever, and without any Dispensation already granted me for this Purpose by the Pope, or any other Authority or Person whatsoever, or without any Hope of any such Dispensation from any Person or Authority whatsoever, or without believing that I am or can be acquitted, before God or Man, or absolved of this Declaration, or any Part thereof, although the Pope, or any other Person or Persons, or Power whatsoever, should dispense with or annul the same, or declare that it was null and void from the Beginning.'

The Declaration.

VI. Which said Oaths and Declaration shall be in the next and every succeeding Parliament to be held in *Ireland*, solemnly and publickly made and subscribed, betwixt the Hours of nine in the Morning and four in the Afternoon, by every such Peer and Member of the House of Peers there, at the Table in the Middle of the said House, before he take his Place in the said House of Peers, and whilst a full House of Peers is there present, and their Speaker in his Place; and by every such Member of the House of Commons, at the Table in the Middle of the said House, and whilst a full House of Commons is there duly

How the Oaths are to be taken by the Members.

sitting;

ſitting with their Speaker in his Chair; and that the ſame be done in either Houſe in ſuch like Order or Method as whereby each Houſe is called over reſpectively; and during the making and ſubſcribing thereof, and taking the ſaid Oaths, all Buſineſs and Debates in either Houſe reſpectively ſhall ceaſe; and the Clerk of ſuch Houſe reſpectively, is hereby required to record the ſame in Rolls prepared for that Purpoſe, and every Member of either Houſe ſhall pay to ſuch reſpective Clerk for recording thereof, one Shilling, and no more.

Clerk of each Houſe muſt record the Oaths.

Puniſhment upon Members of Parliament, Barriſters, &c. for neglecting.

VII. And be it further enacted by the Authority aforeſaid, That if any Perſon that now is, or hereafter ſhall be, a Peer of *Ireland*, or Member of the Houſe of Peers, or Member of the Houſe of Commons there; or that ſhall become a Barriſter at Law, Attorney, Clerk, or Officer in Chancery, or any other Court, and all and every Deputy and Deputies in any Office whatſoever, ſhall preſume to offend, contrary to this Act; that then every ſuch Peer and Member, and ſuch other Perſon and Perſons ſo offending, ſhall be thenceforth diſabled to hold or execute any Office or Place of Profit, or Truſt, Eccleſiaſtical, Civil, or Military, in any of their Majeſties Realms of *Ireland* or *England*, or Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or in any of their Majeſties Iſlands or Foreign Plantations, to the ſaid Realms belonging; and ſhall be diſabled from thenceforth to ſit or vote in either Houſe of Parliament of the ſaid Realm of *Ireland*, or make a Proxy in the Houſe of Peers there, or to ſue or uſe any Action, Bill, Plaint, or Information in Courſe of Law, or to proſecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Adminiſtrator of any Perſon, or capable of any Legacy or Deed of Gift, and ſhall forfeit, for every wilful Offence againſt this Act, the Sum of five hundred Pounds, to be recovered and received by him, her, or them that will ſue for the ſame, by any Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Dublin*, wherein no Eſſoin, Protection, or Wager of Law ſhall lie or be allowed, nor any more than one Imparlance.

VIII. And be it further enacted, That the Oaths that are intended and required to be taken by this Act, are the Oaths in theſe expreſs Words hereafter following:

The new Oaths.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance, to their Majeſties King *William* and Queen *Mary*:

*So help me God*,' &c.

'I *A. B.* do ſwear, That I do from my Heart abhor, deteſt, and abjure, as impious and heretical, that damnable Doctrine and Poſition, *That Princes excommunicated or deprived by the Pope, or any Authority of the See of* Rome, *may be depoſed or murdered by their Subjects, or any other whatſoever*. And I do declare, That no Foreign Prince, Perſon, Prelate, State, or Potentate hath, or ought to have, any Juriſdiction, Power, Superiority, Pre-eminence, or Authority, Eccleſiaſtical or Spiritual, within this Realm:

*So help me God*,' &c.

Perſons exempted.

IX. Provided always, and be it enacted, That this Act ſhall not extend to any Perſon now Chaplain, Secretary, or Attendant to any of their Majeſties Ambaſſadors, Envoys, Miniſters, or Reſident in any Foreign Courts, or Preacher to any *Engliſh* Factory, or to any Chaplains in their Majeſties Service by Sea or Land, out of the Kingdom of *Ireland*, ſo as they take the Oaths, and make and ſubſcribe the ſaid Declaration hereby required, within three Months after their Return; nor to any other Perſon of the Proteſtant Religion, now in Office or Place of Truſt or Profit out of the Kingdoms of *Ireland* or *England*, who ſhall return into the ſaid Realm of *Ireland*, and take the ſame at any Time before the five and twentieth Day of *December* one thouſand ſix hundred ninety-two, in the Court of *King's Bench* there, the next Term after their reſpective Arrival in that Kingdom. Provided always, That nothing in this Act contained ſhall extend to the taking away the Office or Place of Vice-Treaſurer of *Ireland* from *William Harbord* Eſquire, who is now employed by their Majeſties as their Embaſſador Extraordinary to mediate a Peace between the *Chriſtians* and the *Turks*, but that he the ſaid *William Harbord* ſhall have Liberty to take the ſaid Oaths, and ſubſcribe the ſaid Declaration, as are directed by this preſent Act, any Time within two Months after his Return into the ſaid Kingdom of *Ireland*; any Thing in this Act to the contrary notwithſtanding.

Iriſh Archbiſhop &c. being in England in Hilary Term 1691. ſhall take the Oaths here, and likewiſe in Ireland.

X. And be it enacted by the Authority aforeſaid, That all and every Archbiſhop and Biſhop in the ſaid Realm of *Ireland*, and every other Perſon and Perſons now having any Eccleſiaſtical Office, Dignity, or Promotion, or being a Lecturer or Curate in the ſaid Kingdom, that ſhall happen to be in this Realm of *England* the firſt Day of *Hilary Term*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and one, ſhall take the ſaid Oaths, and make, ſubſcribe, and audibly repeat the ſaid Declaration, before the End of the ſaid Term, in their Majeſties Court of *Chancery*, or in the Court of *King's Bench*, in this Realm of *England*, and ſhall again take the ſaid Oaths, and make, ſubſcribe, and audibly repeat the ſaid Declaration before the five and twentieth Day of *July*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and two, in the Court of *Chancery*, or Court of *King's Bench*, in the ſaid Kingdom of *Ireland*, in the Morning, and between the Hours of nine and twelve, where the ſame ſhall be put upon Record in the ſaid reſpective Courts, in Manner as aforeſaid. And if any ſuch Archbiſhop, or Biſhop, or other Perſon in any Eccleſiaſtical Office, Dignity or Promotion, or being a Lecturer or Curate in the ſaid Kingdom of *Ireland*, happening to be within this Realm at the Time aforeſaid, ſhall neglect or refuſe to take the ſaid Oaths, and to make, ſubſcribe, and repeat the ſaid Declaration, within either of the Times before mentioned; then he or they ſhall be *ipſo facto* deprived, and is and are hereby adjudged to be deprived, of his or their Archbiſhopricks, Biſhopricks, and Eccleſiaſtical Offices, Dignities, and Promotions, and incapable to be Lecturer or Curate in any Place or Cure whatſoever. And all and every other Perſon or Perſons having any Office, or receiving any Pay, Salary, Fee, or Wages, by reaſon of

Penalty for not taking the Oaths here.

All other Officers in Ireland being here, ſhall take the Oaths here.

of any Patent or Grant from their Majesties, or any of their Predecessors, or being Master, Governor, Head of any College in the University of *Dublin*, or Master of any Hospital, or School, or Barrister at Law, Clerk in Chancery, Attorney, or Professor of Law or Physick, or other Science, that shall reside or inhabit in this Realm on the first Day of the said *Hilary Term*, shall before the End of the said Term take the said Oaths, and make, subscribe, and audibly repeat the said Declaration, in their Majesties Court of *Chancery*, or Court of *King's Bench*, in this Realm of *England*. And in case such other Person or Persons, so resident and inhabiting in this Realm of *England*, shall neglect or refuse to take the said Oaths, and make, subscribe, and repeat the said Declaration, before the End of the said *Hilary Term*, he or they shall be *ipso facto* thenceforth adjudged incapable, and disabled in Law, to all Intents and Purposes whatsoever, to have, occupy and enjoy such Office, Pay, Salary, Fee, Wages, Mastership, Governor's-place, Headship, Fellowship, and Employment or Employments, or any Part of them; and every such Office or Place shall be void, and is hereby adjudged to be void; and if such other Person or Persons so residing or inhabiting in the Realm of *England*, on the said first Day of *Hilary Term*, shall take the said Oaths, and make and subscribe the said Declaration as aforesaid, it shall be as effectual to all Intents and Purposes, as if he or they had been then resident in *Ireland*, and had in Manner, and in the Time before mentioned, taken the said Oaths, and made, subscribed, and repeated the said Declaration, in any of the said Courts of the said Realm of *Ireland*. Penalty.

XI. Provided always, That this Act, or any thing herein contained, shall not extend to hinder or disable any Person or Persons, who on the third of *October* one thousand six hundred ninety-one, were inhabiting or residing in *Lymerick*, or any other Garrison then in the Possession of the *Irish*, or any Officers or Soldiers then in Arms, by virtue of any Commission of the late King *James*, or those authorized by him to grant the same, in the several Counties of *Lymerick*, *Clare*, *Kerry*, *Cork*, and *Mayno*, or any of them, or any commissioned Officers then in their Majesties Quarters, that did belong to the *Irish* Regiments then in Being, or were then treated with, or who were not Prisoners of War, and who had not then taken Protection, and have since returned and submitted to their Majesties Obedience, from using, exercising, and practising his or their Profession or Calling of Barrister at Law, Clerk in Chancery, or Attorney or Practicer of Law or Physick; but they may freely use, exercise, and practice the same, as they did in the Reign of the late King *Charles* the Second; any thing herein contained to the contrary notwithstanding. Persons who were in Irish Garrisons, and have submitted to the King, saved.

XII. Provided nevertheless, That every such Barrister at Law, Clerk in Chancery, or Attorney or Practicer of Law or Physick, who shall claim any Benefit hereby, to be exempted from taking the Oaths, and making, subscribing, and repeating the Declaration in this Act mentioned, in the Court, and in the Manner hereby appointed, shall make out his Claim thereunto, according to the respective Qualifications herein before expressed, before the Court of *King's Bench* in *Ireland*, in open Court there in Term-time, between the Hours of nine and twelve in the Morning, on or before the last Day of *Michaelmas* Term next, to be there allowed and recorded; for the Entry whereof upon Record there shall be one Shilling paid, and no more; and in Default of such Claim made, to be excluded from the same. They must make their Claim, &c. in Michaelmas Term.

XIII. Provided nevertheless, and be it enacted, That if any such Person, before he hath taken the said Oath to be faithful, and bear true Allegiance to their Majesties, in the Court of *King's Bench* in *Ireland*, or at the general Quarter-Sessions of the Peace in the County, City, or Place, where such Person shall inhabit, and procured the same to be recorded, and obtained the Certificate thereof, shall use, exercise, or practise such his Calling or Profession, shall forfeit the Sum of five hundred Pounds to such Person as will sue for the same, in any of their Majesties Courts of Record in *Ireland*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed; and further, such Person so using or exercising his Profession or Calling, shall be adjudged uncapable ever to use or exercise the said Profession or Calling. 500 l. Penalty and Disability upon Barr. &c. for practising before he has sworn.

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for two or more Justices of the Peace, whereof one shall be of the *Quorum*, within any County, City, or Town Corporate in the said Kingdom of *Ireland*, and they are hereby required, to direct their Warrant or Warrants to any Constable, Tithyngman, Headborough, or other Officer, to summon any Person of the Age of eighteen Years or upwards, to appear before such Justices, at such Time and Place as shall be mentioned in such Warrant, to take the Oath before-mentioned, to be faithful and bear true Allegiance to their Majesties: And if such Person, being so summoned, shall not appear at the Time and Place, having no lawful Let or Impediment, or appearing shall refuse to take the said Oath, being tendred to him or her by the said Justices; the said Justices shall commit such Person making Default, or refusing to take the said Oath, to the common Gaol or House of Correction, there to remain without Bail or Mainprize for the Space of three Months, unless such Offender shall pay down to the Justices, or any of them, such Sum of Money, not exceeding forty Shillings, as the said Justices shall require such Offender to pay; which Money shall be paid to the Churchwardens or Overseers of the Poor of such Parish or Place where such Offender did last inhabit; and at some Time after the End of three Months after such Default or Refusal, two or more of such Justices, as aforesaid, shall have Power, and are hereby required, to direct their Warrant in Manner as aforesaid, to summon such Offender to appear before them to take the said Oath; and if such Offender shall be summoned, and make Default at the Time and Place appointed, not having any lawful Let or Impediment, or appearing, shall refuse to take the said Oath, being tendred to him or her; the said Justices shall commit such Offender to the common Gaol or House of Correction, there to remain for the Space of six Months without Bail or Mainprize, unless such Offender shall pay down to the said Justices, or any of them, such Sum of Money, not exceeding ten Pounds, nor under five Pounds, as the said Justices shall require, which said Money shall be disposed of to the Relief of the Poor of such Parish or Place, in Manner as aforesaid; and unless such Offender shall become bound with two sufficient Sureties, with Condition; Justices of Peace must give the Oath of Allegiance to all Persons above eighteen. Penalty upon first Refusal. Penalty upon second Refusal.

dition to appear at the next Assizes or general Gaol Delivery, to be holden for such County where such Offender shall inhabit or reside, and in the mean Time to be of the good Behaviour; at which Assizes or Gaol Delivery the said Oath shall be tendred to such Offender by the Justices of Assize or general Gaol Delivery, in their open Assizes or Sessions; and if upon such Tender such Offender shall refuse to take the said Oath, he shall incur the Danger and Penalty of *Præmunire*, mentioned in the Statute of *Præmunire* in the sixteenth Year of the Reign of King *Richard* the Second, except Women Covert, who upon Refusal of the said Oath shall be by the said Justices of Assize, in their open Assize or general Gaol Delivery, committed only to the common Gaol, there to remain without Bail or Mainprize, till they will take the said Oath.

Penalty upon third Refusal. 16 R. 2. c. 5.

Declarations appointed for Quakers in Place of the Oaths, which exempt them from the Penalties.

XV. Provided nevertheless, That whereas there are certain Dissenters in *Ireland* commonly called *Quakers*, who scruple the taking any Oath, it shall be sufficient for every such Dissenter, he or she producing a Certificate under the Hands and Seals of six or more sufficient Men of the Congregation, to which he or she belongs, owning him or her for one of them, to make and subscribe the following Declaration:

'I *A. B.* do sincerely promise and solemnly declare before God and the World, That I will be true and faithful to King *William* and Queen *Mary*; and I do solemnly profess and declare, that I do from my Heart abhor, detest, and renounce, as impious and heretical, that damnable Doctrine and Position, *That Princes excommunicated or deprived by the Pope, or any Authority of the See of* Rome, *may be deposed or murthered by their Subjects, or any other whatsoever.* And I do declare, That no foreign Prince, Person, Prelate, State, or Potentate hath or ought to have any Power, Jurisdiction, Superiority, Preeminence, or Authority, Ecclesiastical or Spiritual, within this Realm:'

And every such Dissenter so subscribing shall be and is hereby exempted from the Penalties mentioned in this Act.

Taking Declaration does not make them capable of Office.

XVI. Provided nevertheless, That no such Person called *Quaker*, shall by such Declaration and Subscription be capable to take, have, or hold, any Office, Employment, Place, Pay, Salary, Fee, Grant, Wages, or any other Place of Profit or Trust, whereunto any Person taking the said Oaths, and making and subscribing the Declaration in the Courts aforesaid, shall or may be intitled; any thing herein contained to the contrary notwithstanding.

This Act not to be dispensed with.

XVII. Provided always, and be it enacted, That this Act shall not be dispensed with by any Warrant or Letters Patents under the Great Seal of *England* or *Ireland*; but that all such Warrants, and Clauses of Dispensation thereof in any such Warrants or Letters Patents, are hereby declared to be null and void, and of no Effect; any Law, Statute, or Usage to the contrary notwithstanding.

## CAP. III.

EXP. An Act for the better ascertaining the Tythes of Hemp and Flax. Four Shillings *per* Acre to be paid for Tythe of Flax or Hemp, to be recovered as other Tythes. This Duty enlarged to 5s. by 11 & 12 W. 3. c. 16. Land discharged by *Modus* saved. To continue for seven Years.

## CAP. IV.

EXP. An Act for preserving two Ships Lading of Bay Salt, taken as Prize, for the Benefit of their Majesties Navy.

## CAP. V.

EXP. An Act for granting an Aid to their Majesties of the Sum of sixteen hundred fifty-one thousand seven hundred and two Pounds eighteen Shillings, towards the carrying on a vigorous War against *France*.

## CAP. VI.

EXP. An Act for raising Money by a Poll, payable quarterly for one Year, for the carrying on a vigorous War against *France*.

## CAP. VII.

EXP. An Act for raising the Militia of this Kingdom for the Year one thousand six hundred ninety and two, although the Month's Pay formerly advanced be not repaid.

## CAP. VIII.

### An Act for the Encouragement of the breeding and feeding of Cattle.

Beef, Pork, Butter, Cheese, &c. may be exported Custom-free.

FOR the Encouragement of breeding and fatting of Cattle for the common Good and Welfare of this Kingdom, be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from and after the first Day of *March* in the Year of our Lord one thousand six hundred ninety-one, and from thence forward, it shall be lawful for all and every Person or Persons, native or foreign, at any Time or Times, to ship, lade, carry, and transport, or export, from and out of any Port, Harbour, or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, into any Part of the World in Amity with their Majesties, all Sorts of Beef, Pork, or Hogs-flesh, Butter, Cheese, or Candles, free from any Custom or Imposition whatsoever; the Act made in the second Year of their present Majesties, intituled, *An Act for granting to their Majesties a Subsidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*, or any other Law, Statute, Usage, or other Prohibition to the contrary thereof, in any wise notwithstanding.

2 W. & M. st. 1. c. 4.

CAP.

## CAP. IX.

An Act to take away Clergy from ſome Offenders, and to bring others to Puniſhment.

'FORASMUCH as divers wicked and ill-diſpoſed Perſons are encouraged to commit Robberies upon Mens Perſons, and in their Houſes, and other Offenders, by the Privilege, as the Law now is, of demanding the Benefit of their Clergy:' Be it therefore enacted by the King's and Queen's moſt Excellent Majeſties, and by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons that ſhall at any Time from and after the firſt Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-one, rob any other Perſon, or ſhall feloniouſly take away any Goods or Chattels, being in any Dwelling-houſe, the Owner or any other Perſon being therein, and put in Fear, or ſhall rob any Dwelling-houſe in the Day-time, any Perſon being therein, or ſhall comfort, aid, abet, aſſiſt, counſel, hire, or command any Perſon or Perſons to commit any of the ſaid Offences, or to break any Dwelling-houſe, Shop, or Warehouſe, thereunto belonging, or therewith uſed, in the Day-time, and feloniouſly take away any Money, Goods, or Chattel, of the Value of five Shillings or upwards, therein being, although no Perſon ſhall be within ſuch Dwelling-houſe, Shop, or Warehouſe, or ſhall counſel, hire, or command any Perſon to commit any Burglary, being thereof convicted or attainted, or being indicted thereof ſhall ſtand mute, or will not directly anſwer to the Indictment, or ſhall peremptorily challenge above the Number of twenty Perſons returned to be of the Jury, ſhall not have the Benefit of his or their Clergy. 23 *H.* 8. *c.* 3. Any Perſon convict of robbing a Dwelling-houſe where in there is any or no Perſon, &c. or finding mute, ſhall loſe his Clergy. *See* 10 & 11 *W.* 3. *c.* 23. 5 *Ann. c.* 31. 12 *Ann. ſtat.* 1. *c.* 7.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever be indicted of any Offence, for which, by virtue of any former Statute, he or they are excluded from having the Benefit of his or their Clergy, if he or they had been thereof convicted by Verdict or Confeſſion; if he or they ſtand mute, or will not anſwer directly to the Felony, or ſhall challenge peremptorily above the Number of twenty Perſons returned to be of the Jury, or ſhall be outlawed thereupon, ſhall not be admitted to the Benefit of his or their Clergy. Perſons indicted for a Crime, of which being convict they would not have their Clergy, if they ſtand mute, &c. ſhall not have it.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons hereafter be indicted of Felony for ſtealing of any Goods or Chattel in any County within this Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and thereof be convicted or attainted, or upon his or their Arraignment ſhall ſtand mute, or will not directly anſwer to the Indictment, or ſhall challenge peremptorily above the Number of twenty Perſons returned to be of the Jury, he or they ſhall be totally excluded from having the Benefit of his or their Clergy, if it appear upon Evidence or Examination before the Juſtices, that the ſaid Goods or Chattel were taken by Robbery or Burglary, or in any other Manner, in any other County, whereof if ſuch Perſon or Perſons had been convicted by a Jury of the ſaid other County, he or they are excluded, by virtue of this or any other Act, from having the Benefit of his or their Clergy. Perſons indicted of a Crime as above, in a wrong County, if they ſtand mute, &c. ſhall not have it. 2 *Hawk. P. C. ch.* 33.

'IV. And foraſmuch as Thieves and Robbers are much encouraged to commit ſuch Offences, becauſe 'a great Number of Perſons make it their Trade and Buſineſs to deal in the buying of ſtolen Goods;' Be it therefore enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall buy or receive any Goods or Chattel that ſhall be feloniouſly taken or ſtolen from any other Perſon, knowing the ſame to be ſtolen, he or they ſhall be taken and deemed an Acceſſary or Acceſſaries to ſuch Felony after the Fact, and ſhall incur the ſame Puniſhment, as an Acceſſary or Acceſſaries to the Felony after the Felony committed. Buyers of ſtolen Goods reputed Acceſſaries to Felony. *See farther concerning Acceſſaries and Receivers of ſtolen Goods,* 1 *Ann. ſtat.* 2. *c.* 9. 5 *Ann. c.* 31. 4 *Geo.* 1. *c.* 11.

'V. And whereas it is a frequent Practice for idle and diſorderly Perſons to hire Lodgings with an Intent to have an Opportunity to take away, imbezil, or purloin the Goods and Furniture being in ſuch 'Lodgings;' Be it therefore enacted and declared by the Authority aforeſaid, That if any Perſon or Perſons ſhall take away, with an Intent to ſteal, imbezil, or purloin any Chattel, Bedding, or Furniture, which by Contract or Agreement he or they are to uſe, or ſhall be let to him or them to uſe, in or with ſuch Lodging, ſuch taking, imbezilling, or purloining, ſhall be to all Intents and Purpoſes taken, reputed, and adjudged to be Larceny and Felony, and the Offender ſhall ſuffer as in Caſe of Felony. Stealing Goods from Lodgings Felony.

'VI. And whereas by the Law of this Realm, Women convicted of Felony for ſtealing of Goods and 'Chattel of the Value of ten Shillings and upwards, and for other Felonies, where a Man is to have the 'Benefit of his Clergy, are to ſuffer Death;' Be it therefore enacted and declared by the Authority aforeſaid, That where a Man being convicted of any Felony for which he may demand the Benefit of his Clergy, if a Woman be convicted for the ſame or like Offence, upon her Prayer to have the Benefit of this Statute, Judgment of Death ſhall not be given againſt her upon ſuch Conviction, or Execution awarded upon any Outlawry for ſuch Offence, but ſhall ſuffer the ſame Puniſhment as a Man ſhould ſuffer, that has the Benefit of his Clergy allowed him in the like Caſe; that is to ſay, ſhall be burnt in the Hand by the Gaoler in open Court, and further be kept in Priſon for ſuch Time as the Juſtices in their Diſcretion ſhall think fit, ſo as the ſame do not exceed one Year's Impriſonment. Women convict of Crimes for which Men have their Clergy, upon Prayer puniſhed as Men. By 4 & 5 W. & M. *c.* 24. §. 13. Women to have Clergy but once.

'VII. And foraſmuch as ſuch Men who have once had their Clergy, and ſuch Women who ſhall have 'once the Benefit of this Statute, may happen to be indicted for an Offence committed afterwards in ſome other County;' Be it therefore enacted, That the Clerk of the Crown, Clerk of the Peace, Clerk of the Aſſizes, where ſuch Man or Woman ſhall be convicted, ſhall at the Requeſt of the Proſecutor, or any other in their Majeſties Behalf, certify a Tranſcript, briefly and in few Words containing the Effect and Tenor of every Indictment and Conviction of ſuch Man or Woman, of his having the Benefit of the Clergy, or her Where a Perſon has had his Clergy in another County, Clerk of the Crown, &c. ſhall certify it.

her having the Benefit of this Statute, and Addition of every ſuch Perſon or Perſons, and the Certainty of the Felony and Conviction, to the Judges and Juſtices in ſuch other County where ſuch Man or Woman ſhall be indicted, which Certificate being produced in Court, ſhall be a ſufficient Proof that ſuch Man hath before had the Benefit of his Clergy, and that ſuch Woman hath had the Benefit of this Statute. [Made perpetual by 6 & 7 W. 3. cap. 14. §. 1.]

## CAP. X.

### An Act for the more effectual Diſcovery and Puniſhment of Deer Stealers.

13 R. 2. ſtat. 1. c. 13. 19 H. 7. c. 11. 5 Eliz. c. 21. 3 Jac. 1. c. 13. 7 Jac. 1. c. 13. 13 Car. 2. ſtat. 1. c. 10. 22 & 23 Car. 2. c. 25.

WHEREAS notwithſtanding the many good Laws before this Time made, and ſtill in Force, which do prohibit unlawful Courſing, Hunting, or killing of Deer; yet in as much as the Penalties thereby provided, are found by daily Experience not to be ſufficient to deter divers lewd, ſturdy, and diſorderly Perſons, who confederate together in great Numbers, making amongſt themſelves as it were a Brotherhood and Fraternity, whereby if any of them ſhall be diſcovered and convicted, which ſeldom happens becauſe of their great Force and clandeſtine Manner of Combination, they by a common Contribution (for the moſt Part) advance and pay, for ſuch Perſons ſo apprehended, the pecuniary Penalties (which are but ſmall) inflicted on ſuch Offenders, by reaſon whereof the other Confederates eſcape Diſcovery and condign Puniſhment:' Therefore for the more effectual Diſcovery and Puniſhment of ſuch Perſons,

Perſon convict before a Juſtice of Peace of Deer ſtealing, if he afterwards hunt Deer, forfeits 20l. *Burn, V.* 1. 475.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall from and after the twenty-fifth Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-two, unlawfully courſe, hunt, take in Toyls, kill, wound, or take away any red or fallow Deer in any Foreſt, Chaſe, Purlieu, Paddock, Wood, Park, or other Ground incloſed, where Deer are, have, or ſhall be uſually kept, within the Realm of *England*, or Dominion of *Wales*, without the Conſent of the Owner or Perſon chiefly intruſted with the Cuſtody thereof, or ſhall be aiding or aſſiſting therein, and ſhall be convicted thereof by the Confeſſion of the Party, or by the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtices of the Peace of the ſame County wherein the Offence ſhall be committed, or the Party offending apprehended (which Oath the ſaid Juſtice or Juſtices hereby are impowered to adminiſter) and ſuch Perſons being proſecuted for ſuch Offence within twelve Months after ſuch Offence done; that then every ſuch Perſon ſo offending by unlawful Courſing or Hunting only, when no Deer is taken, wounded or killed, ſhall forfeit for every ſuch Offence the Sum of twenty Pounds; and in caſe any Deer ſhall by ſuch Perſon or Perſons be wounded, taken in Toyls, or killed, that for each Deer ſo wounded, killed, or taken, ſuch Perſon or Perſons ſhall reſpectively forfeit and pay the Sum of thirty Pounds, to be levied by way of Diſtreſs upon the Goods and Chattels of every ſuch Offender, by Warrant under the Juſtice or Juſtices Hand before whom ſuch Conviction or Convictions ſhall be made; the one third Part of ſuch Forfeitures to be given to the Informer or Informers, the other Part to the Uſe of the Poor of the Pariſh where the Offence ſhall be committed, and the other third Part to the Owner of ſuch Deer; and for want of ſufficient Diſtreſs, that then ſuch Perſons ſhall ſuffer Impriſonment by the Space of one whole Year, without Bail or Mainprize, and ſhall be ſet in the Pillory by the Space of one Hour, on ſome Market-day in the next adjoining Town to the Place where ſuch Offence was committed, by the Chief Officer or Officers of ſuch Market-town, or by his or their Under-officer or Officers.

By 9 Geo. 1. c. 22. §. 13. Proſecution may be within 3 Years.

For each Deer wounded 30l. Penalty levied by Diſtreſs.

Perſon to be impriſoned and pilloried for Want of Diſtreſs.

Conſtables may ſearch ſuſpicious Houſes by Juſtice of Peace his Warrant. If Veniſon, &c. be found, and Perſon whoſe Houſe it is cannot give a good Account, it is a Conviction of Deer Stealing. 1 Salk. 383.

III. And be it further enacted, That every Conſtable, Headborough, or Tythingman (being thereto authorized by the Warrant of one or more Juſtices of Peace, under his or their Hands and Seals) ſhall and may have full Power and Authority (and hereby is required) to enter into and ſearch (in ſuch Manner, and with ſuch Power as in Caſe where Goods are ſtolen or ſuſpected to be ſtolen) the Houſe or Houſes, Out-houſes or other Places belonging to ſuch Houſes of ſuſpected Perſons; and in caſe any Veniſon, or Skin of any Deer, or Toyls, ſhall there be found, ſuch Officer ſhall apprehend ſuch Offender, and carry him before ſome Juſtice of the Peace of the ſame County; and if ſuch Perſon do not give a good Account how he came by ſuch Veniſon, Skins, or Toyls, ſuch as ſhall ſatisfy the ſaid Juſtice, or elſe ſhall not in ſome convenient Time, to be ſet him by the ſaid Juſtice, produce the Party of whom he bought ſuch Veniſon, Skins, or Toyls, or ſome other credible Witneſs to depoſe upon Oath ſuch Sale of the ſaid Veniſon or Skins; that then ſuch Perſon not giving ſuch good Account, nor producing any ſuch Witneſs as aforeſaid, ſhall be convicted by the ſaid Juſtice of ſuch Offence, who, on ſuch Conviction, ſhall be ſubject unto the Forfeitures and Penalties hereby inflicted for the killing of any one Deer, in the ſame Manner as if thereof convicted as aforeſaid.

Conſtable may detain the Perſon till Diſtreſs returned.

IV. And to the end that no Perſons convicted of any of the Offences as aforeſaid, may eſcape Puniſhment by their Flight or other Removal after ſuch Conviction, be it further enacted by and with the Authority aforeſaid, That it ſhall and may be lawful for, and hereby Power and Authority is given (after Conviction as aforeſaid) to the Conſtable or other Officer, or Perſon or Perſons proſecuting, to detain in Cuſtody ſuch Offender or Offenders (in caſe he or they ſhall not preſently pay the Monies due by the ſaid Conviction) during ſuch reaſonable Time as a Return may be conveniently had and made to the Warrant for the Diſtreſs upon ſuch Conviction, ſo as ſuch Detainer do not exceed two Days.

V.

V. And to the end all Owners of Deer in any inclosed Ground may be indemnified in the just Defence of such their Right, be it enacted, That any Owner of such Deer, or any Person or Persons acting by, from, and under him, shall and may oppose and resist such Offenders in the same Manner, and be equally indemnified for so doing, as if such Fact had been committed within any ancient Chase or Park whatsoever. Persons having Deer in inclosed Ground may oppose Offenders.

'VI. And whereas divers Offenders duly convicted, do commonly procure Writs of *Certiorari* to remove such Convictions into superior Courts at *Westminster*, in hopes thereby to discourage and weary out such Persons injured by great Delays, Expences, and Incertainties;' Be it therefore enacted, That no *Certiorari* shall be allowed to remove any Conviction made, or other Proceeding of, for, or concerning any Matter or Thing in this Act, unless the Party or Parties against whom such Conviction shall be made, shall before the Allowance of such *Certiorari*, become bounden to the Person or Persons prosecuting, in the Sum of fifty Pounds, with such sufficient Sureties as the Justice or Justices of the Peace, before whom such Offender was convicted, shall think fit, with Condition to pay unto the said Prosecutors, within one Month after such Conviction confirmed, or a *Procedendo* granted, their full Costs and Damages, to be ascertained upon their Oaths; and that in Default thereof it shall be lawful for the said Justice and Justices, and others, to proceed to the due Execution of such Conviction, in such Manner as if no *Certiorari* had been awarded. No Certiorari except the Offender give Security to pay the Prosecutor full Costs, &c. 1 Salk. 279. 2 Lo. Enforced and enlarged by 5 Geo. 1. c. 15. §. 1.

VII. Provided that where any Offender shall be punished by force of this Act, that he shall not be prosecuted, nor incur the Penalty of any other Law or Statute, for the same Offence. Persons punished by this Act, punishable no other Way.

VIII. Provided always, That if any Person or Persons whatsoever shall be sued or prosecuted for or by reason of any Matter or Thing which he or they shall do in pursuance of this Act, it shall and may be lawful to and for the Person or Persons so sued or prosecuted to plead the general Issue, and give the special Matter in Evidence. Persons sued for any Thing done by virtue of this Act, to plead general Issue.

IX. Provided also, and be it enacted by the Authority aforesaid, That if any Person or Persons shall in the Night-time pull down and destroy, or cause to be pulled down and destroyed, the Pales or Walls of any Park, Forest, Chase, Purlieu, Paddock, Wood, or other Ground inclosed, where any Red or Fallow Deer shall be then kept, that such Person or Persons so offending, being thereof convicted by the Oath of one or more credible Witness or Witnesses, before one or more Justice or Justices of the Peace of the same County wherein the Offence shall be committed, shall, by Warrant from such Justice or Justices as aforesaid, suffer Imprisonment for three Months, without Bail or Mainprize. Persons convict before a Justice for pulling down the Pales of any Park, imprisoned for three Months.

By 5 Geo. 1. c. 15. §. 6. such Offenders are subject to the Penalty inflicted by this Act for killing one Deer. By 5 Geo. 1. c. 28. Deer Stealers are to be transported. *Farther Provisions relating hereto, 4 & 5 W. & M. c. 23. 5 Ann. c. 14. 9 Ann. c. 25. 3 Geo. 1. c. 11. 8 Geo. 1. c. 19. 10. Geo. 2. c. 32. and 28 Geo. 2. c. 12.*

## CAP. XI.

### An Act for the better Explanation and supplying the Defects of the former Laws, for the Settlement of the Poor.

WHEREAS one Act of Parliament made in the thirteenth and fourteenth Years of his late Majesty, King *Charles* the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom* (except what relates to the Corporation therein mentioned and constituted thereby) was revived and continued with some Alterations, by one other Act made in the first Year of the late King *James* the Second, and have been found by Experience to be good and wholesome Laws, but may shortly expire;' 13 & 14 Car. 2. c. 12.

II. Be it therefore enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the said Acts, as to what relates to the Settlements of the Poor, shall be in Force from the first Day of *March* one thousand six hundred ninety-one. 13 & 14 Car. 2. c. 12. & 1 Jac. 2. c. 17. revived.

'III. But forasmuch as the said Acts are somewhat defective and doubtful;' For supplying and explaining the same, be it further provided and enacted by the Authority aforesaid, That the forty Days Continuance of such Person in a Parish or Town, intended by the said Acts to make a Settlement, shall be accounted from the Publication of a Notice in Writing, which he or she shall deliver, of the House of his or her Abode, and the Number of his or her Family, if he or she have any, to the Churchwarden or Overseer of the Poor, which said Notice in Writing the said Churchwarden or Overseer of the Poor is or are hereby required to read, or cause to be read publickly, immediately after Divine Service, in the Church or Chapel of the said Parish or Town, on the next Lord's Day when there shall be divine Service in the same; and the said Churchwarden or Overseer of the Poor is or are hereby required to register, or cause to be registered, the said Notice in Writing in the Book kept for the Poors Accounts. The Note of Settlement must be read in the Church, and registred in the Poors Book. *Wm. V. 16. 414. Burn, V. 2. 261.*

IV. Provided always, and be it enacted, That no Soldier, Seaman, Shipwright, or other Artificer or Workman employed in their Majesties Service, shall have any Settlement in any Parish, Port Town, or other Town, by Delivery and Publication of a Notice in Writing as aforesaid, unless the same be after the Dismission of such Person out of their Majesties Service. No Soldier, &c. to have Settlement before Dismission.

V. And be it further enacted, That if any Churchwarden or Overseer of the Poor shall refuse or neglect to read or cause to be read, such Notice in Writing as aforesaid, in such Manner, Place, and Time as aforesaid, he or they for every such Offence (upon Proof thereof by two credible Witnesses upon Oath, before Penalty upon Churchwarden refusing to read or register,

before any Juſtice of the Peace for the ſame County, Riding, or Diviſion, City, or Town-corporate where Complaint whereof ſhall be made) ſhall forfeit the Sum of forty Shillings to the Uſe of the Part grieved, to be levied by Diſtreſs and Sale of the Offender or Offenders Goods, by Warrant under the Han and Seal of any Juſtice of the Peace within the ſaid Juriſdictions reſpectively, to the Conſtable of the Pa riſh or Town where ſuch Offender or Offenders dwell, the Overplus, if any be, to be returned to th Owner or Owners; and for want of ſuch ſufficient Diſtreſs, the ſaid Juſtice ſhall commit him or them t the common Gaol of the ſaid County, City, or Town Corporate, there to remain without Bail or Main prize for the Space of one Month; and if any Churchwarden or Overſeer of the Poor ſhall refuſe or ne glect to regiſter, or cauſe to be regiſtered, ſuch Notice in Writing as aforeſaid, he or they ſo offending, up on the like Conviction, ſhall forfeit the Sum of forty Shillings to the Uſe of the Poor of the Pariſh o Town where ſuch Offender or Offenders dwell, to be levied as aforeſaid, the Overplus, if any be, to b returned to the Owner or Owners; and for Want of ſuch ſufficient Diſtreſs, then the ſaid Juſtice ſha commit ſuch Offender or Offenders as aforeſaid, for the Time aforeſaid.

Serving as Officer, or paying Pariſh Duties, a Settlement.

VI. Provided always, and be it enacted, That if any Perſon, who ſhall come to inhabit in any Town o Pariſh, ſhall for himſelf and on his own Account execute any publick annual Office or Charge in th ſaid Town or Pariſh, during one whole Year, or ſhall be charged with and pay his Share towards the pub lick Taxes or Levies of the ſaid Town or Pariſh, then he ſhall be adjudged and deemed to have a leg Settlement in the ſame, though no ſuch Notice in Writing be delivered and publiſhed, as is hereby befo required.

Service for a Year, of Perſon without Wife or Child, a Settlement.

VII. And it is hereby further enacted, That if any unmarried Perſon, not having Child or Children ſhall be lawfully hired into any Pariſh or Town for one Year, ſuch Service ſhall be adjudged and deeme a good Settlement therein, though no ſuch Notice in Writing be delivered and publiſhed, as is herein be fore required.

Apprenticeſhip a Settlement.

VIII. And it is hereby further enacted, That if any Perſon ſhall be bound an Apprentice by Indenture and inhabit in any Town or Pariſh, ſuch Binding and Inhabitation ſhall be adjudged a good Settlement though no ſuch Notice in Writing be delivered and publiſhed as aforeſaid.

Appeal from Juſtice of Peace to Quarter-Seſſions, whoſe Order ſhall be final.

IX. Provided always, and be it hereby enacted, That if any Perſon or Perſons ſhall find himſelf, herſelf, or themſelves aggrieved by any Determination, which any Juſtice or Juſtices of the Peace ſhall make in any of the Caſes aboveſaid, the ſaid Perſon or Perſons ſhall have Liberty to appeal to the next General Quarter-Seſſions of the Peace, to be held for the ſaid County, Riding, or Diviſion, City, or Town Corporate who upon full Hearing of the ſaid Appeal ſhall have full Power finally to determine the ſame.

Churchwardens muſt receive a Perſon removed by Warrant of two Juſtices of Peace, upon 5l. Penalty.

X. And be it further enacted, That if any Perſon be removed by virtue of this Act from one County Riding, City, Town-corporate, or Liberty to another, by Warrant under the Hands and Seals of two Juſtices of the Peace, the Churchwardens or Overſeers of the Poor of the ſaid Pariſh or Town, to which the ſaid Perſon ſhall be ſo removed, are hereby required to receive the ſaid Perſon, and if he or they ſhall refuſe ſo to do, he or they ſo refuſing or neglecting (upon Proof thereof by two credible Witneſſes upon Oath before any Juſtice of the Peace of the County, Riding, City, or Town-corporate, to which the ſaid Perſon ſhall be ſo removed) ſhall forfeit for each Offence the Sum of five Pounds, to the Uſe of the Poor of the Pariſh or Town from which the ſaid Perſon was removed, to be levied by Diſtreſs and Sale of the Offender or Offenders Goods, by Warrant under the Hand and Seal of any Juſtice of the Peace of the County, Riding, City, or Town-corporate, to which ſuch Perſon was removed, to the Conſtable of the Pariſh or Town where ſuch Offender or Offenders dwell; which Warrant the ſaid Juſtice is hereby impowered and required to make; the Overplus, if any be, to be returned to the Owner or Owners; and for want of ſuch ſufficient Diſtreſs, then the ſaid Juſtice ſhall commit the ſaid Offender or Offenders to the common Gaol of the ſaid County, Riding, City, or Town-corporate, or Liberty, there to remain without Bail or Mainprize for the Space of forty Days: Provided always, and be it hereby enacted, That all ſuch Perſons who think themſelves aggrieved with any ſuch Judgment of the ſaid two Juſtices may appeal to the next General Quarter-Seſſions of the Peace to be held for the County, Riding, City, Town-corporate, or Liberty, from which the ſaid Perſon was ſo removed.

Perſons aggrieved by ſuch Removal may appeal to Seſſions.

43 El. c. 2. A Regiſter to be kept of the Admittances of the Poor.

'XI. And whereas many Inconveniencies do daily ariſe in Cities, Townscorporate, and Pariſhes where the Inhabitants are very numerous, by reaſon of the unlimited Power of the Churchwardens and Overſeers of the Poor, who do frequently upon frivolous Pretences (but chiefly for their own private Ends) give Relief to what Perſons and Number they think fit, and ſuch Perſons, being entered into the Collection Bill, do become after that a great Charge to the Pariſh, notwithſtanding the Occaſion or Pretence of their receiving Collection oftentimes ceaſes, by which Means the Rates for the Poor are daily increaſed, contrary to the true Intent of a Statute made in the forty-third Year of the Reign of her Majeſty Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor*:' For remedying of which, and preventing the like Abuſes for the future, Be it further enacted, That from and after the firſt Day of *March* there ſhall be provided and kept in every Pariſh (at the Charge of the ſame Pariſh) a Book or Books wherein the Names of all ſuch Perſons who do or may receive Collection ſhall be regiſtered, with the Day and Year when they were firſt admitted to have Relief, and the Occaſion which brought them under the Neceſſity: And that yearly in *Eaſter* Week (or as often as it ſhall be thought convenient) the Pariſhioners of every Pariſh ſhall meet in their Veſtry or other uſual Place of Meeting in the ſame Pariſh, before whom the ſaid Book ſhall be produced, and all Perſons receiving Collection to be called over, and the Reaſons of their taking Relief examined, and a new Liſt made and entred, of ſuch Perſons as they ſhall think fit and allow to receive Collection, and that no other Perſon be allowed to have or receive Collec

Pariſhioners yearly in Eaſter Week ſhall make a Liſt of their Poor.

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tion at the Charge of the ſaid Pariſh, but by Authority under the Hand of one Juſtice of Peace reſiding within ſuch Pariſh, or (if none be there dwelling) in the Parts near or next adjoining, or by Order of the Juſtices in their reſpective Quarter-Seſſions, except in Caſes of peſtilential Diſeaſes, Plague, or Small-pox, for and in reſpect of ſuch Families only as are or ſhall be therewith infected.

None but thoſe in the Liſt to receive Alms except by Order of Juſtice of Peace, &c.

'XII. And whereas many Churchwardens and Overſeers of the Poor, and other Perſons intruſted to 'receive Collections for the Poor, and other publick Monies relating to the Churches and Pariſhes where-'unto they do belong, do often miſpend the ſaid Monies, and take the ſame to their own Uſe, to the 'great Prejudice of ſuch Pariſhes, and the Poor, and other Inhabitants thereof; and becauſe that many 'Times the Judges, when Actions are brought againſt ſuch Churchwardens and Overſeers, to recover the 'Monies ſo miſpent, taken, or misapplied by the Perſons aforeſaid, refuſe to admit the Pariſhioners to be 'Witneſſes in ſuch Caſes, who are the only Perſons that can make Proof thereof:' Wherefore to prevent all ſuch evil and deceitful Practices of Churchwardens, and Overſeers, and other Perſons, Be it enacted and declared, That in all Actions to be brought in their Majeſties Courts of Record at *Weſtminſter*, or at the Aſſizes, for the Recovery of any Sum or Sums of Money ſo miſpent or taken by Churchwardens or Overſeers of the Poor, the Evidence of the Pariſhioners, or any of them, other than of ſuch as receive Alms or any Penſion or Gift out of ſuch Collections or publick Monies of ſuch Pariſh or Pariſhes reſpectively whereof the Defendant or Defendants is or are Inhabitant or Inhabitants, ſhall be taken and admitted in all ſuch Caſes in the Courts aforeſaid; any Cuſtom, Rule, Order, or Uſage to the contrary notwithſtanding.

Further Provision relating hereto, 9 Geo. 1. c. 7. §. 1.

Pariſhioners, except almsmen may be Evidence againſt Churchwardens, &c. of their miſpending the Poors Money.

*Further Provisions concerning Poor*, 8 & 9 *W.* 3. c. 30. 9 & 10 *W.* 3. *c.* 11. 12 *Ann. St.* 1. *c.* 18. 5 *Geo.* 1. *c.* 8. 9 *Geo.* 1. *c.* 7. 2 *Geo.* 2. *c.* 28. 3 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 3, 37, & 38. *and.* 31 *Geo.* 2. *c.* 11.

## CAP. XII.

### An Act for the better repairing and amending the Highways, and for ſettling the Rates of Carriage of Goods.

'WHEREAS the free and eaſy Intercourſe and Means of conveying and carrying Goods and Mer-'chandizes from one Market-town to another, contributes very much to the Advancement of 'Trade, Increaſe of Wealth, and raiſing the Value of Lands, as well as to the Eaſe and Convenience of 'the Subject in general; for which Ends therefore divers good and neceſſary Laws have been heretofore 'made for the enlarging, repairing, and amending the Highways and common Roads of this Kingdom: 'Notwithſtanding which Laws, the ſame are not in many Parts ſufficiently amended and repaired, but 'remain almoſt impaſſible; all which is occaſioned, not only by reaſon of ſome Ambiguities in the ſaid 'Laws, but by want of a ſufficient Proviſion to compel the Execution of the ſame;' For Remedy whereof:

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Law and Statute now in Force, for or touching the enlarging, repairing, or amending Highways and common Roads, and every Article and Thing in them contained, and not herein and hereby altered or repealed, ſhall be duly put in Execution, according to the Tenour of the ſaid Laws, and under the Penalties therein contained, to be raiſed, levied, and diſpoſed of, as in and by the ſaid Laws is directed.

All Laws about Highways to be put in Execution.

1 *Haw. P. C.* c. 76. *Bac. V.* 3. 59. *Burn, V.* 1. 555.

III. And be it further enacted by the Authority aforeſaid, That from henceforth, upon the ſix and twentieth Day of *December* in every Year, unleſs that Day ſhall be *Sunday*, and then on the ſeven and twentieth, the Conſtables, Headboroughs, Tythingmen, Churchwardens, Surveyor, or Surveyors of the Highways, and Inhabitants in every Pariſh, ſhall aſſemble together, and the major Part of them as are ſo aſſembled ſhall make a Liſt of the Names of a competent Number of the Inhabitants in their Pariſh, who have an Eſtate in Lands, Tenements, or Hereditaments, in their own Right or their Wives, of the Value of ten Pounds by the Year, or a perſonal Eſtate of the Value of one hundred Pounds, or are Occupiers or Tenants of Houſes, Lands, Tenements, or Hereditaments, of the Yearly Value of thirty Pounds, if any ſuch there be, or if there be no ſuch Perſons in the Pariſh, then the ſaid Liſt to be of the moſt ſufficient Inhabitants of ſuch Pariſh; and ſhall return ſuch Liſt unto two or more of the Juſtices of the Peace in or near the Diviſion of the County in which their Pariſh lies, at a ſpecial Seſſions to be held for that Purpoſe within the ſaid Diviſion, on the third Day of *January* next following, unleſs it ſhall happen on a *Sunday*, and then to be the fourth of the ſame Month, or within fifteen Days after: For which Purpoſe the ſaid Juſtices are hereby authorized and required to hold a ſpecial Seſſions at ſome Place within that Diviſion where the Pariſh lies, and to give Notice of the Time and Place where they intend to hold the ſame, to the Conſtables, Headboroughs, Tythingmen, Churchwardens, and Surveyors of the Highways of every Pariſh within the ſaid Diviſion, at leaſt ten Days before the holding of the ſaid Seſſions; and the ſaid Juſtices ſhall then and there, out of the ſaid Liſts, according to their Diſcretion, and the Largeneſs of the Pariſh, by Warrant under their Hands and Seals, nominate and appoint one, two, or more, as they ſhall think fit and approve of, being of like Sufficiency as aforeſaid, to be Surveyor or Surveyors of the Highways of every Pariſh within the Diviſion, or for any Hamlet, Precinct, Liberty, Tything, or Town, of and

Pariſhioners annually to make a Liſt of ſufficient Perſons upon 26 of December.

Liſt to be returned to two Juſtices on the third of Jan. &c.

Juſtices ſhall hold a Seſſions, where they ſhall nominate one or more to be Surveyors of the Highways.

Conſtable to ſerve the Nomination.

and in the ſame Diviſion for the Year enſuing; which Nomination and Appointment ſhall, by the Conſtables, Headboroughs, Tythingmen, or Surveyors of the Highways for the Time being, or ſome of them, be notified to the Perſon or Perſons ſo nominated, choſen, and appointed by the ſaid Juſtices, within ſix Days after ſuch Nomination, by ſerving him or them with the ſaid Warrant or Warrants, or by leaving the ſame, or a true Copy thereof, at his or their Houſes or uſual Places of Abode; and from thenceforth the Perſon or Perſons, ſo nominated and appointed, ſhall be Surveyor or Surveyors of the Highways for the Pariſh, Town, Village, Hamlet, Precinct, or Tything, for which he ſhall have been ſo nominated, choſen, and appointed, for the Year enſuing, and ſhall take upon him and them reſpectively, and duly execute, the ſaid Office, according to the Laws and Statutes heretofore made for the enlarging, amending, or repairing of Highways, and alſo this preſent Act; and if the ſaid Perſons ſo nominated, and ſerved with the ſaid Warrant, ſhall refuſe or neglect ſo to do, he or they ſo refuſing and neglecting ſhall forfeit the Sum of five Pounds, to be levied on his or their Goods and Chattels, by Diſtreſs and Sale of the ſame, by Warrant under the Hand and Seal of two or more Juſtices of the Peace of the ſame Diviſion, or in Default thereof any neighbouring Juſtices of the Peace for the ſaid County, which Warrant the ſaid Juſtices are hereby impowered and required to make upon Information of any one credible Witneſs upon Oath, the one Moiety of which ſaid Forfeiture ſhall go to him that ſhall inform, and the other Moiety for and towards the Repair of Highways of the ſame Pariſh, rendering the Overplus, if any be, to the Party or Parties whoſe Goods ſhall be diſtrained, the Charges of the Diſtreſs and Sale being firſt deducted; and in caſe of ſuch Neglect or Refuſal as aforeſaid, the ſaid Juſtices are hereby impowered to nominate and appoint ſome other fit Perſon or Perſons to perform the ſaid Office, who upon like Notice of ſuch Nomination and Appointment, ſhall take upon him or them and duly execute the ſaid Office, and if he or they neglect or refuſe ſo to do, ſhall forfeit the like Sum of five Pounds, to be levied and diſpoſed of as aforeſaid; and if the Conſtables, Headboroughs, Tythingmen, Churchwardens, and Surveyor or Surveyors of the Highways of any Pariſh, Town, Liberty, or Precinct, or ſome of them, ſhall not return the ſaid Liſt of Names, in ſuch Manner as in this Act is directed, every of them ſo neglecting ſhall forfeit the Sum of twenty Shillings, to be levied in the Manner, and employed to the Uſes aforeſaid.

5 l. Penalty upon Nominees refuſing, &c. after Service.

Juſtices may appoint other Perſons after Refuſal.

20 s. Penalty upon Conſtables, &c. not returning a Liſt.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall lay in any Highway, not being twenty Foot broad, any Stone, Timber, Straw, Dung, or other Matter, whereby the ſame ſhall be any Ways obſtructed or annoyed, on pain to forfeit for every ſuch Offence the Sum of five Shillings, to be levied and diſpoſed of as is aforeſaid.

5 s. Penalty upon Perſon laying Timber, &c. in the Highway.

Owner of Land adjoining ſhall take away Timber, &c. lying in the Highway. 13 *Ed.* 1. *St.* 2. *C.* 5.

Penalty for neglecting.

V. And be it further enacted by the Authority aforeſaid, That if any Timber, Stone, Hay, Straw, Stubble, or other Matter for the making of Dung, or on any other Pretence whatſoever, ſhall be laid in any ſuch Highway as aforeſaid, whereby the ſame ſhall be any Ways obſtructed or annoyed, the Owners or Poſſeſſors of the Lands next adjoining to the ſame ſhall clear the ſaid Way by removing the ſaid Timber, Stone, Hay, Straw, Dung, or other Matter, and have, take and diſpoſe of the ſame to his and their own Uſe; and if any ſuch Owner or Occupier of Lands next adjoining to the ſaid Highways, ſhall neglect to clear the ſaid Ways of the ſaid Nuſances, or to cleanſe or ſcower their Ditches, Gutters, and Drains, adjoining to the ſaid Highways, or cauſe the Earth taken out thereof to be carried away and lay ſufficient Trunks, Tunnels, or Bridges, where any Cartways are, into the ſaid Grounds, for the Space of ten Days after Notice to him, her, or them given by the ſaid Surveyors, or any of them, he, ſhe, or they, ſo neglecting ſhall for every ſuch Offence forfeit the Sum of five Shillings, to be levied and diſpoſed of in Manner aforeſaid.

5 s. Penalty upon Owner not ſtubbing up Trees, &c.

VI. And be it further enacted by the Authority aforeſaid, That no Tree, Buſh, or Shrub, ſhall be permitted to ſtand or grow in any Highway not full twenty Foot broad, but the ſame ſhall be cut down, grubbed up, and carried away, by the Owner or Owners of the Land or Soil where the ſame doth or ſhall ſtand or grow, within ten Days after Notice to him or them given by the ſaid Surveyors, or any of them, on pain to forfeit for every Neglect the Sum of five Shillings, to be levied and diſpoſed as is aforeſaid.

Poſſeſſors ſhall prune the Hedges.

VII. And be it further enacted by the Authority aforeſaid, that the Poſſeſſors of the Land next adjoining to ſuch Highways, where they are not twenty Foot broad, ſhall from Time to Time, and at all Times, keep their Hedges plaſht, cut, or pruned, ſo as no Tree, Buſh, or Shrub, ſhall ſtand or grow in ſuch Highway, nor any Bough or Branch be ſuffered to hang over the ſame, or any Part thereof; but the ſaid Hedges ſhall be kept cut and pared right up from the Roots, and not permitted in any Sort to ſpread into or hang over the Highway, or any Part thereof, to the End that there may be a free and clear Paſſage for Travellers, and all Sorts of Carriages loaden, without being any ways prejudiced or obſtructed by any Hedges, Trees, Boughs, or Branches whatſoever, and that the Sun may freely ſhine into the ſaid Ways, to dry and amend the ſame.

Surveyor ſhall preſent the State of the Highways to a Juſtice every four Months.

VIII. And be it further enacted by the Authority aforeſaid, That every Surveyor of the Highways, appointed as in and by this Act is directed, ſhall within fourteen Days next after his firſt Acceptance of the ſaid Office, and ſo from Time to Time every four Months, during his being Surveyor, take a View of all the Roads, common Highways, Watercourſes, Bridges, Cauſeways, and Pavements within the Pariſh, Town, Village, Hamlet, Precinct, or Tything, for which he is appointed Surveyor, that are to be repaired by the ſaid Pariſh, Town, Village, Hamlet, Precinct, or Tything, and ſhall make a Preſentment upon Oath, in what State and Condition he finds the ſame reſpectively, to ſome Juſtice of the Peace of the ſame Diviſion, if then reſident there, otherwiſe to ſome neighbouring Juſtice of the Peace for the ſaid County,

County, and in Default thereof shall incur the Penalty aforesaid, as if he or they had refused or neglected to accept and execute the said Office, unless he shall have some reasonable Excuse for omitting the same, to be allowed of by two Justices of the Peace of the same Division of the County, or in Default thereof by the two neighbouring Justices; and what Defaults or Annoiances they shall find in any of the said Highways, Causways, Bridges, Ditches, Hedges, Trees, Watercourses, Drains, or Gutters, next adjoining to the same, they shall from Time to Time, the next *Sunday* immediately after Sermon ended, give publick Notice of the same in the Parish Church, and if the same shall not be removed, repaired, and amended, within thirty Days after such Notice given, that then the said Surveyor or Surveyors of the said Highways shall within thirty Days remove, repair, and amend the same, and dispose of the same Annoiances to and for the Repair of the said Highways; and the said Surveyor and Surveyors shall be reimbursed what Charges and Expences they shall be at in so doing, by the Parties who should have done the same; and in case the said Parties shall upon Demand refuse or neglect to pay the said Surveyors their said Charges, then the said Surveyors shall apply him or themselves to any Justice of the Peace within the Division of the County wherein such Highway is, and in default thereof, to any neighbouring Justice for the said County, and upon his or their making Oath before such Justice of the Notice to the Defaulter in Manner aforesaid (which Oath the said Justice is impowered and required to administer) that then the said Surveyors shall be repaid all such their Charges as shall be allowed to be reasonable by the said Justice, to be levied in Manner aforesaid.

Neglect punished as Refusal. By 1 Geo. 1. stat. 2. c. 52. §. 2. Neglects of Labourers to be also presented. Defaults published in the Church, and if not amended within 30 Days, Surveyor shall repair them, and be repaid by the Person who ought to repair. How the Surveyor shall recover his Disbursements.

IX. And be it further enacted by the Authority aforesaid, That the Justices of the Peace of every County shall in their respective Divisions once in four Months hold a special Sessions, and shall thereunto summon all the Surveyors of Highways within that Division to come before them, and shall give them a Charge to do their Duty, and declare to them what they are obliged to do by virtue of this or any former Act; after which the said Surveyors of the Highways shall make a Presentment to them upon Oath (which Oath the said Justices are hereby impowered to give) of the State and Condition of the Highways within their respective Parishes, Towns, Villages, Hamlets, Precincts, or Tythings for which they are appointed Surveyors, and what Offences and Neglects any are guilty of, contrary to the Meaning of this or any other Statute made concerning the Highways, or any Thing relating thereunto; and before any Surveyor of the Highways shall go out of or be discharged from his Office, he shall at some such special Sessions of the said Justices, to be held as aforesaid, give an Account upon Oath of all Money that has come to his Hands, which ought to be employed in amending of the Highways, and how he hath disposed of the same; and in case any Monies shall remain in his Hands, he shall deliver the same to the Surveyors of the Highways that shall serve for the same Parish, Town, Village, Hamlet, Precinct, or Tything, for the Year ensuing, and in case of Failure, to forfeit the double Value of what shall be adjudged to be in his Hands by the said Justices, to be levied and disposed of as is aforesaid.

Justices of Peace once in 4 Months to hold a petty Session, where they are to receive Presentments, and take the Accounts of the Surveyors. Penalty upon Surveyor, not paying Surplus Money to his Successors.

X. And be it further enacted by the Authority aforesaid, That if any Surveyor of the Highways, after his Acceptance of his said Office, shall neglect his Duty in any Thing required of him by this Act, he shall forfeit for every such Offence the Sum of forty Shillings, to be levied and disposed of as is aforesaid.

40 s. Penalty upon Surveyors Neglect.

XI. And be it further enacted by the Authority aforesaid, That if any Justice of the Peace shall neglect or refuse to do what is required of him by this Act, such Justice so neglecting or refusing shall forfeit the Sum of five Pounds; one Moiety whereof shall go to the Person that shall sue for the same, the other Moiety to be employed to and for the Repair and Amendment of the Highways of the Parish where the Person who shall sue for the same inhabits, to be recovered in any of their Majesties Courts of Record, by Action of Debt, Bill, Plaint, or Information, in which no Privilege, Protection, or Wager of Law shall be allowed, or more than one Imparlance.

5 l. Penalty upon the Neglect of Justice of Peace.

XII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyors of the Highways aforesaid, where the Ditches and Drains already made are not sufficient to carry off the Water that lies upon the Highways, to make new Ditches and Drains in and through the Lands next adjoining to the said Highways, and keep them scoured, cleansed, and open, and come upon any of the said Lands with their Workmen for so doing.

Surveyors may make new Ditches in Lands adjoining.

'XIII. And whereas divers Parishes and Townships have not any Gravel, Stones, Quarries, nor any 'other Materials fitting or convenient for the amending or repairing of the Highways within the said Pa- 'rishes and Townships, by reason whereof the Surveyors of the Highways of such Parishes and Town- 'ships are forced to lay out their own Money for the buying of such Materials as are necessary for that 'Purpose; and there being no Provision made in or by any Law now in force, for the reimbursing the said 'Surveyors the Monies they have so laid out:' For Remedy whereof be it further enacted by the Authority aforesaid, That upon Notice given by the Surveyor or Surveyors of the Highways to the Justices of the Peace at their special Sessions, and Oath made of what Sum or Sums of Money he or they have or hath so laid out and expended upon amending and repairing of the said Highways, the Justices of the Peace, or any two of them, at their special Sessions, are hereby impowered, by Warrant under their Hands and Seals, to cause an equal Rate to be made for the reimbursing the said Surveyor or Surveyors the Monies by him or them laid out as aforesaid, upon all the Inhabitants of such Parish or Townships, where such Monies are so expended, according to the Rules and Methods prescribed in an Act of Parliament made in the three and fortieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act for the better Relief of the Poor of this Kingdom*, which Rate, being confirmed and allowed by the said Justices

Surveyor laying out Money for Gravel Stones, &c. shall be repaid by an equal Rate, to be levied by Distress. 43 Eliz. c. 2.

in their ſpecial Seſſions, ſhall be collected and gathered by the ſaid Surveyor or Surveyors of the Highways; and if any Perſon or Perſons refuſe to pay the Monies ſo aſſeſſed on him or them, that then the ſame ſhall be levied by the ſaid Surveyors by Diſtreſs and Sale of the Goods and Chattels of the Perſons ſo refuſing, rendering to the Party the Overplus, reaſonable Charges for making the ſaid Diſtreſs firſt to be deducted.

5 Eliz. c. 19. Fines ſhall be paid to the Surveyor and not returned into the Exchequer.

'XIV. And whereas in purſuance of the Statute made in the fifth Year of the Reign of the late Queen *Elizabeth*, many Pariſhes and places are oftentimes preſented upon the Knowledge and View of a Juſtice of Peace, or otherwiſe, for not repairing and amending their Highways, and the Fines impoſed and ſet on ſuch Preſentments, and other Fines and Iſſues for not repairing and amending the Highways, are returned into the Court of *Exchequer*, or other Courts, and ſuch Fines and Iſſues againſt ſuch Pariſhes for not amending their Highways, are levied on ſome particular Inhabitants of ſuch Pariſhes or Places, and there being no Proviſion made for the making of a Rate to reimburſe ſuch particular Inhabitants;' Be it therefore further enacted by the Authority aforeſaid, That no Fine, Iſſue, Penalty, or Forfeiture, ſhall hereafter be returned into the Court of *Exchequer*, or other Court, but ſhall be levied and paid into the Hands of the Surveyors of ſuch Pariſh or Place, to be applied towards the Repair and Amendment of ſuch Highway; and that if any Fine, Penalty, or Forfeiture, impoſed on any Pariſh or Place for not repairing the Highways, ſhall hereafter be levied on any one or more of the Inhabitants of ſuch Pariſh or Place, that then ſuch Inhabitant or Inhabitants ſhall make his or their Complaint to the Juſtices of the Peace at their ſpecial Seſſions, and the ſaid Juſtices, or any two of them, are hereby impowered and authorized, by Warrant under their Hands and Seals, to cauſe a Rate to be made, according to the Form and Manner aforeſaid, for the reimburſing ſuch Inhabitant or Inhabitants the Monies ſo levied on him or them as aforeſaid, which Rate ſo made and confirmed by two Juſtices, as aforeſaid, ſhall be collected and levied by the Surveyor or Surveyors of the Highways of ſuch Pariſh or Place ſo preſented or indicted as aforeſaid, and the ſaid Surveyor or Surveyors ſhall, within one Month next after the making and confirming the Rate aforeſaid, pay unto the Inhabitant or Inhabitants ſuch Money ſo levied on him or them as aforeſaid.

If Fine laid upon one Inhabitant, how he ſhall be repaid.

All Cart Ways to be 8 Foot wide.

XV. And be it enacted by the Authority aforeſaid, That the Surveyors of the Highways ſhall and are hereby required to make every Cart-way leading to any Market-Town, eight Foot wide at the leaſt, and as near as may be, even and level.

Inhabitants within the Weekly Bills, what Carts they may uſe. See 2 W. & M. ſ. 1. c. 8. §. 19. Rep. 18 Geo. 2. c. 33.

XVI. Provided always, and be it enacted by the Authority aforeſaid, that it ſhall and may be lawful to and for any Inhabitant of any of the Pariſhes within the weekly Bills of Mortality, who dwells off from the Pavement, or uſes his Carts as well off as upon the Pavement, and to and for any Brewer, and to and for any Scavenger, or other Perſon employed in carrying away the Dirt and Soil of the Streets, Lanes, and Alleys, to make uſe of any Cart, Car, or Dray, with Wheels ſhod with Iron, and narrower than ſix Inches in the Felloes, and drawn with more than two Horſes; any Act of Parliament, Law, or Uſage to the contrary in any wiſe notwithſtanding.

Juſtices may in Seſſions order an Aſſeſſment to be made, to repair the Ways. Explained by 1 Geo. 1. ſtat. 2. c. 52. §. 6.

XVII. And be it further enacted by the Authority aforeſaid, That where the Juſtices of the Peace of any County, City, Borough, or other Place, or the major Part of them, at their General or Quarter-ſeſſions, ſhall be fully ſatisfied, that the common Highways, Cauſeways, Bridges, Streets, or Pavements, within any Pariſh, Townſhip, Hamlet, or other Place within their reſpective Juriſdiction, cannot otherwiſe be ſufficiently amended, repaired, paved, cleanſed, and ſupported, by means of the Laws now in Force, without the Help of this preſent Act, in all ſuch Caſes, one or more Aſſeſſment or Aſſeſſments upon all and every the Inhabitants, Owners, and Occupiers of Lands, Houſes, Tenements, and Hereditaments, or any perſonal Eſtate uſually rateable to the Poor, within any ſuch Pariſh, Townſhip, Hamlet, or other Place, ſhall be made, levied, collected, and allowed by ſuch Perſon and Perſons, and in ſuch Manner, as the ſaid Juſtices by their Order at ſuch Seſſions ſhall direct and appoint in that Behalf; and the Money thereby raiſed ſhall be employed and accounted for according to the Orders and Directions of the ſaid Juſtices, for and towards the amending, repairing, paving, cleanſing, and ſupporting ſuch Highways, Cauſeways, Streets, Pavements, and Bridges, from Time to Time, as Need ſhall require; and the ſaid Aſſeſſments ſhall be levied by Diſtreſs and Sale of the Goods of every Perſon ſo aſſeſſed (not paying the ſame within ten Days after Demand) rendering the Overplus of the Value of the Goods ſo diſtrained, to the Owner and Owners thereof; the neceſſary Charges of making and ſelling ſuch Diſtreſs being firſt deducted.

Aſſeſſment not to exceed 6d. in the Pound.

XVIII. Provided nevertheleſs, and be it enacted, That no ſuch Aſſeſſment or Aſſeſſments, to be made in any one Year, ſhall exceed the Rate of ſix Pence in the Pound of the yearly Value of any Lands, Houſes, Tenements, and Hereditaments ſo aſſeſſed, nor the Rate of ſix Pence for twenty Pounds in perſonal Eſtate.

Perſons aggrieved may appeal to the Seſſions.

XIX. Provided always, That if any Perſon or Perſons ſhall find him or themſelves aggrieved with any Aſſeſſment or Rate, or other Act, by the ſaid Juſtices of Peace, that then it ſhall be lawful for the Juſtices of the Peace at their general Quarter-Seſſions, or the greater Number of them, to take ſuch Order therein as to them ſhall be thought convenient, and the ſame to conclude and bind all the ſaid Parties.

Perſon hereby puniſhed, to be proſecuted within ſix Months, and puniſhable no other Way.

XX. Provided alſo, That no Perſon ſhall be puniſhed for any Offence againſt this Act, unleſs ſuch Offender be proſecuted for the ſame within ſix Months after the Offence committed; and that no Perſon, who ſhall be puniſhed for any Offence by virtue of this Act, ſhall be puniſhed for the ſame Offence by virtue of any other Act or Law whatſoever.

XXI. And be it further enacted and declared by the Authority aforesaid, That no Horse, Causway, or Causway for Horses travelling upon or in any publick Highway, be less or under three Foot in Breadth. Breadth of Horse Causways.

XXII. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace of the County of *Middlesex*, at their General Quarter-sessions, to make Rates for the paving the Town of *Kensington* within the said County, in all such Places thereof as they shall think convenient, and to amend, repair, and cleanse the same, upon old Streets and Houses, as well as new, in such Manner as is directed by one Act made in the second Year of their Majesties Reign, for paving and cleansing the Streets in the Cities of *London* and *Westminster*. Justices of Middlesex may make Rates for paving the Town of Kensington.

XXIII. And be it further enacted by the Authority aforesaid, That all Matters concerning Highways, Causways, Pavements, and Bridges, mentioned in this Act, shall be determined in the County where the same do lie, and not elsewhere: And that no Presentment, Indictment, or Order made by virtue of this Act, shall be removed by *Certiorari* out of the said County into any other Court. No Certiorari of any Order &c. upon this Act.

'XXIV. And whereas divers Waggoners and other Carriers, by Combination amongst themselves, 'have raised the Prices of Carriage of Goods in many Places to excessive Rates, to the great Injury of 'Trade;' Be it therefore enacted by the Authority aforesaid, That the Justices of the Peace of every County and other Place within the Realm of *England*, or Dominion of *Wales*, shall have Power and Authority, and are hereby injoined and required, at their next respective Quarter or General Sessions after *Easter* Day yearly, do assess and rate the Prices of all Land-carriage of Goods whatsoever, to be brought into any Place or Places within their respective Limits and Jurisdictions, by any common Waggoner or Carrier, and the Rates and Assessments so made, to certify to the several Mayors and other chief Officers of each respective Market-town within the Limits and Jurisdictions of such Justices of the Peace, to be hung up in some publick Place in every such Market-town, to which all Persons may resort for their Information; and that no such common Waggoner or Carrier shall take for Carriage of such Goods and Merchandizes above the Rates and Prices so set, upon Pain to forfeit for every such Offence the Sum of five Pounds to be levied by Distress and Sale of his and their Goods, by Warrant of any two Justices of the Peace where such Waggoner or Carrier shall reside, in Manner aforesaid, to the Use of the Party grieved. Justices once a Year to rate the Rates of Carriage. 5*l.* Penalty upon Carrier taking above the Rate.

XXV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be hereafter commenced or prosecuted against any Person or Persons by this Act authorized to put the same in Execution, every Person or Persons so sued may plead the general Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him or her, the said Defendant and Defendants shall recover his and their double Costs, for which he and they shall have the like Remedy, as in Cases where Costs by Law are given to Defendants. Persons prosecuted for executing this Act, may plead General Issue, and have Double Costs.

*Former Provisions relating hereto,* 7 *W.* 3. *c.* 29. 8 *W.* 3. *c.* 16. 6 *Ann. c.* 29. 9 *Ann. c.* 18. 1 *Geo.* 1. *St.* 2. *c.* 11. 5 *Geo.* 1. *c.* 12. 14 *Geo.* 2. *c.* 42. 15 *Geo.* 2. *c.* 29. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. *and* 31 *Geo.* 2. *c.* 34. *c.* 2. 16 *Geo.* 2.

## CAP. XIII.

An Act against corresponding with their Majesties Enemies. EXP.

## CAP. XIV.

### An Act for the Relief of Creditors against fraudulent Devises.

'WHEREAS it is not reasonable or just, that by the Practice or Contrivance of any Debtors their Creditors should be defrauded of their just Debts; and nevertheless it hath often so happened, that where several Persons having by Bonds or other Specialties bound themselves and their Heirs, and have afterwards died seized in Fee-simple of and in Manors, Messuages, Lands, Tenements, and Hereditaments, or had Power or Authority to dispose of or charge the same by their Wills or Testaments, have to the defrauding of such their Creditors, by their Last Wills or Testaments devised the same, or disposed thereof in such Manner as such Creditors have lost their said Debts:' For remedying of which, and for the Maintenance of just and upright Dealing,

II. Be it enacted and declared by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That all Wills and Testaments, Limitations, Dispositions, or Appointments, of or concerning any Manors, Messuages, Lands, Tenements, or Hereditaments, or of any Rent, Profit, Term, or Charge out of the same, whereof any Person or Persons, at the Time of his, her, or their Decease, shall be seized in Fee-simple, in Possession, Reversion, or Remainder, or have Power to dispose of the same, by his, her, or their last Wills or Testaments, to be made after the five and twentieth Day of *March* in the Year of our Lord God one thousand six hundred ninety and two, shall be Wills fraudulent against Creditors.

 deemed

deemed and taken (only as againſt ſuch Creditor or Creditors as aforeſaid, his, her, and their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns, and every of them) to be fraudulent, and clearly, abſo-
*Vin. V.* 13. 521. lutely, and utterly void, fruſtrate, and of none Effect; any Pretence, Colour, feigned or preſumed Conſideration, or any other Matter or Thing to the contrary notwithſtanding.

Debt upon Bond jointly ſuable againſt the Heir and Deviſee of an Obligor. Deviſee chargeable for a falſe Plea, as an Heir.

III. And for the Means that ſuch Creditors may be enabled to recover their ſaid Debts, be it further enacted by the Authority aforeſaid, That in the Caſes before mentioned, every ſuch Creditor ſhall and may have and maintain his, her, and their Action and Actions of Debt, upon his, her, and their ſaid Bonds and Specialties, againſt the Heir and Heirs at Law of ſuch Obligor or Obligors, and ſuch Deviſee and Deviſees, jointly by virtue of this Act; and ſuch Deviſee or Deviſees ſhall be liable and chargeable for a falſe Plea by him or them pleaded, in the ſame Manner as any Heir ſhould have been for any falſe Plea by him pleaded, or for not confeſſing the Lands or Tenements to him deſcended.

Deviſe for raiſing Portions, purſuant to a Marriage Contract, good.

IV. Provided always, and be it enacted by the Authority aforeſaid, that where there hath been or ſhall be any Limitation or Appointment, Deviſe or Diſpoſition, of or concerning any Manors, Meſſuages, Lands, Tenements, or Hereditamens, for the raiſing or Payment of any real and juſt Debt or Debts, or any Portion or Portions, Sum or Sums of Money, for any Child or Children of any Perſon, other than the Heir at Law, according to, or in purſuance of any Marriage Contract or Agreement in Writing *bona fide* made before ſuch Marriage, the ſame and every of them ſhall be in full Force; and the ſame Manors, Meſſuages, Lands, Tenements, and Hereditaments, ſhall and may be holden and enjoyed by every ſuch Perſon or Perſons, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, for whom the ſaid Limitation, Appointment, Deviſe, or Diſpoſition was made, and by his, her, and their Truſtee or Truſtees, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, for ſuch Eſtate or Intereſt as ſhall be ſo limited, or appointed, deviſed or diſpoſed, until ſuch Debt or Debts, Portion or Portions, ſhall be raiſed, paid, and ſatisfied; any Thing in this Act contained to the contrary notwithſtanding.

If the Heir aliene before Action brought, he ſhall be liable to the Value of the Land.

'V. And whereas ſeveral Perſons being Heirs at Law, to avoid the Payment of ſuch juſt Debts, as in regard of the Lands, Tenements, and Hereditaments deſcending to them they have by Law been liable to pay, have ſold, aliened, or made over ſuch Lands, Tenements, or Hereditaments, before any Proceſs was or could be iſſued out againſt them;' Be it further enacted by the Authority aforeſaid, That in all Caſes where any Heir at Law ſhall be liable to pay the Debt of his Anceſtor in regard of any Lands, Tenements, or Hereditaments deſcending to him, and ſhall ſell, aliene, or make over the ſame, before any Action brought, or Proceſs ſued out againſt him, that ſuch Heir at Law ſhall be anſwerable for ſuch Debt or Debts, in an Action or Actions of Debt, to the Value of the ſaid Land ſo by him ſold, aliened, or made over; in which Caſes all Creditors ſhall be preferred, as in Actions againſt Executors and Adminiſtrators, and ſuch Execution ſhall be taken out upon any Judgment or Judgments ſo obtained againſt ſuch Heir, to the Value of the ſaid Land, as if the ſame were his own proper Debt or Debts; ſaving that the Lands, Tenements, and Hereditaments *bona fide* aliened before the Action brought, ſhall not be liable to ſuch Execution.

Creditors preferred, as in Actions againſt Executors.

Upon Riens per Deſcent pleaded, Jury ſhall enquire of the Value of the Lands. Otherwiſe, if Judgment by Confeſſion, for Debt and Damages. Carthew 353, 354.

VI. Provided always, and be it further enacted by the Authority aforeſaid, That where any Action of Debt upon any Specialty is brought againſt any Heir, he may plead *Riens per Deſcent*, at the Time of the original Writ brought, or the Bill filed againſt him; any Thing herein contained to the contrary notwithſtanding; and the Plaintiff in ſuch Action may reply, that he had Lands, Tenements, or Hereditaments, from his Anceſtor before the original Writ brought, or Bill filed; and if upon Iſſue joined thereupon, it be found for the Plaintiff, the Jury ſhall enquire of the Value of the Lands, Tenements, or Hereditaments ſo deſcended, and thereupon Judgment ſhall be given, and Execution ſhall be awarded as aforeſaid; but if Judgment be given againſt ſuch Heir by Confeſſion of the Action, without confeſſing the Aſſets deſcended, or upon Demurrer, or *Nihil dicit*, it ſhall be for the Debt and Damages, without any Writ to enquire of the Lands, Tenements, or Hereditaments ſo deſcended.

Deviſee chargeable as Heir.

VII. Provided alſo, and be it further enacted, That all and every Deviſee, and Deviſees, made liable by this Act, ſhall be liable and chargeable in the ſame Manner as the Heir at Law by Force of this Act, notwithſtanding the Lands, Tenements, and Hereditaments, to him or them deviſed, ſhall be aliened before the Action brought.

To continue for 3 Years.

Provided always, That this Act ſhall be in Force for three Years, and to the End of the next Seſſion of Parliament after the Expiration of the ſaid three Years and no longer. [Made perpetual by 6 & 7 W. 3. cap. 14.]

CAP.

## CAP. XV.

### An Act for the better ordering and collecting the Duty upon Low Wines, and Strong Waters, and preventing the Abuſes therein.

FOR the preventing of the Frauds of Diſtillers, Makers, and other Retailers of Low Wines, Spirits, and Strong Waters, Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, now in Parliament aſſembled, and by Authority of the ſame, That no common Diſtiller or Maker of Low Wines, Spirits, or Strong Waters for Sale, ſhall at any Time from and after the firſt Day of *March* one thouſand ſix hundred ninety and one, ſet up, make uſe of, or alter any Tun, Caſk, Waſhbatch, Copper, Still, or other Veſſel, for the brewing or making of any Worts, Waſh, Low Wines, Spirits, or Strong Waters for Sale, or ſhall keep or make uſe of any private or concealed Warehouſe, Cellar, or other Place, for the laying of any Waſh, Low Wines, Spirits, or Strong Waters for Sale, without firſt giving Notice thereof at the next Office of Exciſe, within the Limits or Juriſdiction whereof he or they do or ſhall inhabit, upon Pain to forfeit the Sum of twenty Pounds for every Tun, Caſk, Waſhbatch, Copper, Still, or other Veſſel ſo ſet up, uſed, or altered, and for every private or concealed Warehouſe, Cellar, or other Place ſo uſed as aforeſaid; and that all and every other Perſon or Perſons, in whoſe Occupation any Houſe, Outhouſe, or other Place whatſoever, is or ſhall be, where any ſuch private or concealed Tun, Caſk, Waſhbatch, Copper, Still, or other Veſſel ſhall be found or diſcovered, ſhall alſo forfeit and loſe the Sum of twenty Pounds, one Moiety thereof to their Majeſties, their Heirs and Succeſſors, and the other Moiety thereof to him or them that ſhall inform or ſue for the ſame. Penalty upon Diſtiller letting up any Brewing Veſſel, &c. without Notice given to Officer.

II. And be it further enacted by the Authority aforeſaid, That if any common Diſtiller or Maker of Low Wines, Spirits, or Strong Waters, ſhall at any Time hereafter hide, conceal, or convey any Low Wines, Spirits, or Strong Waters for Sale, from the Sight or View of the Gager or Gagers appointed ſo to take Account of the ſame, whereby their Majeſties ſhall or may be defrauded of any the Duties due for the ſame, that every ſuch common Diſtiller or Maker of ſuch Low Wines, Spirits, or Strong Waters, for every Gallon of Low Wines, Spirits, or Strong Waters for Sale, ſo hid, concealed, or conveyed as aforeſaid, ſhall forfeit the Sum of five Shillings each Gallon; all which Penalties to be ſued for, recovered, and levied in ſuch Manner, as by one Act of Parliament made in the twelfth Year of the Reign of the late King *Charles*, the Second, intituled, *An Act for taking away the Court of Wards, and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*; and alſo as by one other Act of Parliament made in the fifteenth Year of his ſaid Majeſty's Reign, intituled, *An additional Act for the better ordering and collecting the Duties of Exciſe, and preventing the Abuſes therein*, or in either of them, or by any other Law now in Force, relating to the Revenue of Exciſe on Beer and Ale, is directed. Penalty upon Diſtillers concealing Spirits, &c. 12 Car. 2. c. 24. 15 Car. 2. c. 11.

III. Provided always, That this Act, nor any the Forfeitures or Penalties therein contained, ſhall be conſtrued to extend to any common Diſtiller, or other Perſon or Perſons, who ſhall from and after the ſaid firſt Day of *March* one thouſand ſix hundred ninety and one, give Notice to the Officer of Exciſe for the Place or Diviſion where ſuch Diſtiller or other Perſon ſhall live, as by this Act is appointed. Diſtiller giving Notice, &c. excepted.

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## Anno Regni GULIELMI & MARIÆ quarto.

'AT the Parliament begun at *Weſtminſter* the twentieth Day of *March* Anno Dom. 1619, in the ſecond Year of the Reign of our Sovereign Lord and Lady, WILLIAM and MARY, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King and Queen, Defenders of the Faith, &c. And from thence continued by ſeveral Prorogations and Adjournments to the fourth Day of *November* 1692. being the fourth Seſſion of this preſent Parliament.

## CAP. I.

### An Act for granting to their Majeſties an Aid of four Shillings in the Pound for one Year for carrying on a vigorous War againſt *France*. EXP.

WE your Majeſties moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament, having ſeriouſly conſidered of the great Occaſions which engage your Majeſties to many extraordinary Ex-

pences for the neceſſary Defence of your Realms, and the Proſecution of a vigorous War againſt *France*, have cheerfully and unanuſly given and granted unto your Majeſties the Rates and Aſſeſſments hereafter mentioned. And we moſt humbly beſeech your Majeſties, that it may be enacted,

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That their Majeſties ſhall have and receive the Rates and Aſſeſſments hereafter mentioned, of and from every Perſon Spiritual and Temporal, of what Eſtate or Degree ſoever he or they be; which ſaid Rates or Aſſeſſments ſhall be taxed, aſſeſſed, levied, and paid into their Majeſties Receipt of Exchequer according to the Tenor of this Act, and in manner and form following, (that is to ſay) That all and every Perſon and Perſons, Bodies Politick and Corporate, Guilds, and Fraternities within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, having any Eſtate in ready Monies, or in any Debts whatſoever owing to them, within this Realm or without, or having any Eſtate in Goods, Wares, Merchandiſes, or other Chattels or perſonal Eſtate whatſoever, within this Realm or without, belonging to or in Truſt for them (except and out of the Premiſſes deducted ſuch Sums of Money as he or they do *bona fide* owe, and ſuch Debts owing to them as ſhall be adjudged deſperate by the Commiſſioners appointed by this Act; And alſo the Stock upon Lands and ſuch Goods as are uſed for Houſhold-ſtuff; And alſo other than and except the joint Stocks or Shares of ſuch Bodies corporate, Companies or Fraternities as ſhall be otherwiſe charged by Name in any other Act to be made during this preſent Seſſion of Parliament) ſhall yield and pay unto their Majeſties four Shillings in the Pound, according to the true yearly Value thereof, for one Year; (that is to ſay) for every hundred Pounds of ſuch ready Money and Debts, and for every hundred Pounds worth of ſuch Goods, Wares, Merchandiſes, or other Chattels, or other perſonal Eſtate, the Sum of four and twenty Shillings; And ſo after that Rate for every greater or leſſer Sum or Quantity, to be aſſeſſed, levied and collected in manner hereafter mentioned.

All Perſons, Bodies Politick, &c. having any Eſtate in ready Monies or Debt, or having any Eſtate in Goods, Wares, or other perſonal Eſtate whatſoever, deducting Monies, bona fide owing, and deſperate Debts; and except Stock upon Land and Houſhold-ſtuff, and the joint Stocks of Companies, which ſhall be otherwiſe charged by Name in any Act of this Seſſion, ſhall pay 4s. for every 100l.

III. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, Commiſſioner or Commiſſioners, having, uſing, or exerciſing any publick Office or Employment of profit (ſuch Military Officers, who are or ſhall be in Muſter by the Muſter-maſter-general of the Army, or in Pay in their Majeſties Army or Navy in reſpect of ſuch Offices only excepted) and all and every their Agents, Clerks, Secondaries, Subſtitutes, and other inferior Miniſters whatſoever, ſhall yield and pay unto their Majeſties the Sum of four Shillings for every twenty Shillings, which he or they do receive in one Year, by Virtue of any Salaries, Gratuities, Bounty-money, Reward, Fees or Profits to him or them accruing, for or by Reaſon or Occaſion of their ſeveral Offices or Employments, to be aſſeſſed, impoſed, levied, and collected, in ſuch Manner as hereafter is mentioned.

Perſons having any Office or Imployment of Profit (except Military Officers in Muſter and Pay in the Army or Navy) to pay 4s. in the Pound for Salaries or Profits.

IV. And to the End a further Aid and Supply for their Majeſties Occaſions may be raiſed, by a Charge upon all Lands, Tenements, and Hereditaments, with as much Equality and Indifferency as is poſſible, by a Pound-rate of four Shillings for every twenty Shillings, of the true yearly Value for one Year only and no longer: Be it further enacted by the Authority aforeſaid, That all and every Manors, Meſſuages, Lands and Tenements; As alſo all Quarries, Mines of Coal, Tin or Lead, Copper, Mundick Iron, or other Mines, Iron Works, Salt Springs, and Salt Works; All Allom Mines or Works; All Parks, Chaces, Warrens, Woods, Underwoods, Coppices, and all Fiſhings, Tythes, Tolls, Annuities, and all other Yearly Profits; And all Hereditaments of what Nature or Kind ſoever they be, ſcituate, lying, and being, happening or ariſing, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or within any the Counties, Cities, Burroughs, Towns, Diviſions, Ridings, Hundreds, Lathes, Wapentakes, Pariſhes and Places thereof, as well within ancient Demeſne, and other Liberties and priviledged Places, as without, ſhall be, and are hereby charged for one Year only, and no longer, with the Sum of four Shillings for every twenty Shillings, of the full yearly Value, and ſo in proportion for any grater or leſſer Value; And all and every Perſon and Perſons, Bodies Politick and Corporate, Guilds, Myſteries, Fraternities and Brotherhoods, whether corporate or not corporate, having or holding any Manors, Meſſuages, Lands, Tenements, Hereditaments or other the Premiſſes, ſhall yield and pay unto their Majeſties the Sum of four Shillings for every twenty Shillings by the Year, which the ſaid Manors, Meſſuages, Lands, Tenements, Hereditaments and other the Premiſſes are now worth to be leaſed, if the ſame were truly and *bona fide* leaſed or demiſed at a Rack-rent, and according to the full true yearly Value thereof, without any reſpect had to the preſent Rents reſerved for the ſame, if ſuch Rents have been reſerved upon ſuch Leaſes or Eſtates made, for which any Fine or Income hath been paid or ſecured, or have been leſſened or abated upon Conſideration of Money laid out or to be laid out in Improvements, and without any reſpect had to any former Rates or Taxes thereupon impoſed, or making any

All Manors, Lands, Tenements, yearly Profits and Hereditaments, charged with 4s. in the Pound of the true yearly Value.

All Perſons, Bodies Politick, &c. pay 4s. in the Pound, of what now worth to be leaſed bona fide at a Rack-rent, &c. without reſpect to Repairs, Taxes Pariſh Duties or other Charges.

any Abatement in reſpect to Reparations, Taxes, Pariſh Duties or any other Charges whatſoever, which ſaid Sum of four and twenty Shillings for the yearly Profit of every hundred Pounds Value of all perſonal Eſtates, as aforeſaid, and four Shillings for every twenty Shillings by the Year of the ſaid true yearly Value of all other the Premiſſes ſhall be aſſeſſed, levied and collected in manner hereafter mentioned, and ſhall be paid into the Receipt of their Majeſties Exchequer by four quarterly Payments; the firſt Payment thereof to be made upon the five and twentieth Day of *March* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-three.

To be paid at four quarterly Payments. The firſt Payment the 25th of March 1693.

V. And whereas many of the Manors, Meſſuages, Lands, Tenements, Tythes, Hereditaments and Premiſſes intended by this Act to be charged with the Pound-rate, as aforeſaid, ſtand incumbred with or are ſubject and liable to the Payment of ſeveral Rent-charges or Annuities iſſuing out of the ſame, or to the Payment of divers fee-farm Rents, Rents-ſervice or other Rents thereupon reſerved or charged, by reaſon whereof the true Owners and Proprietors of ſuch Manors, Meſſuages, Lands, Tenements, Hereditaments and Premiſſes do not in Truth receive to their own Uſe the true yearly Value of the ſame, for which nevertheleſs they are by this Act charged to pay the full Pound-rate of four Shillings for every twenty Shillings of the true yearly Value:

Where Lands, &c. are ſubject to Rents, Charges, Annuities, or other Rents.

VI. It is therefore declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Landlords, Owners and Proprietors of ſuch Manors, Meſſuages, Lands, Tenements, Hereditaments and Premiſſes as are charged with the Pound-rate, as aforeſaid, to abate and deduct and to retain and keep in his or their Hands four Shillings in the Pound for every fee-farm Rent or other annual Rent or Payment charged upon or iſſuing out of the Premiſſes, or any Part thereof or thereupon reſerved; and all and every Perſon and Perſons, who are or ſhall be any way intitled to ſuch Rents and annual Payments, are hereby required to allow ſuch Deductions and Payments, upon the Receipt of the Reſidue of ſuch Monies as ſhall be due and payable to them for ſuch Rents or annual Payments reſerved or charged as aforeſaid.

The Landlords and Owners deduct 4 s. in the Pound for ſuch Rents,

which ſhall be allowed by the Perſons intitled to ſuch Rents upon Payment of the Reſidue.

VII. And be it further enacted by the Authority aforeſaid, That for the better aſſeſſing, ordering, levying and collecting of the ſeveral Sums of Money ſo as aforeſaid limited and appointed to be paid, and for the more effectual putting of this preſent Act in Execution, all and every the Perſons hereafter named ſhall be Commiſſioners of and for the ſeveral and reſpective Counties, Cities, Boroughs, Towns and Places hereafter mentioned.

[*Here follow the Names of the Commiſſioners.*]

VIII. Which ſaid Commiſſioners ſo, as aforeſaid, nominated and appointed, ſhall in the reſpective Counties, Cities, Boroughs, Diviſions, Towns and Places for which they are appointed Commiſſioners reſpectively, meet together at the moſt uſual and common Place of Meeting within each of the ſaid Counties, Cities, Boroughs, Towns, Diviſions and Places reſpectively, upon the fifteenth Day of *February*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and two, and the ſaid Commiſſioners, or ſo many of them as ſhall be preſent at the firſt General Meeting, or the major Part of them, may by their Conſents and Agreements divide, as well themſelves, as other the Commiſſions not then preſent, for the Execution of this Act, into Hundreds, Lathes, Wapentakes, Rapes, Wards, Towns, and other Places within their Limits, privileged or not privileged in ſuch Manner and Form as to them ſhall ſeem expedient (nevertheleſs not thereby to reſtrain the ſaid Commiſſioners from acting as Commiſſioners in any other Part of the County or Place for which they are nominated) and ſhall direct their ſeveral or joint Precept or Precepts to ſuch Inhabitants, High-conſtables, Petty-conſtables, Bailiffs and other like Officers, and Miniſters, and ſuch Number of them as they in their Diſcretion ſhall think moſt convenient, requiring them to appear before the ſaid Commiſſioners at ſuch Place and Time (not exceeding ten Days) as they ſhall appoint. And at ſuch their Appearances, the ſaid Commiſſioners ſhall openly read or cauſe to be read unto them the Rates and Aſſeſſments in this Act mentioned, and alſo openly declare the Effect of their Charge to them, and how and in what Manner they ought and ſhould make their Certificates, and how they ought to proceed in the Execution of this Act, according to the Rates aforeſaid. And if any High-conſtables, Petty-conſtables, Bailiffs, Inhabitants, or other Officers or Miniſters, to whom any Precept ſhall be directed, ſhall abſent themſelves without lawful Excuſe to be made out by the Oaths of two credible Witneſſes (which Oaths the Commiſſioners or any two of them are hereby impowered to adminiſter) or if any Perſon appearing ſhall refuſe to ſerve, then every ſuch Perſon ſo making default, or refuſing to ſerve, ſhall for every Time of ſuch Default or Refuſal, forfeit and loſe unto their Majeſties ſuch Sums as the Commiſſioners, or ſo many as ſhall be preſent, or the major Part of them being preſent, ſhall think fit, not exceeding the Sum of five Pounds, nor leſs than forty Shillings. And at and after ſuch General Meeting had, and Charge given, as aforeſaid, the ſaid Commiſſioners ſhall take Care that Warrants be iſſued forth and directed to two at the leaſt of the moſt able and ſufficient Inhabitants of each Pariſh, Town-ſhip or Place within the reſpective Diviſions, thereby appointing and requiring them to be Aſſeſſors of

Commiſſioners to meet upon the 15th of February,

and then to divide themſelves for the Execution of the Act;

Such Diviſion not to reſtrain Commiſſioners from acting in any other Part of the County.

Direct Precepts to ſuch Inhabitants, &c. as they ſhall think convenient,

requiring them to appear at a Place and Time not exceeding ten Days.

Then to read the Rates, and charge them with the Execution of the Act.

Perſons to whom Precepts directed, abſenting without Excuſe, to forfeit a Sum not exceeding 5 l. nor leſs then 40 s.

At or after ſuch general Meeting, Commiſſioners to direct Warrants to two of the moſt ſufficient Inhabitants of each Pariſh, &c. requiring them to be Aſſeſſors,

and to prefix the Aſſeſſors a Day and Place to bring in Certificates in writing of the Names of Perſons in the Limits, and of their Subſtances in ready Money, Debts, Goods, Chattels, or other Perſonal Eſtate, or in Offices or Imployments of Profit.

of all and every the Rates and Duties by this Act impoſed, and ſhall therein alſo appoint and prefix a certain Day and Place for the ſaid Aſſeſſors to appear before them, and to bring in their Certificates in Writing of the Names and Sirnames of every Perſon dwelling and reſiding within the Limits of thoſe Places with which they ſhall be charged, and of the Subſtance and Values of every of them in ready Money, Debts, Goods, Chattels or other perſonal Eſtate whatſoever (except before excepted) or in publick Offices or Imployments of Profit. And the ſaid Aſſeſſors are therein alſo to be required, and are hereby injoined to aſcertain and inform themſelves, by all lawful Ways and Means they can, of the true and full yearly Value of all Manors, Meſſuages, Lands, and Tenements, as alſo of all Quarries, Mines of Coal, Tin or Lead, Copper, Mundick or other Mines, Iron Works, Salt Springs, and Salt Works, Allom Mines and Works, Parks, Chaſes, Warrens, Woods, Under-woods and Coppices, and all Fiſhings, Tythes, Tolls, Annuities and other yearly Profits, and of all Hereditaments of what Nature or Kind ſoever ſituate, lying and being, happening or ariſing within the Limits of thoſe Places with which they ſhall be charged: And being ſo thereof aſcertained, they are to aſſeſs all and every the ſaid Manors, Meſſuages, Lands, Tenements and Premiſſes before appointed to be charged after the Rate of four Shillings for every twenty Shillings of the full yearly Value, as the ſame are let for, or worth to be let at the Time of aſſeſſing thereof, as aforeſaid, and to bring with them, at the Time and Place ſo as aforeſaid prefixed for their Appearance, a Certificate in Writing of the ſaid Aſſeſſment, and ſhall then alſo return the Names of Two or more able and ſufficient Perſons living within the Limits and Bounds of thoſe Pariſhes, Town-ſhips, Conſtablewicks or Places where they ſhall be chargeable reſpectively, to be Collectors of the Monies, to be paid to their Majeſties by this Act; for whoſe paying in to the Head Collector in Manner hereafter mentioned, ſuch Monies as they ſhall be charged withal, the Pariſh or Place wherein they are ſo imployed ſhall be anſwerable. And if any Aſſeſſor ſo, as aforeſaid, appointed or to be appointed ſhall neglect or refuſe to ſerve, or ſhall make Default at the Time appointed for his Appearance (not having a lawful Excuſe to be witneſſed by the Oaths of two credible Witneſſes, which the ſaid Commiſſioners or any two of them have Power to adminiſter) or ſhall not perform his Duty, every ſuch Aſſeſſor ſhall for every ſuch Neglect, Refuſal or Default, forfeit and loſe unto their Majeſties ſuch Sum as the Commiſſioners, or ſo many of them as ſhall be preſent, or the major Part of them ſhall think fit, not exceeding the Sum of twenty Pounds, nor under the Sum of ten Pounds, to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, in like manner, as by this Act is appointed for levying the ſeveral Rates and Aſſeſſments herein mentioned, in caſe of Neglect or Refuſal of Payment, and to be charged upon the reſpective Receivers General, together with the ſaid Rates and Aſſeſſments. And every Aſſeſſor ſo as aforeſaid appointed, or to be appointed, ſhall before he take upon him the Execution of the ſaid Imployment take the Oaths mentioned and required to be taken, by an Act made in the Parliament held in the firſt Year of their Majeſties Reign, entituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*, (which Oaths any two Commiſſioners in the County where the ſaid Aſſeſſment is to be made, have hereby Power, and are required hereby to adminiſter.)

The Aſſeſſors to inform themſelves by all lawful Ways of the full yearly Value of all Manors and Hereditaments.

And then to Aſſeſs after the Rate 4 s. per Pound, of the full yearly Value,

and to bring at the Time prefixed a Certificate of the Aſſeſſment,

and to return two or more able Perſons to be Collectors;

for whoſe Payment to the Head-collectors the Pariſh or Place to be anſwerable.

Aſſeſſors neglecting or refuſing to ſerve, or making default, forfeit a Sum not exceeding 20 l. or leſs than 10 l. to be levied by Diſtreſs and Sale of Goods, and to be charged upon the Receiver General, together with the Rates and Aſſeſſments.

Every Aſſeſſor before he acts to take the Oaths.

IX. And be it further enacted by the Authority aforeſaid, That the Rates and Aſſeſſments upon all ready Monies, Debts, Goods, Chattels, perſonal Eſtates, and publick Offices and Imployments of Profit, charged by this Act, ſhall be aſcertained, and the Certificates thereof returned to the Commiſſioners upon or before the eight and twentieth Day of *February* one thouſand ſix hundred ninety-two, unleſs the Commiſſioners ſhall think fit to give further Time: And alſo the Taxations and Aſſeſſments of the Pound-rate of four Shillings in the Pound of the yearly Value of all Manors, Meſſuages, Lands, Tenements, Hereditaments and Premiſſes charged by this Act, ſhall be made and aſcertained, and the ſeveral and reſpective Certificates thereof returned in to the Commiſſioners, upon or before the eight and twentieth Day of *February* aforeſaid, unleſs the Commiſſioners ſhall think fit to give further Time. And upon Return of any ſuch Certificate, the Commiſſioners, or any three or more of them, ſhall and may (if they ſee Cauſe) examine the Preſenters thereof. And if the ſaid Commiſſioners, or any three or more of them, within their ſeveral Limits, at the Time of the Return of the Certificates, as aforeſaid, or within twenty Days after, ſhall know, or have good cauſe to ſuſpect, That any Perſon or Perſons, or any the Manors, Meſſuages, Lands, or other the Premiſſes, which ought to be mentioned and charged in the ſaid Certificates, is or are omitted; or that any Perſon or Perſons in the ſaid Certificates mentioned, is or are of a greater Eſtate; or that any of the ſaid Manors, or other Premiſſes, are of a greater yearly Value than in the ſaid Certificate is mentioned, the ſaid Commiſſioners, or any three or more of them ſhall have Power to ſummon ſuch Perſon or Perſons, and the Owners or Poſſeſſors of ſuch Manors or other Premiſſes to appear before them at a Day and Place prefixed, to be examined touching the Matters aforeſaid. And if the Perſon or Perſons ſummoned, to be ſo examined, ſhall neglect to appear (not having a reaſonable

Certificates of the Aſſeſſments to be returned to the Courts before the 28th of February, unleſs Commiſſioners give further Time.

On return of the Certificates, the Commiſſioners or any three may examine the Preſenters.

If the Commiſſioners ſhall ſuſpect that any Perſons or Lands which ought to be charged are omitted,

or any Perſon of a greater Eſtate or Lands of a greater yearly Value than mentioned in the Certificates, Commiſſioners or any three or more have Power to ſummon ſuch Perſon and Owners of Lands to appear at a Day and Place prefixed to be examined touching the ſaid Matters.

Perſons ſummoned not appearing

reasonable Excuse for such his Default) every Person so making default, shall pay to their Majesties double the Sum he should or ought to have been Set at or rated. And moreover the Commissioners, or the major Part of so many of them as shall be present, shall have Power by all lawful Ways and Means to examine into the Estate of such Person, and the Value of such Premisses chargeable by this Act, and to set such Rate or Rates upon the same, as shall be according to the true Intent of this Act. And the said Assessors are hereby required to give one Copy of their Certificates or Assessments fairly written and subscribed by them unto the said Commissioners, by whom they were appointed. And the said Commissioners, or any two or more of them are hereby ordered and required to cause the said several and respective Assessments to them delivered (when by them approved of or altered, according to the true Intent of this Act) to be fairly written, and to sign and seal several Duplicates or Copies of the said Assessment; And one of them so signed and sealed forthwith to deliver, or cause to be delivered unto the Sub-collectors, and shall likewise deliver or cause to be delivered other Copies thereof so signed and sealed unto the Head-collectors and Receivers General, according to their several and respective Collections and Receipts. And moreover, the Commissioners shall cause a true Copy or Extract of the whole Sums assessed and charged within every hundred, Lathe, Wapentake, Parish, Ward, or Place, rated or assessed in pursuance of this Act, and of the whole Sums rated or assessed upon personal Estates, Offices, or Imployments, to be certified, and transmitted into their Majesties Court of Exchequer, under the Hands and Seals of any two or more of the Commissioners, but without naming the Persons in such their Certificates. And this the said Commissioners shall cause to be done upon or before the twentieth Day of *March* then next ensuing, or within thirty Days after (all Appeals to them made being first determined); and the King's Remembrancer in the Exchequer, for the Time being, shall, and is hereby required, within three Months after the Duplicates of the last Payment shall be transmitted to him to transcribe all the Schedules and Duplicates of the Sums returned to him from and for every respective County, Riding, City and Town, and every Hundred, Wapentake, Parish, Division, Town and Place therein, in a Book of Parchment in alphabetical Order, and in a fair legible Hand-writing; And within three Months after the same shall be so by him received, to transmit all and every the same Schedules and Duplicates to the Office of Writer of the Tallies, commonly called the Auditor of the Receipt of the Exchequer, who is hereby likewise authorized and required to enter the same in the like alphabetical Order in another Book of Parchment fairly written, to be provided for that Purpose.

(nor having a reasonable Excuse) to pay double the Sum he ought to be rated.

Commissioners or the major Part present have Power to examine into the Estate of such Person, and the Value of the Premisses, and to set such Rates according to the Intent of the Act.

Assessors to give on Copy of their Assessments to the Commissioners.

Commissioners to cause the same to be fairly written, and sign and seal Duplicates.

One to be delivered to the Sub-collectors.

Others to the Head-collectors and Receivers General.

Commissioners to cause an Extract of the whole Sums charged, &c. to be certified into the Exchequer before the twentieth Day of March, or within thirty Days after.

King's Remembrancer within three months to transcribe the Duplicates, &c.

and within three Months after to transmit the same to the Officers of the Receipt.

X. And be it further enacted by the Authority aforesaid, that the Commissioners, or any two or more of them shall issue out their Warrants or Estreats to the Subcollectors, under their Hands and Seals, thereby requiring them to levy and collect one fourth Part of the Rates and Assessments in respect of their personal Estates, Offices and Imployments, and also one fourth Part of the Pound Rate charged upon all Manors, Messuages, Lands, Tenements, and Hereditaments, and Premisses, as aforesaid. And the said Sub-collectors are hereby required and enjoined to levy and collect the same, according to the Duplicates thereof by them received, and according to the Intent and Directions of this Act; and to make Demand of the said Rates and Assessments upon personal Estates, Offices and Imployments, of the Parties themselves if they can be found, or otherwise at the Place of their last Abode; and to pay the same unto their respective Head-collectors, on or before the tenth Day of *March* one thousand six hundred ninety-two, or within twenty Days after. And the said Head-collectors are to hasten the said Sub-collectors, and in case the same shall not be collected by reason of Neglect or Failure of Duty of the said Sub-collectors, the said Head-collectors are to levy by Warrant under the Hands and Seals of any two or more of the said Commissioners, by Distress upon the Sub-collectors respectively, such Sum and Sums of Money, as by him and them ought to have been paid, and is or are not paid, by reason of his Failure in doing his Duty, according to the Directions of this Act. And every Head-collector is hereby required to make payment, of what shall be so levied or received, unto the Receiver General of the said County, City or Place, upon or before the twentieth Day of *March* aforesaid, or within twenty Days after. And the Receiver General is likewise required to call upon and hasten the said Head-collectors, and to pay what he shall receive from the said Head-collectors unto their Majesties Receipt of Exchequer, upon or before the five and twentieth Day of *March* aforesaid, or within twenty Days after, to the end that the first Payment of the said Rates and Assessments may by that Time be fully answered and paid in to their Majesties. And the Sub-collectors shall also levy the second quarterly Payment of the said Rates and Assessments, charged as aforesaid, upon or before the second Day of *June* then next ensuing, or within twenty Days after, and shall also pay the same in to the Head-collectors upon or before the ninth Day of *June* aforesaid, or within twenty Days after. And the said Head-collectors shall make Payment thereof to the Receiver General of the said County, City, or Place, upon or before

Commissioners to issue Warrants to the Sub-collectors for levying, &c.

Sub-collectors to levy and collect according to their Duplicates;

and make Demand of the Rates on personal Estates and Offices of the Parties themselves, if they can be found, to be paid to the Collectors before the 10th of March.

Head-collectors to hasten the Sub-collectors.

In case of Neglect of the Sub-collectors the Sums to be levied by Distress and Sale of Goods.

Head-collectors to pay in to Receiver General before the 20th of March.

Receiver to pay into the Receipt of the Exchequer before the 25th of March.

Times for the second quarterly Payment.

fore the ſixteenth Day of *June* aforeſaid, or within twenty Days after. And the ſaid Receiver General is alſo required to make Payment of all which he ſhall ſo receive into their Majeſties Receipt of Exchequer, upon or before the four and twentieth Day of *June* aforeſaid, or within twenty Days after; to the end that the ſecond Payment of the ſaid Rates and Aſſeſſments ſo charged, as aforeſaid, may by that Time be fully anſwered and paid in to their Majeſties.

Times for the third Quarterly Payment.

And the ſaid Sub-collectors are alſo required and enjoined to levy one other quarterly Payment of the ſaid Rates and Aſſeſſments charged, as aforeſaid, upon or before the fourth Day of *September* then next enſuing, and ſhall alſo pay the ſame unto the ſaid reſpective Head-collectors on or before the twelfth Day of *September* aforeſaid, or within twenty Days after. And the ſaid Head-collectors are to haſten the ſaid Sub-collectors; and in caſe the ſame ſhall not be collected by reaſon of Neglect or Failure of Duty in the ſaid Sub-collectors, the Head-collectors are to proceed againſt them by Diſtreſs in like Manner, and by like Warrant, as aforeſaid. And every Head-Collector is hereby required to make Payment of what ſhall be ſo levied or received unto the Receiver General of the ſaid County, City, or Place, upon or before the twentieth Day of *September* aforeſaid, or within twenty Days after. And the Receiver General is likewiſe required to call upon and haſten the ſaid Head-collectors, and to pay what he ſhall receive from the ſaid Head-collectors into their Majeſties Receipt of Exchequer, upon or before the nine and twentieth Day of *September* aforeſaid, or within twenty Days after, to the end that the third Payment of the ſaid Rates and Aſſeſſments may by that Time be fully anſwered and paid in to their Majeſties.

Times for the laſt quarterly Payment.

And the Sub-collectors ſhall alſo levy one other quatterly Payment of the ſaid Rates and Aſſeſſments charged, as aforeſaid, upon or before the ſecond Day of *December* then next enſuing, or within twenty Days after, and ſhall alſo pay the ſame unto the ſaid Head-collectors upon or before the ninth Day of *December* aforeſaid, or within twenty Days after. And the ſaid Head-collectors ſhall make Payment thereof to the Receiver General of the ſaid County, City, or Place, upon or before the ſixteenth Day of *December* aforeſaid, or within twenty Days after. And the ſaid Receiver General is alſo required to make Payment of all which he ſhall ſo receive into their Majeſties Receipt of Exchequer, upon or before the five and twentieth Day of *December* aforeſaid, or within twenty Days after; to the end that the fourth and laſt quarterly Payment of the ſaid Rates and Aſſeſſments ſo charged, as aforeſaid, may by that Time be fully anſwered and paid in to their Majeſties.

All Perſons concerned in the Execution of this Act to uſe Diligence, &c.

And all Commiſſioners, Collectors, and Receivers are hereby required and enjoined to apply themſelves with all Diligence to the moſt ſpeedy and effectual Execution of their ſeveral and reſpective Duties, and to uſe their utmoſt Endeavours that all Eſtates herein charged may equally pay the Rates and Aſſeſſments according to the Direction of this Act, that ſo their Majeſties Service herein may not be delayed or hindred through any of their wilful Neglect or Default.

Head-collector's Receipt a Diſcharge to the Sub-collector.

XI. And it is further enacted and declared by the Authority aforeſaid, That the Moneys received by the Sub-collectors, within their reſpective Diviſions or Hundreds, ſhall from Time to Time be duly paid to the Head-collectors, whoſe Receipt ſhall be a ſufficient Diſcharge unto every ſuch Sub-collector, which Sub-collector for gathering the ſaid particular Sums ſhall retain in his Hands for every twenty Shillings by him ſo paid three Pence, as a Reward for his Pains and Service.

Sub-collector to have three Pence in the Pound for what he receives.

And the Head-collectors ſhall accordingly pay over the ſaid Monies unto the Receiver General of each County, City, or Place reſpectively in Manner aforeſaid; (which Head-collector or Collectors ſhall be nominated and appointed by the Receiver General of the reſpective Counties, which ſaid Receiver General ſhall be anſwerable for all ſuch Sums of Money as ſhall be by him or them collected or received.

Head-collector to be appointed by Receiver.

And that no Sub-collector ſhall be inforced to travel above the Space of ten Miles for the Payment of the ſaid Monies that ſhall be by him collected or received; And the ſaid Receiver General's Acquittance ſhall be a ſufficient Diſcharge unto every ſuch Head-collector.

No Sub-collector to be forced to Travel above 10 Miles.

And the Receiver General ſhall pay the whole Sum by him received into the Receipt of their Majeſties Exchequer in ſuch Manner, and at or before ſuch Days and Times as are herein before limited; And ſhall have an Allowance of two Pence in the Pound for all Monies, which ſhall be by him paid into the Receipt of the Exchequer upon or before the Times prefixed in this Act.

XII. And for the careful writing and tranſcribing the ſaid Warrants, Certificates, Eſtreats and Duplicates in due Time, It is further enacted, That the Commiſſioners Clerks, who ſhall reſpectively perform the ſame, ſhall by Warrant under two or more of the Commiſſioners Hands, have and receive from the reſpective Receivers General, one Penny in the Pound of all ſuch Monies as he or they ſhall have received by Virtue of ſuch Warrants and Eſtreats, who are hereby appointed and allowed to pay the ſame accordingly.

Commiſſioners Clerks to have one Penny per Pound for writing the Warrants, &c.

And if any Perſon ſhall neglect or refuſe to pay the ſeveral Rates and Aſſeſſments, wherewith he is charged by this Act for or in reſpect of his perſonal Eſtate, Offices, or Imployments, and which he ought to pay; Or if the Pound-rate, or any Payment thereof ſo, as aforeſaid, charged upon any Manors, Meſſuages, Lands, Tenements, Hereditaments and Premiſſes,

ſhall

shall be neglected or refused to be paid, then upon Demand made by the Officer or Collector of the Place, according to the Precept or Estreat to him delivered by the said Commissioners, it shall and may be lawful to and for such Officer or Collector, and he and they is and are hereby required for Non-payment thereof to distrain the Person or Persons so refusing or neglecting to pay, by his or their Goods or Chattels, or to destrain upon the Messuages, Lands, Tenements and Premisses so charged, and the Goods and Chattels then and there found, and the Distress so taken, to keep by the Space of four Days at the Costs and Charges of the Owner thereof. And if the said Owner do not pay the Sum of Money due by this Act, within the said four Days, then the said Distress to be appraised by two or three of the Inhabitants where the said Distress is taken, and to be sold by the said Officer or Collector, for the Payment of the said Money, and the Overplus coming by the said Sale, if any be over and above the Charges, and of taking and keeping the Distress, to be immediately restored to the Owner thereof. And moreover it shall be lawful to break open in the Day-time any House, and upon Warrant under the Hands and Seals of any two or more of the said Commissioners, any Chest, Trunk, or Box, or other Things where such Goods are, calling to their Assistance the Constables, Tythingmen, or Headboroughs, within the Counties, Towns, or Places where any Refusal, Neglect or Resistance shall be made; which said Officers are hereby required to be aiding and assisting in the Premisses.

In case of Non-payment Collectors to distrain,

and to keep the Distress four Days at the Owner's Charge,

then to be appraised and sold, and the Overplus restored.

Lawful to break open Houses in the Day-time,

and by Warrant from two Commissioners any Chest, &c. calling to Assistance the Constables, &c.

XIII. And be it further enacted by the Authority aforesaid, That where any Person or Persons chargeable with any Rates or Assessments by this Act imposed shall be under the Age of one and twenty Years, in every such Case, the Parents, Guardians, or Tutors of such Infants respectively, upon Default of Payment by such Infants, shall be and are hereby made liable to and chargeable with the Payments which such Infants ought to have made; and if such Parents, Guardians or Tutors shall neglect or refuse to pay, as aforesaid, it shall and may be lawful to proceed against them in like manner, as against any other Person or Persons making default of Payment, as herein before appointed. And all Parents, Guardians or Tutors, making Payment, as aforesaid, shall be allowed all and every the Sums so paid for such Infants upon his and their Accounts. And the several and respective Tenants of all and every the Manors, Messuages, Lands, Tenements, Hereditaments and Premisses which by virtue of this Act shall be chargeable with any Pound-rates, as aforesaid, are hereby required and authorized to pay such Sum or Sums of Money as shall be rated upon such Manors, Messuages, Lands, Tenements, Hereditaments and Premisses, and to deduct out of their Rents so much of the said Rates, as in respect of the said Rents payable for such Manors, Messuages, Lands, Tenements, Hereditaments or Premisses the Landlord should and ought to bear. And all Landlords, both mediate and immediate (according to their respective Interests) are hereby required to allow such Deductions and Payments, upon receipt of the Residue of the Rents: And every Tenant, paying the said Assessments of the Pound-rates, shall be and is hereby acquitted and discharged for so much Money as the said Assessment shall amount unto, as if the same had been actually paid unto such Person or Persons unto whom his Rent should have been due and payable.

Parents and Guardians to pay the Rates imposed on Infants,

and upon Neglect or Refusal to be proceeded against as other Defaulters.

Sums paid to be allowed upon their Accounts.

Tenants to pay the Rates, and to deduct it out of their Rent to the Landlords.

XIV. And be it further enacted, That every Person rated or assessed for his Office or Imployment, shall be rated and pay for his said Office and Imployment in the County, City or Place where such Office or Imployment is executed. And every Person who is or shall be rated for or in respect of any personal Estate to him any way belonging, shall be rated at such Place where he or she shall be resident at the Time of the Execution of this Act. And all Persons not being Housholders, nor having a certain Place of Residence, shall be taxed at the Place where they shall be resident at the Time of the Execution of this Act. And if any Person who ought to be taxed by virtue of this Act, for or in respect of his personal Estate, shall at the Time of his Assessment be out of the Realm, such Person shall be rated therefore in such County, City or Place where he was last abiding within the Realm.

Persons to be rated for Offices at the Places where executed,

and for personal Estates where they shall be resident.

Persons not Housholders at the Place where they shall be resident at the Execution of the Act.

Person out of the Realm to be rated for personal Estate at the Place he was last resident within the Realm.

XV. Provided, That where any Person shall have any Goods, Wares, or Merchandizes in any County or Counties other than the County where he shall be resident, or had his last Residence, it shall be lawful to rate or assess such Person for such Goods, Wares and Merchandizes in the County or Counties where the same shall be; and every Person who shall be rated or assessed for or in respect of any Manors, Messuages, Lands, Tenements, or other the Premisses according to the Pound-rate of four Shillings as aforesaid, shall be rated and assessed in the Place where such Messuages, Manors, Lands, Tenements, Hereditaments and Premisses, respectively do lye, and not elsewhere.

Any Person having Goods, &c. in any County (other than the County wherein he lives) to be rated in the County where the Goods are.

Persons to be rated for Lands, &c. in the Place where such Lands lie.

XVI. Provided always, That if any Person or Persons by reason of his or their having several Mansion-houses, or Places of Residence, or otherwise shall be doubly charged by occasion of this Act, for or in respect of his or their personal Estate, then upon Certificate made by two or more of the Commissioners for the County, City, or Place of his or their last personal Residence, under their Hands and Seals, of the Sum or Sums charged upon him or them, and in what Capacity or Respect he or they were so charged (which Certificate the said Commissioners are required to give without Delay, Fee, or Reward) and upon Oath made of such Certificate before any one Justice of the Peace of the County or Place where the said Certificate shall be made (which Oath the said Justice of Peace is here-

Any Person in respect of several Places of Residence being doubly charged for his personal Estate upon Certificate and Oath thereof, to be discharged for so much.

by authorized and required to administer) then the Person and Persons so doubly charged, shall for so much as shall be so certified, be discharged in every other County, City or Place.

Any Person who by changing his Place of Residence or other Fraud, shall escape being taxed, upon Proof thereof to be doubly charged.

And if any Person that ought to be taxed by Virtue of this Act, for or in respect of his personal Estate, shall by changing his Place of Residence, or by any other Fraud or Covin, escape from the Taxation, and not be taxed, and the same be proved before the Commissioners, or any two of them, or before any two Justices of the Peace of the County where such Person dwelleth or resideth at any Time within one Year next ensuing after such Tax made, every Person that shall so escape from the Taxation and Payment, shall be charged (upon Proof thereof) at the double Value of so much as he should or ought to have been taxed at by this Act, the said double Value upon Certificate thereof made into the Exchequer by the Commissioners or Justices (before whom such Proof shall be made) to be levied of the Goods, Lands and Tenements of such Persons.

Every Housholder to give an Account of his Lodgers to the Assessors.

XVII. And for the better Discovery of personal Estates, Be it further enacted by the Authority aforesaid, That every Housholder shall upon the Demand of the Assessors of the respective Parishes or Places, give an Account of the Names and Qualities of such Persons as shall sojourn or lodge in their respective Houses.

Commissioners within their Division to rate each other for their personal Estates and Offices.

XVIII. And be it further enacted by the Authority aforesaid, That the Commissioners that shall be within any County, City, or Place within the respective Limits, or the major Part of them, shall rate, tax, and assess every other Commissioner joined with them, for, and in respect of the ready Money, Debts, Goods, Chattels, and personal Estate of such Commissioners, and also for and in respect of the Offices and Imployments of Profit, which at the Time of such Taxation shall be held and enjoyed by such Commissioners, so as the Residence and usual dwelling Place of such Commissioner so to be taxed, be within the Division of such Commissioner by whom he is taxed, and so as the Office or Imployment held and enjoyed by such Commissioner so to be taxed, be likewise to be exercised within the Division or Limits of such Commissioner by whom he is to be taxed. And the Commissioners within their Division, shall also assess every Assessor within their Division, for all and singular the Premisses for which by this Act he ought to be rated and assessed, and as well all Sums assessed upon every the said Commissioners and Assessors as the Assessments made and set by the Assessors aforesaid, shall be written, estreated, levied and gathered as the same should and ought to have been, if such Commissioners had not been named Commissioners.

Commissioners to assess the Assessors.

Every Person having a Share in the New-River, Thames, Hyde-Park, or Mary-bone Waters, or Profits arising thereby,

or any Interest in the King's Printing-house, to pay 4s. in the Pound.

XIX. And be it further enacted by the Authority aforesaid, That all and every Person and Persons having any Share or Shares, or Interests in any fresh Stream of Running-waters brought to the north Parts of *London*, commonly called, *The New River*, or in any *Thames* Water-works, or in the *Hyde-Park*, or *Mary-bone* Waters, or any Rents or Profits arising thereby, and all and every Person and Persons having any Share or Interest in the Stock or Stocks for printing of Books in or belonging to the House commonly called, *The King's Printing House*, shall pay for the same the Sum of four Shillings for every twenty Shillings of the full yearly Value thereof. And all and every Person and Persons having any Share or Shares, or Interest in the River-water brought to the North Part of *London*, or in any *Thames* Water-works, or the *Hyde-Park*, or *Mary-bone* Waters, or in any Rents or Profits arising thereby charged by this Act, and also the said Stock and Shares for Printing as aforesaid, shall be assessed for the same by the Commissioners nominated and appointed for the City of *London*, or any three of them, after the Rates herein contained: And the same shall be paid to such Person or Persons as the said Commissioners shall appoint by the the Treasurers or Receivers of the said River-waters, and Water-works, and Stock for Printing, and to be deducted at and out of their next Dividend.

Every Person having Share or Interest in the said New-River-Water, Thames, Hyde-Park, or Mary-bone Waters,
and in the Stock for Printing,
shall be assessed by the Commissioners appointed for the City of London,
and the Sum to be paid by the respective Treasurers or Receivers.

Act not to extend to Inhabitants of Scotland, Ireland, Jersey or Guernsey for personal Estates in those Places.

XX. Provided also, That this Act shall not extend to the Inhabitants of *Scotland*, *Ireland*, *Jersey*, or *Guernsey*, for and concerning any such personal Estate, which they or any to their Use have within the said Kingdoms and Islands. And if any Person or Persons certified, assessed, or rated for or in respect of any real or personal Estate, or for or in respect of any Matter or Thing for which by this Act he or they is or may be rated or charged, do find him or themselves aggrieved with such Assessing or Rating, and do within ten Days after Demand thereof made, complain to the Commissioners, the said Commissioners, or any five or more of them, so as the major Part of the Commissioners, who signed or allowed his or their Rates be present, shall and may within ten Days next after such Complaint, particularly examine any Person or Persons upon his or their Oath, touching the Value of his or their real or personal Estate, and other the Matters aforesaid; and upon due Examination or Knowledge thereof abate, defalk, increase or enlarge the said Assessment; and the same so abated, increased, or enlarged shall be levied, and shall be certified or estreated into the Exchequer, in Manner aforesaid. And to that End the said Commissioners are hereby required to meet together for the determining of such Complaints and Appeals accordingly, and for this End to express in their Warrants to the Collectors the Times and Places for determining Appeals, and Appeals once heard and determined to be final without any further Appeal upon any Pretence whatsoever.

Any Person assessed finding himself aggrieved may appeal.

The major Part of the Commissioners who signed the Rate shall within ten Days after such Appeal examine the Person upon Oath, and abate or increase their Assessment.

Commissioners required to meet together for determining Appeals.

XXI. And it is further enacted by the Authority aforesaid, That if any Assessor, Collector, Receiver, or other Person appointed by the Commissioners, shall wilfully neglect or refuse to perform his Duty in the due and speedy Execution of this Act; or if any Assessor shall wittingly or knowingly under-rate or assess at an under Value, any Person or Thing chargeable by this Act, the said respective Commissioners, or any three or more of them may and shall by virtue of this Act, impose on such Person and Persons so refusing, neglecting, or not performing their Duties, any Fine, not exceeding the Sum of twenty Pounds, nor under the Sum of ten Pounds for every Offence; which said Fine shall not be taken off, or discharged, but by the Consent of the Majority of the Commissioners who imposed the same; the said Fines to be levied and certified, as aforesaid, into their Majesties Court of Exchequer, and charged upon the respective Receivers General amongst the rest of the Rates aforesaid. And the said Commissioners, or any two or more of them, may and shall from Time to Time call for and require an Account from the respective Receivers General, of all the Monies received by him of the said Head-collectors, and of the Payment thereof into their Majesties Receipt of Exchequer, according to the Direction of this Act. And in case of any Failure in the Premisses the said Commissioners, or any two or more of them are hereby required to cause the same to be forthwith levied and paid according to the true Intent and Meaning of this Act.

Any Assessor Collector, Receiver, wilfully neglecting or refusing to do his Duty,

Commissioners or any three shall impose a fine not exceeding 20l. nor under 10l.

Any two of the Commissioners may require an Account from the Receivers General.

XXII. And it is hereby enacted and declared, That in case any Controversy arise concerning the said Assessments, or the dividing, apportioning or Payment thereof, which concerns any the Commissioners by this Act appointed, That the Commissioners so concerned in the said Controversy, shall have no Voice, but shall withdraw at the Time of the Debate of any such Controversy, until it be determined by the rest of the Commissioners: And in default thereof, That the Commissioners then present shall have Power, and are hereby required to impose such Fine or Fines, as to them shall be thought fit, upon such Commissioners so refusing to withdraw, not exceeding the Sum of twenty Pounds; and to cause the same to be levied and paid, as other Fines to be imposed by virtue of this Act are to be levied and paid. And all Questions and Differences that shall arise touching any of the said Rates, Taxes, Assessments or Levies shall be heard and finally determined by the Commissioners, in such Manner as by this Act is directed, upon Complaint thereof to them made by any Person or Persons thereby grieved, without further Trouble, or Suit in the Law. And the said Receivers General shall give Acquittances *(gratis)* to the said Head-collectors, for all Monies of them received: And the said Head-collectors shall also give Acquittances *(gratis)* to the Sub-collectors for all such Monies as shall be paid them in pursuance of this Act: And the said Sub-collectors shall make and deliver to the said Head-collectors a perfect Schedule fairly written in Parchment under their Hands and Seals, signed and allowed by any two or more of the respective Commissioners, containing the Names, Sirnames and Places of Abode of every Person within their respective Collections, that shall make default of Payment of any of the Sums that shall be rated or assessed on such Person by virtue of this Act, where no sufficient Distress is to be found, and not otherwise, and the Sum and Sums charged on every such Person: The same Schedule to be delivered by the Head-collector, to the Receiver General of the County, City, or Place respectively, to be by him returned into their Majesties Court of Exchequer, whereupon every Person so making default of Payment may be charged by Process of the said Court, according to the Course of the Court of Exchequer in such Cases.

If any Controversy arise concerning the Assessing the Commissioners, the Commissioners concerned to withdraw during the Debate.

And in default the Commissioners present may set a Fine not exceeding 20l.

All Questions and Differences to be determined by the Commissioners.

Receivers General to give the Head-collectors Receipt gratis.
Head-collectors to give Receipts gratis to the Sub collectors.
Sub-collectors shall deliver a Schedule to the Head collectors of those that make default of Payment where there is no Distress.

Which Schedule is to be delivered to the Receivers General.

XXIII. And be it further enacted by the Authority aforesaid, That no Letters Patents granted by their Majesties or any of their royal Progenitors, to any Person or Persons, Cities, Boroughs, or Towns-corporate within this Realm, of any Manner of Liberties, Privileges, or Exemptions from Subsidies, Tolls, Taxes, Assessments, or Aids, shall be construed or taken to exempt any Person or Persons, City, Place, Borough, or Town-corporate, or any of the Inhabitants of the same, or in the Tower of *London*, from the Burthen and Charge of any Sum or Sums of Money granted by this Act; but that all and every such Person and Persons, City, Place, Borough and Town-corporate, shall pay their Proportions of all Rates and Assessments by this present Act imposed; any such Letters Patents Grants or Charters, or any Clause of *Non Obstante* Matter or Thing therein contained, or any Law, Statute, Custom or Prescription to the contrary notwithstanding.

No Privilege of Exemption from Subsidies &c. shall extend to Rates granted by this Act.

XXIV. Provided also, That no Person inhabiting in any City, Borough, or Town-coporate, shall be compelled to be an Assessor, or Collector of or for any Part of the Rates and Assessments hereby granted in any Place or Places out of the Limits of the said City, Borough, or Town-corporate.

Inhabitants in Cities, Boroughs or Towns-corporate, not compellable to be Assessors or Collectors out of the Limits.

XXV. Provided, That nothing contained in this Act shall extend to charge any College or Hall in either of the two Universities, or the Colleges of *Windsor*, *Eaton*, *Winton*, or *Westminster*, or the Corporation of the Governors of the Charity for Relief of poor Widows and Children of Clergymen, or the College of *Bromley*, or any Hospital, for or in respect of the Scites of the said Colleges, Halls, or Hospitals, or any Master, Fellow, or Scholar of any such College or Hall, or any Reader, Officer or Minister of the said Universities,

Act not to charge the Societies of Colleges or Halls in the Universities, &c.

Or any Reader, Officer or Miniſter in the Univerſities Colleges or Halls, or the Maſters or Uſhers of Schools for their Stipends, or the Houſes or Lands of Chriſt's Hoſpital, &c.

verſities, Colleges or Halls, or any Maſter or Uſher of any School, for or in reſpect of any Stipend, Wages, or Profits whatſoever ariſing or growing due to them in reſpect of the ſaid ſeveral Places and Imployments in the ſaid Univerſities, Colleges, or Schools, or to charge any of the Houſes or Lands belonging to *Chriſt's Hoſpital*, *St. Bartholomew's*, *Bridewell*, *St. Thomas*, and *Bethlehem* Hoſpital in the City of *London*, and Borough of *Southwark*, or any of them, or the ſaid Corporation of the Governors of the Charity for Relief of poor Widows and Children of Clergymen, or the College of *Bromley*, nor to extend to charge any other Hoſpital or Almſhouſes, for or in reſpect only of any Rents or Revenues payable to the ſaid Hoſpitals or Almſhouſes, being to be received and diſburſed for the immediate Uſe and Relief of the Poor in the ſaid Hoſpitals or Almſhouſes only.

or of any Hoſpital or Almſhouſe, in reſpect only of the Rents to be received for the immediate Relief of the Poor therein.

Tenants of Hoſpitals to be rated for what the Lands are worth above the Rents reſerved.

XXVI. Provided, That no Tenants of any Lands or Houſes by Leaſe or Grant from the ſaid Corporation or any of the ſaid Hoſpitals or Almſhouſes do claim or enjoy any Freedom or Exemption by this Act, but that all the Houſes and Lands which they ſo hold, ſhall be rated and aſſeſſed for ſo much as they are yearly worth over and above the Rents reſerved and payable to the ſaid Corporation, or to the ſaid Hoſpitals or Almſhouſes, to be received and diſburſed for the immediate Support and Relief of the Poor in the ſaid Hoſpitals and Almſhouſes.

Inhabitants in Cities and Towns-corporate, dwelling in one Pariſh or Ward, and having Goods in another, to be aſſeſſed where they dwell.

XXVII. Provided alſo, That where any Perſon inhabiting within the City of *London*, or any other City, or Town-corporate hath his dwelling Houſe in one of the Pariſhes and Wards therein, and hath any Goods, Wares, or Merchandiſes chargeable by this Act, in one or more of the other Pariſhes or Wards in the ſame City, that then ſuch Perſon ſhall be charged, taxed and aſſeſſed for ſuch his Goods and Merchandiſes in the Pariſh or Ward where he dwelleth, and not elſewhere in the ſaid City.

All Places to be aſſeſſed in ſuch County, Diviſion or Place where uſually aſſeſſed.

XXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That for the avoiding all Obſtructions and Delays in aſſeſſing and collecting the Sums which by this Act are to be rated and aſſeſſed, all Places, Conſtablewicks, Diviſions and Allotments, which have uſed to be rated and aſſeſſed, ſhall pay and be aſſeſſed in ſuch County, Hundred, Rape, Wapentake, Conſtablewick, Diviſion, Place, and Allotment, as the ſame hath heretofore uſually been aſſeſſed in, and not elſewhere.

Where Lands or Houſes are unoccupied, and no Diſtreſs nor the Perſon of the Owner to be found, the Name of the Owner to be certified into the Exchequer:

XXIX. Provided always, and be it further enacted, That in caſe any Lands or Houſes in any Pariſh or Conſtablewick ſhall lie unoccupied, and no Diſtreſs can be found on the ſame, nor the Perſon of the true Owner or Proprietor can be found within the County wherein ſuch Houſe or Land lieth, by reaſon whereof the Rate and Aſſeſſment upon ſuch unoccupied Houſe and Lands cannot be levied, that then upon Complaint made thereof to the Commiſſioners for the County, where ſuch Caſe ſhall happen to be, the ſaid Commiſſioners, or any two or more of them, ſhall certify into their Majeſties Court of Exchequer, the Name of the Perſon whoſe Lands or Houſe ſo lieth unoccupied, together with the Sum thereupon aſſeſſed, and the Pariſh or Place where ſuch Land or Houſe lieth; which Certificate is hereby declared to be a ſufficient Charge upon the Perſon and Land or Houſe therein named, and ſhall make the Perſon Debtor to their Majeſties for the Sum ſo aſſeſſed. And the Court of Exchequer ſhall iſſue out Proceſs thereupon againſt the Body, Goods and all other the Lands of ſuch Debtor, until the Sum ſo aſſeſſed be fully and actually levied and paid to their Majeſties.

Which Certificate is to be a Charge, and Proceſs to iſſue againſt the Body, Lands and Goods.

Commiſſioners to examine touching the full Payment of the Sums.

XXX. And it is hereby further enacted and declared, That at the Expiration of the reſpective Times in this Act preſcribed for the full Payment of the ſeveral and reſpective Rates and Aſſeſſments herein before granted, the ſeveral and reſpective Commiſſioners, or any two or more of them within their Diviſion and Hundred, ſhall and are hereby required to call before them the Chief-collectors and Sub-collectors within each reſpective Diviſion and Hundred, to examine and aſſure themſelves of the full and whole Payment of the particular Sum and Sums of Money charged within and upon the ſaid Diviſion and Hundred, and every Pariſh and Place therein, and of the due Return of the ſame into the Hands of the Receiver General of the ſaid County, City, Town and Place reſpectively; and by ſuch Receiver General, to the Receipt of their Majeſties Exchequer, to the End there may be no Failure in the Payment of any Part of the Rates and Aſſeſſments which by this Act ought to be levied and paid. And in caſe of any Failure in the Premiſſes, the Commiſſioners, or any two of them, are to cauſe the ſame forthwith to be levied and paid according to the true Intent and Meaning of this Act.

If any Action be proſecuted for any Thing done in purſuance of this Act, the Defendant may plead the general Iſſue, and give this Act, and the ſpecial Matter in Evidence.

If the Plaintiff be nonſuit, or Verdict paſs againſt him, the Defendant ſhall recover treble Coſts.

XXXI. And be it further enacted by the Authority aforeſaid, That if any Action, Suit, Plaint, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for whatſoever he or they ſhall do in purſuance or in Execution of this Act, ſuch Perſon or Perſons ſo ſued in any Court whatſoever, ſhall and may plead the general Iſſue, Not guilty; and upon any Iſſue joined, may give this Act, and the ſpecial Matter in Evidence. And if the Plaintiff or Proſecutor ſhall become nonſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if a Verdict ſhall paſs againſt him, the Defendants ſhall recover their treble Coſts, for which they ſhall have the like Remedy as in caſe where Coſts by Law are given to the Defendants.

XXXII.

XXXII. Provided always and be it enacted, That every Rate, Tax, or Aſſeſſment which ſhall be made or impoſed by virtue of this Act, in reſpect of any Houſe or Tenement which an Ambaſſador, Reſident, Agent, or other publick Miniſter of any foreign Prince or State, now doth or ſhall hereafter inhabit or occupy, ſhall be paid by the Landlord or Owner of the ſaid Houſes or Tenements reſpectively.

*Aſſeſſments on Houſes where foreign Miniſters ſhall be reſident, ſhall be paid by the Landlord or Owner.*

XXXIII. And be it further enacted by the Authority aforeſaid, That in all privileged and other Places, being ex raparochial or not, within any the Conſtablewicks or Precincts of the reſpective Aſſeſſors, to be appointed by virtue of this Act, (although in any Monthly or other Tax they have not been aſſeſſed or rated heretofore) the ſaid Commiſſioners or any two or more of them, ſhall and are hereby required to nominate and appoint two fit Perſons living in or near the ſaid privileged or other Places, as aforeſaid, to be Aſſeſſors for the ſaid Places, and to make and return their Aſſeſſments, in like Manner as by this Act is appointed, in any Pariſh, Tything, or Place; and alſo to appoint one or more Collectors, who are hereby required to collect and pay the ſame according to the Rates appointed by this Act for the collecting and paying all Sums of Money payable by this Act.

*In all extraparochial and privileged Places, the Commiſſioners, or any two, are required to nominate two Perſons in or near the ſaid Places to be Aſſeſſors,*

*and to appoint one or more Collectors.*

XXXIV. Provided always, That nothing in this Act contained, ſhall be conſtrued to alter, change, determine, or make void any Contracts, Covenants, or Agreements whatſoever between Landlord and Tenant, or others touching the Payment of Taxes or Aſſeſſments; any Thing herein before contained to the contrary notwithſtanding.

*Nothing in this Act to make void Contracts between Landlord or Tenant or others, touching Payment of Taxes.*

XXXV. Provided always, and be it further enacted by the Authority aforeſaid, That no Commiſſioner or Commiſſioners who ſhall be employed in the Execution of this Act, ſhall be liable for or by reaſon of ſuch Execution, to any of the Penalties mentioned in the Act made in the five and twentieth Year of the Reign of King *Charles* the Second, for the preventing of Dangers which may happen from Popiſh Recuſants.

*No Commiſſioners ſhall be liable to the Penalties in the Act of 25 Car. 2. touching Popiſh Recuſants.*

XXXVI. Provided always, and be it enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act before he ſhall have taken the Oaths appointed by an Act of Parliament made in the firſt Year of their Majeſties Reign, intituled, *An Act for abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*; which Oaths it ſhall be lawful for any two or more Commiſſioners to adminiſter, and are hereby required to adminiſter to any other Commiſſioner.

*No Commiſſioners ſhall be capable to act before he have taken the Oaths in the Act 1 W. & M. for abrogating the Oaths of Allegiance and Supremacy, &c.*

*Which Oaths any two or more of the Commiſſioners are required to adminiſter.*

XXXVII. And be it further enacted by the Authority aforeſaid, That every Papiſt, or reputed Papiſt being of the Age of ſixteen Years or upwards, who ſhall not have taken the Oaths mentioned, and required to be taken by the ſaid laſt mentioned Act, ſhall yield and pay unto their Majeſties double the Sums and Rates which by Force or Virtue of any Clauſe in this Act before mentioned, or contained, he or ſhe ſhould or ought to pay or be charged with (that is to ſay) For every hundred Pounds of ready Money and Debts, and for every hundred Pounds worth of Goods, Wares, Merchandiſes, Chattels, or perſonal Eſtate, the Sum of eight and forty Shillings; and ſo after that Rate for every greater or leſſer Quantity; and for every twenty Shillings of the full yearly Value of any Manors, Meſſuages, or other Hereditaments or Premiſſes charged by this Act, which he or ſhe ſhall have or hold, the Sum of eight Shillings to be aſſeſſed, levied and collected, anſwered, recovered, and paid in ſuch Manner, by ſuch Ways and Means, and according to ſuch Rules and Directions, and under ſuch Penalties and Forfeitures, as are before in this Act expreſſed or appointed for and concerning the above mentioned Rates and Sums, which are hereby intended to be doubled, as aforeſaid.

*Every Papiſt of the Age of 16 or upwards, not having taken the Oaths in the laſt mentioned Act, ſhall pay double what otherwiſe he ſhould have paid.*

XXXVIII. Provided nevertheleſs, That if any ſuch Papiſt or reputed Papiſt within ten Days after the firſt Meeting of the ſaid Commiſſioners in the reſpective Counties or Places, where he or ſhe ought to be taxed or aſſeſſed, according to the Intent of this preſent Act, ſhall take the ſaid Oaths, before two or more of the ſaid Commiſſioners (which Oaths the ſaid Commiſſioners are hereby impowered to adminiſter) That in ſuch caſe he or ſhe ſhall not be liable to be doubly aſſeſſed, as aforeſaid.

*Unleſs within ten Days after the Meeting of the Commiſſioners, he ſhall take the Oaths.*

XXXIX. And be it further enacted by the Authority aforeſaid, That every Perſon being of the Age of ſixteen Years, or upwards, and being within this Realm at the Time of the Execution of this Act, who ſhall not before that Time have taken the ſaid Oaths mentioned and required to be taken by the ſaid Act, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*; and upon Summons by Warrant under the Hand and Seal of one or more of the Commiſſioners appointed by this Act, ſhall refuſe to take the ſaid Oaths at the Time appointed in the ſaid Warrant, or ſhall neglect to appear at ſuch Times before the Commiſſioners in order to take the ſaid Oaths, (which Oaths the ſaid Commiſſioners, or any two or more of them are hereby impowered and required to adminiſter) ſhall yield and pay unto their Majeſties double the Sums and Rates which by force or virtue of any Clauſe in this Act before mentioned or contained he or ſhe ſhould or ought to pay, or be charged with, in manner as is before in this Act appointed touching Papiſts or reputed Papiſts.

*Every Perſon of 16 Years of Age, who ſhall not have taken the Oaths before the Time of the Execution of the Act being ſummoned,*

*ſhall refuſe to take the Oaths, or neglect to appear before the Commiſſioners in order to take the ſaid Oaths,*

*ſhall pay double the Rates he otherwiſe ought.*

XL.

Every Gentleman, or ſo reputed, &c. who by the Act 3 W. & M. for the quarterly Poll, did or ought to have paid double, or to have been returned into the Exchequer for Non-payment, who ſhall not voluntarily appear before the Commiſſioners within ten Days after their firſt Meeting, and take the Oaths,

XL. And be it further enacted by the Authority aforeſaid, That every Gentleman, or ſo reputed, or owning, or writing himſelf ſuch, or being above that Quality, and under the Degree of a Peer of this Realm, who by Virtue of an Act made in the third Year of their Majeſties Reign, intituled, *An Act for raiſing Money by a Poll payable quarterly for one Year, for carrying on a vigorous War againſt* France, did pay or ought to have paid double the Sums charged by the ſaid Act, or were, or ought to have been returned into the Exchequer for Non-payment thereof, who ſhall not voluntarily appear before the ſaid Commiſſioners, or any three or more of them, within ten Days after the firſt Meeting of the ſaid Commiſſioners in the reſpective Place or Places where he ought to be taxed or aſſeſſed, and take the ſaid Oaths, appointed by the ſaid Act made in the firſt Year of their Majeſties Reign (which Oath the ſaid Commiſſioners, or any three or more of them are hereby impowered and required to adminiſter, and to make an Entry or *Memorandum* thereof in ſome Book to be kept for that Purpoſe); ſuch Perſon ſhall be charged with, and pay double the Sums which by force or virtue of this Act he ſhould or ought to have paid; the ſaid double Rates to be aſſeſſed, levied, collected, anſwered, recovered and paid in ſuch Manner, by ſuch Ways and Means, and according to ſuch Rules and Directions, and under ſuch Penalties and Forfeitures, as are before in this Act expreſſed or appointed for and concerning the above mentioned Rates and Sums, which are hereby intended to be doubled, as aforeſaid.

ſuch Perſon ſhall pay double.

Commiſſioners upon Information or Suſpicion are required to ſummon the Perſon ſuſpected to appear and take Oaths.

XLI. And be it further enacted, That any one or more of the Commiſſioners appointed by this Act, upon Information given, or upon any Cauſe of Suſpicion in that behalf, ſhall and are hereby required and enjoyned to cauſe every Perſon ſuſpected, or againſt whom ſuch Information ſhall be given, to be ſummoned to appear and take the ſaid Oaths as aforeſaid.

Quakers inſtead of the Oaths, to make and ſubſcribe the Declaration of Fidelity 1 W. & M.

XLII. Provided nevertheleſs, That whereas certain Perſons, Diſſenters from the Church of *England*, commonly called Quakers, and now known to be ſuch, do ſcruple the taking of an Oath, It ſhall be ſufficient for every ſuch Perſon to make and ſubſcribe the Declaration of Fidelity contained in an Act made in the Parliament held in the firſt Year of their Majeſties Reign, intituled, *An Act for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of* England, *from the Penalties of certain Laws*; Which Declaration any two or more of the Commiſſioners appointed for the Execution of this Act are hereby impowered and required to take; and every ſuch Perſon ſo doing, ſhall not be liable to or chargeable with any of the double Rates aforeſaid.

and ſuch Perſon ſo doing, ſhall not be chargeable with double Rates.

No Perſon liable to the Pound rate, whoſe Lands are not of the yearly Value of 20 s.

XLIII. Provided, That no poor Perſon ſhall be charged with, or liable to the Pound-rate impoſed by this Act, upon Lands, Tenements or Hereditaments, whoſe Lands, Tenements or Hereditaments are not of the yearly Value of twenty Shillings in the whole.

Chancery Officers within the Liberty of the Rolls ſhall be there aſſeſſed.

XLIV. Provided always, That the Right Honourable the Maſter of the Rolls, the Maſters of Chancery, ſix Clerks of the petty Bag, Examiners, Regiſters, Clerks of the Enrolment, Clerks of the Affidavits and Subpena-Office, and all others the Officers of the Court of Chancery that execute their Offices within the Liberty of the Rolls, ſhall be there aſſeſſed for their reſpective Offices, and not elſewhere.

If Collectors keep any Monies collected in their Hands,

or pay any Part thereof, other than to the Head-collectors, or Receiver General ſhall forfeit 10 l.

Head-collectors for the like Offence ſhall forfeit 40 l.

XLV. And be it further enacted, That if any Collector of any Pariſh or Place ſhall keep in his Hands any Part of the Money, by him collected, for any longer Time than is by this Act directed (other than the Allowance made unto him by this Act) or ſhall pay any Part thereof to any Perſon or Perſons other than to the Head-collector or Receiver General of ſuch County or Place, or his reſpective Deputy, that every ſuch Collector ſhall forfeit for every ſuch Offence the Sum of ten Pounds; and in caſe any Head-collector ſhall keep in his Hands any Part of the Money paid to him by any Collector by virtue of this Act for any longer Time than is by this Act directed, or ſhall pay any Part thereof, to any Perſon or Perſons other than the Receiver General of ſuch County or Place, or his Deputy, every ſuch Head-collector ſhall forfeit for every ſuch Offence the Sum of forty Pounds. And in caſe any Receiver General, or his Deputy, ſhall pay any Part of the Monies paid to him or them by any Collector or Head-collector, by virtue of this Act, to any Perſon or Perſons whatſoever other than the Receipt of their Majeſties Exchequer, and at or within the reſpective Times limited by this Act; or in caſe ſuch Receiver General, or his Deputy, ſhall pay any Part of the ſaid Monies by any Warrant of the Commiſſioners of the Treaſury, or Lord Treaſurer, Under-Treaſurer or Commiſſioners of the Treaſury for the Time being, or upon Tally of *pro* or Tally of *Anticipation*, or other Way or Device whatſoever, whereby to divert or hinder the actual Payment thereof into the Receipt of Exchequer as aforeſaid; that then ſuch Receiver General ſhall for every ſuch Offence of himſelf or his Deputy Forfeit the Sum of one thouſand Pounds to him or them that ſhall ſue for the ſame in any Court of Record, by Bill, Plaint, or other Information, wherein no Eſſoin, Protection or Wager of Law is to be allowed.

Receiver General for the like Offence ſhall forfeit 1000 l.

Commiſſioners of the Treaſury, or Lord Treaſurer not to direct Warrant for Payment of any the Mo-

XLVI. And it is hereby further enacted, That the Commiſſioners of the Treaſury, or the Lord Treaſurer, under-Treaſurer, or Commiſſioners of the Treaſury for the Time being, or any of them, do not direct any Warrant to any of the ſaid Collectors, Head-collectors,

lectors, or Receiver General, or their Deputies, for the Payment of any Part of the Monies h reby given to any Perſon or Perſons other than into the Receipt of the Exchequer, as aforeſaid; nor ſhall they, or any of them direct any Warrant to the Officers of the Exchequer for the ſtriking of any Tally of *pro*, or Tally of *Anticipation*, nor do any other Matter or Thing whereby to divert the actual Payment of the ſaid Monies into the Receipt of the Exchequer; nor ſhall the Officers of the Exchequer ſtrike, or direct, or record the ſtriking of any Tally of *pro*, or Tally of Anticipation upon any of the ſaid Monies upon any Account or Warrant whatſoever; nor ſhall any Teller throw down any Bill whereby to charge himſelf with any of the ſaid Monies, until he ſhall have actually received the ſame.

nies otherwiſe than into the Exchequer,

or to the Officers of the Exchequer, for ſtriking any Tally of Pro or Tally of Anticipation,

nor ſhall the Officers of the Exchequer ſtrike any ſuch Tally.

XLVII. Provided alſo, and be it enacted, That no Stay of Proſecution upon any Command, Warrant, Motion, or Order, or Direction by *Non vult ulterius proſequi*, ſhall be had, made, admitted, received, or allowed by any Court whatſoever in any Suit or Proceeding by Action of Debt, Bill, Plaint, or Information, or otherwiſe, for the Recovery of all or any the Pains, Penalties, or Forfeitures upon any Perſon or Perſons by this Act inflicted, or therein mentioned, or for, or in order to the Conviction or Diſability of any Perſon offending againſt this Act.

No *nolli proſequi* or other Stay of Proſecution in any Suit againſt Offenders.

XLVIII. Provided always, and be it further enacted by the Authority aforeſaid, That all and every the Manors, Meſſuages, Lands, Tenements and Hereditaments charged by this Act, ſhall be rated and aſſeſſed at leaſt at double the Sum at which the ſame was, or were aſſeſſed by virtue of an Act of Parliament made in the firſt Year of their Majeſties Reign, entituled, *An Act for a Grant to their Majeſties of an Aid of two Shillings in the Pound for one Year*.

Lands, &c. to be aſſeſſed at leaſt at double what they were aſſeſſed to by the 2s. Act.

XLIX. Provided always, That if any Perſon or Perſons ſo charged or aſſeſſed at leaſt at double the Sum, as aforeſaid, ſhall upon Complaint made to the Commiſſioners in ſuch Manner, and within ſuch Time as is herein before directed in Caſes of Appeals, make it appear to the ſaid Commiſſioners, or any five of them, by Proof upon Oath, that ſuch Aſſeſſment doth exceed four Shillings for every twenty Shillings of the full yearly Value, in ſuch Caſe, upon ſuch Proof, and due Examination thereof, the ſaid Commiſſioners are hereby impowered to abate and leſſen the ſaid Aſſeſſment ſo much as the ſame ſhall exceed four Shillings for every twenty Shillings of the true yearly Value, and no more.

Commiſſioners impowered to abate, on Proof that Lands are charged above 4s. in the Pound.

L. Provided always, and be it enacted, That if any Perſon hereby named a Commiſſioner ſhall preſume to act as a Commiſſioner in the Execution of this Act, before he ſhall have taken the Oaths which by this Act he is required to take, and in the Manner hereby preſcribed, he ſhall forfeit to their Majeſties the Sum of five hundred Pounds.

Commiſſioners acting before taking the Oaths forfeit 500l.

LI. Provided alſo, and be it enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act for any County or Riding, or the Cities of *London* or *Weſtminſter*, unleſs he was aſſeſſed, and did pay to their Majeſties the Sum of twenty Shillings quarterly towards the Rates and Aſſeſſments granted by an Act made in the laſt Seſſion of this preſent Parliament, intituled, *An Act for raiſing Money by a Poll payable Quarterly for one Year, for the carrying on a vigorous War againſt* France. And alſo that no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act for any other City, or in any Borough, Town or Cinque-Port, or the Counties thereof reſpectively, unleſs he was aſſeſſed and did pay to their Majeſties the Sum of twenty Shillings quarterly, as aforeſaid, or was aſſeſſed, and did pay to their Majeſties the Sum of ten Shillings quarterly (as a Tradeſman worth three hundred Pounds) towards the ſaid quarterly Poll.

No Perſon capable of acting as a Commiſſioner in any County, or in London, or Weſtminſter, who did not pay 20s. a Quarter to the quarterly Poll.

No Perſon capable of acting as a Commiſſioner in any other Place, unleſs he was aſſeſſed and paid 20s. quarterly or 10s. quarterly.

LII. Provided nevertheleſs, That in caſe there ſhall not be a ſufficient Number of Commiſſioners for any City, Borough, Town or Cinque-Port (for which by this Act Commiſſioners are particularly appointed) capable of acting according to the Qualifications aforeſaid for putting this Act in Execution, that in every ſuch Caſe any of the Commiſſioners appointed for the County at large, within which ſuch Cities, Borough, Town, or Cinque-Port doth ſtand, or which is next adjoining thereto, may act as Commiſſioners in the Execution of this Act within ſuch City, Borough, Town, or Cinque-Port.

In caſe there be not Commiſſioners enough ſufficiently qualified for any City or Town, the Commiſſioners for the County at large may act.

LIII. Provided alſo, and be it further enacted, That in caſe there ſhall not be a ſufficient Number of the Perſons nominated to be Commiſſioners for any County, who ſhall be capable of acting as Commiſſioners according to the Qualifications in this Act before mentioned, that in every ſuch Caſe, it ſhall be lawful for their Majeſties to iſſue or cauſe to be iſſued one or more Commiſſion or Commiſſions under the Great Seal of *England*, and thereby to nominate, conſtitute, and appoint ſuch and ſo many Perſons being reſident, and having real Eſtates of the Value of one hundred Pound a Year in the ſaid reſpective Counties, for which they ſhall be reſpectively nominated to be Commiſſioners for putting this preſent Act in Execution in the ſaid Counties reſpectively; which ſaid Commiſſioners ſo to be nominated and appointed for the ſaid Counties reſpectively ſhall have ſuch and the ſame Powers for putting this Act in Execution in the ſaid reſpective Counties, and under the ſame

In caſe there be not a ſufficient Number of Commiſſioners capable of acting for any County,

their Majeſties may conſtitute under the Great Seal, ſo many Perſons being reſident, as have real Eſtates of 100l. per annum in the Counties to be Commiſſioners.

ſame Rules and Directions as any other Commiſſioners nominated and appointed by this Act; any thing herein contained to the contrary notwithſtanding.

If after the Aſſeſſment, any Perſon ſhall remove to a Place where he was not rated for perſonal Eſtate, the Commiſſioners are to ſummon ſuch Perſon before them, and cauſe him to be rated, and unleſs he produce a Certificate, that he was aſſeſſed, and paid all the precedent quarterly Payments for his perſonal Eſtate.

LIV. And for the more effectual charging all perſonal Eſtates, Be it enacted by the Authority aforeſaid, That if after the Aſſeſſments on perſonal Eſtates directed by this Act, ſhall be made, any Perſon ſhall come to inhabit or reſide in any Diviſion or Place where ſuch Perſon was not rated or taxed for perſonal Eſtate, the Commiſſioners acting within ſuch Diviſion or Place, are hereby required and impowered to ſummon ſuch Perſon before them; and unleſs he or ſhe ſhall produce a Certificate made according to the Directions of this Act, whereby it ſhall appear that he or ſhe was aſſeſſed, and had actually paid all the precedent quarterly Payments in ſome other Place for his or her perſonal Eſtate, the ſaid Commiſſioners ſhall, and are hereby required to cauſe ſuch Perſon to be aſſeſſed for his or her perſonal Eſtate, and cauſe the ſame, or ſuch quarterly Payments thereof, as ſhall be then unaſſeſſed and unpaid, to be aſſeſſed, levied, and paid, according to the true Intent and Meaning of this Act.

The King's Bench Priſon with the Lands, &c. Rents and Perquiſites of the Office of Marſhal, and the Priſon-houſe Lands, &c. of the Marſhal of the Marſhalſea, and Offices and Perquiſites of the Marſhals Court, ſhall be charged and aſſeſſed in the Pariſh of St. George in Southwark.

LV. Provided always, that the Priſon of the *King's Bench*, the Priſon-houſe, Lands, Gardens and the Common-ſide, and all the Rents, Profits and Perquiſites of the Office of Marſhal of the ſaid *King's Bench* Priſon, lying, and being in the Pariſh of St. *George* the *Martyr*, in the Borough of *Southwark*, and County of *Surrey*; and alſo the Priſon-houſe, Lands and Gardens of the Priſon of the Marſhal of the *Marſhalſea* Priſon, and all Offices, Perquiſites and Profits of the *Marſhalſea* Court and Priſon, lying and being alſo in the ſaid Pariſh of St. *George* in the Borough of *Southwark*, and County of *Surrey*, ſhall be charged and aſſeſſed to this Aſſeſſment in the ſaid Pariſh of St. *George* and Borough of *Southwark*, and not elſewhere; any Thing to the contrary in any wiſe notwithſtanding.

Where Owners of Lands are liable to be doubly charged, as Papiſts, or otherwiſe, for not taking the Oaths, the Owners ſhall be only charged with double Taxes, and the Tenants are diſcharged.

LVI. Provided always, and be it enacted, That where the Owners of any Lands, Tenements, or Hereditaments, are liable to be doubly charged as Papiſts, reputed Papiſts, or otherwiſe, by reaſon of their not having taken the Oaths according to the Intent of this Act, in every ſuch Caſe ſuch Owners only ſhall be charged with, and ſhall pay the ſaid double Rates: And the reſpective Tenants of ſuch Lands, Tenements, or Hereditaments, are hereby diſcharged of and from the ſame; any Covenant for Payment of Taxes, or other Agreement to the contrary notwithſtanding.

Borrowing Clauſe at Intereſt, not exceeding 7l. per Cent.

LVII. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any Perſon or Perſons to advance and lend unto their Majeſties upon the Security of this Act, any Sum or Sums of Money, and to have and receive for the Forbearance thereof any Sum not exceeding ſeven Pounds by the hundred for one whole Year, and no more directly or indirectly; and moreover, that no Money ſo lent upon the Secuity of this Act ſhall be rated or aſſeſſed by virtue of this Act.

LVIII. And to the End that all Monies which ſhall be lent to their Majeſties upon the Credit of this Act, may be well and ſufficiently ſecured out of the Monies ariſing and payable by this Act, Be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept in their Majeſties Exchequer (that is to ſay) in the Office of the Auditor of the Receipts, one Book and Regiſter, in which all Monies that ſhall be paid into the Exchequer by virtue of this Act, ſhall be entred and regiſtred apart and diſtinct from all other Monies paid or payable to their Majeſties upon any other Branch of their Majeſties Revenue, or upon any other Account whatſoever: And that all and every Perſon and Perſons who ſhall lend any Money to their Majeſties upon the Credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his Repayment, bearing the ſame Date with his Tally: In which Order ſhall be alſo contained a Warrant for Payment of Intereſt for Forbearance thereof, not exceeding ſeven Pounds *per Centum per Annum*, for his Conſideration, to be paid every three Months, until Repayment of his Principal: And that all Orders for Repayment of Money, ſhall be regiſtred in Courſe according to the Date of the Tally reſpectively, without Preference of one before another: And that all and every Perſon and Perſons ſhall be paid in courſe, according as their Orders ſhall ſtand entred in the ſaid Regiſter-Book, ſo as the Perſon, Native or Foreigner, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt entred in the ſaid Book of the Regiſter, ſhall be taken and accounted the firſt Perſon to be paid upon the Monies to come in by virtue of this Act: And he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively, and in courſe. And that the Monies to come in by this Act ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without Preference of one before another, and not otherwiſe, and not to be divertible to any other Uſe, Intent, or Purpoſe whatſoever: And that no Fee, Reward or Gratuity, directly, or indirectly, be demanded or taken of any of their Majeſties Subjects for providing or making of any ſuch Books, Regiſters, Entries, Views or Search, in or for Payment of Money lent, or the Intereſt, as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of Payment of treble Damages to the Party

aggrieved by the Party offending, with Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo. And if any undue Preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt, Damages and Coſts, to the Party aggrieved, and ſhall be forejudged from his Place or Office: And if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment according to each Perſon's due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages, and Coſts in ſuch Manner, as aforeſaid, all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed.

LIX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan or Orders for Payment, as aforeſaid, bear date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference which of thoſe be entred firſt, ſo he enters them all the ſame Day.

LX. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders of Perſons that come and demand their Monies, and bring their Order before other Perſons that did not come to demand their Money, and bring their Order in their Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan, being to ceaſe from the Time the Money is ſo reſerved, and kept in Bank for them.

LXI. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons to whom any Money ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid, for Payment thereof, his Executors, Adminiſtrators or Aſſigns, by Indorſement of his Order, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders, which the Officers ſhall upon Requeſt, without Fee or Charge accordingly make, ſhall intitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns to the Benefit thereof, and Payment thereon, and ſuch Aſſignee may in like manner aſſign again, and ſo *toties quoties*, and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Clauſe for transferring Monies borrowed upon the Receipt for the quarterly Poll to the Credit of this Act, not exceeding ſeven hundred thirty-five thouſand three hundred ninety-one Pounds eighteen Shillings five Pence Halfpenny.

LXII. Provided always and be it further enacted, That all and every the principal Sums of Money which in purſuance of an Act made in the laſt Seſſion of this preſent Parliament, intituled, *An Act for raiſing Money by a Poll payable quarterly for one Year for carrying on a vigorous War againſt* France, and of their Majeſties Letters of Privy Seal, bearing date the three and twentieth Day of *September* one thouſand ſix hundred ninety-two, made in purſuance of the ſaid Act, have been lent, or ſhall be lent to their Majeſties at the Receipt of their Exchequer, not exceeding in the whole the Sum of ſeven hundred thirty-five thouſand three hundred ninety-one Pounds eighteen Shillings five Pence Halfpenny, and all and every the Orders of Loan for the ſame, ſhall be in the firſt Place transferred to and placed upon the Regiſter appointed to be kept by this Act, and ſhall be regiſtered thereupon, in ſuch Courſe and Order as they now have by the Books kept in the ſaid Receipt; or where any ſpecial Agreements have been made with the Lenders for the Courſe or Order they were to have, in all ſuch Caſes, according to thoſe Agreements; which Tranſferences ſhall and may be, and are hereby required to be made by virtue of this Act, without making any Iſſues, or taking any Receipts from the Parties, in order to transfer the ſaid Loans: And that the principal Monies upon the ſaid Orders ſo transferred, ſhall be payable and paid to the Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators or Aſſigns, out of the Monies ariſing by virtue of this Act, in the ſame Courſe and Order according to which they are hereby appointed to be transferred, and with Preference to the Loans which any Perſon or Perſons ſhall make hereafter upon the Credit of this preſent Act: And that the Intereſt after the Rate of ſeven Pounds *per Centum per Annum*, due, or to be due, for the ſaid Loans to be transferred, as aforeſaid, ſhall be paid and ſatisfied out of the Monies ariſing by this Act, until the reſpective Times of the Satisfaction of the Principal: And that the Auditor of the ſaid Receipt, upon the transferring of the ſaid Loans, or the Order for the ſame, as aforeſaid, ſhall make *Memorandums* in the Margin of his Books where the ſame do, or ſhall ſtand entred upon the ſaid Act for the quarterly Poll importing the Transference thereof, and that they are to be paid out of the Monies ariſing by virtue of this Act: And that any Perſon or Perſons who are or ſhall be intitled to any Monies to be paid by ſuch Orders, to be transferred, as aforeſaid, ſhall or may aſſign over the ſame to any other Perſon or Perſons; which Aſſignments ſhall be good and effectual in Law, and ſo *toties quoties*; any Thing in the ſaid former Act, or in this preſent Act to the contrary notwithſtanding.

Clauſe of Appropriation.

LXIII. And be it enacted, That out of the Monies which ſhall be levied and paid by virtue of this Act, into the Receipt of the Exchequer, as well by Loan or otherwiſe (over and beſides the Sum of ſeven hundred thirty-five thouſand three hundred ninety-one Pounds eighteen Shillings five Pence Halfpenny before mentioned to be transferred to, and placed upon the Regiſter appointed to be kept by this Act,) the Sum of ſeven hundred thouſand Pounds ſhall be, and is hereby applied and appropriated to and for the Payment of Officers and Seamen that have ſerved, and ſhall ſerve in their Majeſties Navy Royal, and for the paying for Stores, Proviſions and Victuals, ſupplied, and to be ſupplied for the ſaid Navy, and to and for the Expences of their Majeſties Office of Ordnance in reſpect to naval Affairs, and for other neceſſary Uſes and Services, performed and to be performed, in and for the ſaid Navy; And that all other the Monies which ſhall be levied and paid by virtue of this Act into the Receipt of the Exchequer, as well upon Loan, as otherwiſe, other than the ſaid Sum of ſeven hundred thirty-five thouſand three hundred ninety-one Pounds eighteen Shillings and two Pence Halfpenny, and the Intereſt thereof, and alſo the Sum of ſeven hundred thouſand Pounds appropriated for Payments relating to their Majeſties Navy, as aforeſaid, ſhall be applied, and appropriated, and is hereby appropriated to, and for the Payment of their Majeſties land Forces and Armies, and the paying for Arms, Ammunition, and other Charges incident to the War, and not otherwiſe.

700000l. to the Uſe of the Navy, &c.

The Reſidue to the Uſe of the Land Forces.

LXIV. And for the effectual doing thereof, and that the ſaid ſeveral Sums hereby appropriated to the Uſes aforeſaid, may not be diverted or applied to any other Purpoſe, Be it further enacted, That the Commiſſioners of the Treaſury, or the Lord Treaſurer, under Treaſurer, or the Commiſſioners of the Treaſury for the Time being, or any of them do not direct any Warrant to any of the ſaid Collectors, or Receivers General, or their Deputies for the Payment of any Part of the Monies hereby given to any Perſon or Perſons other than into the Receipt of the Exchequer, as aforeſaid; nor ſhall they, or any of them direct any Warrant to the Officers of the Exchequer for ſtriking of any Tally of *pro*, or Tally of *Anticipation*, or do any other Matter or Thing whereby to divert the actual Payments of the ſaid Monies into the Receipt of the Exchequer; nor ſhall the Officers of the Exchequer ſtrike or direct, or record the ſtriking of any Tally of *pro*, or Tally of *Anticipation* upon any of the ſaid Monies, upon any Account or Warrant whatſoever; nor ſhall any Teller throw down any Bill whereby to charge himſelf with any of the ſaid Monies, until he ſhall have actually received the ſame.

LXV. And it is hereby further enacted, That the Officers of the Receipt of the Exchequer reſpectively, ſhall and are hereby required to keep the ſaid Sum of ſeven hundred thouſand Pounds hereby appropriated for Payments relating to their Majeſties Navy, as aforeſaid, and the Account thereof diſtinct from all other Monies and Accounts whatſoever; and that the Lord High Treaſurer, under Treaſurer, or Commiſſioners of the Treaſury for the Time being, or any of them reſpectively, do not ſign any Warrant or Order, or do any Matter or Thing for the iſſuing or paying any Part of the ſaid Sum of ſeven hundred thouſand Pounds by this Act appropriated for Payments relating to their Majeſties Navy, as aforeſaid, to any Perſon or Perſons other than the Treaſurer of the Navy or his Deputy, and the Treaſurer of the Ordnance or his Deputy, for the Uſes aforeſaid; nor ſhall the Auditor of the Receipt draw any Order whatſoever for the iſſuing any Part of the ſaid Sum of ſeven hundred thouſand Pounds hereby appropriated, as aforeſaid, to any Perſon or Perſons, other than the ſaid Treaſurer of the Navy or his Deputy, and the Treaſurer of the Ordnance or his Deputy, as aforeſaid; nor ſhall he direct, nor the Clerk of the Pells record, or any Teller make Payment of any Part of the ſaid appropriated Sum of ſeven hundred thouſand Pounds by virtue of any Warrant, or upon any Order or other Way or Device whatſoever, other than to the Perſons and for the Uſes aforeſaid, and to be ſo mentioned and expreſſed in ſuch Warrant or Order.

LXVI. And it is hereby further enacted, That the Treaſurer of the Navy, and the Treaſurer of the Ordnance for the Time being, ſhall keep ſuch Part of the ſaid Sum of ſeven hundred thouſand Pounds appropriated for Payments relating to their Majeſties Navy, as aforeſaid, by virtue of this Act, as ſhall be paid to them reſpectively, diſtinct and apart from all other Monies; and the Treaſurer of the Navy ſhall iſſue and pay ſuch Part of the ſaid Sum as ſhall be paid in to him by Warrant of the principal Officers and Commiſſioners of the Navy, or any three or more of them; and the Treaſurer of the Ordnance ſhall iſſue and pay ſuch Part of the ſaid Sum as ſhall be paid in to him by Warrant of the principal Officers of the Ordnance, or any three of them, mentioning and expreſſing in the reſpective Warrant, the reſpective Uſes for which the ſame is reſpectively iſſued and paid, according to the reſpective Appropriations thereof, and applying the ſame; which ſaid principal Officers and Commiſſioners of the Navy, and principal Officers of the Ordnance, are to follow therein the Order and Direction of the Lord High Treaſurer, or Lords Commiſſioners of the Treaſury for the Time being, for apportioning the ſame for the Payment of the Officers and Seamen, Stores, Proviſions, Victuals and the Office of Ordnance, in reſpect to naval Affairs, as aforeſaid, in ſuch juſt and proportionable Diſtributions as may be moſt agreeable to the true Intent of this Act.

LXVII. And it is hereby further enacted, That the principal Officers and Commiſſioners of the Navy, or any of them, or principal Officers of the Ordnance, or any of them, ſhall not ſign any Navy Bill or Warrant, or do any other Act or Thing for the iſſuing and paying any Part of the ſaid Sum of ſeven hundred thouſand Pounds ſo appropriated by this Act, to any Uſe, Intent, or Purpoſe whatſoever, other than for the reſpective Uſes for which the ſame is appropriated, as aforeſaid, and to be ſo mentioned and expreſſed in ſuch Navy Bill or Warrant.

LXVIII. And be it further enacted, That if any of the Officers which are appointed by this Act to receive the ſaid Sum of ſeven hundred thouſand Pounds, hereby appropriated for Payments relating to their Majeſties Navy, or any Part thereof, ſhall after the Receipt of the ſaid Money, divert or miſapply the ſame, or any Part thereof by virtue of any Warrant from the Commiſſioners of the Treaſury, or from the Lord Treaſurer, or other ſuperior Officers for the Time being, contrary to the true Intent of this Act, that then ſuch Officer or Officers ſo diverting or miſapplying the ſaid Monies, ſhall forfeit the like Sum ſo diverted or miſapplied; which ſaid Forfeiture ſhall be recovered by Action of Debt, Bill, Plaint, or Information in any of their Majeſties Courts at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; the one Moiety of which Forfeiture ſo to be recovered, ſhall be to the Informer, or him who ſhall ſue for the ſame, the other Moiety thereof to be diſtributed to the Poor of the Pariſh where ſuch Offence ſhall be committed.

LXIX. And be it further enacted, That if any Officer or Officers mentioned in this Act, or in any wiſe belonging to the Exchequer, Navy, or Ordnance, ſhall willingly and wilfully offend againſt this Law, or any Clauſe thereof, by diverting or miſapplying any Part of the ſaid Sum of ſeven hundred thouſand Pounds appropriated for Payments relating to their Majeſties Navy, as aforeſaid, contrary to the true Intent of this Act, that for any and every ſuch Offence, ſuch Officer and Officers ſo offending, ſhall forfeit his Office and Place, and is, and are hereby diſabled, and made uncapable to hold or execute the ſaid Office, or any other Office whatſoever for the future.

LXX. Provided alſo and be it enacted, That no ſtay of Proſecution upon any Command, Warrant, Motion, Order, or Direction, by *Non vult ulterius proſequi*, ſhall be had, made, admitted, received or allowed by any Court whatſoever, in any Suit or Proceeding by Action of Debt, Bill, Plaint or Information, or otherwiſe, for the Recovery of all or any the Pains, Penalties, or Forfeitures, upon any Perſon or Perſons by this Act inflicted, or therein mentioned, or for or in order to the Conviction or Diſability of any Perſons offending againſt this Act.

All Monies iſſued for Naval Stores and Proviſions (except for Victuals) to be paid in Courſe.

LXXI. Provided always, and be it enacted, That out of the Monies hereby appropriated to and for the Payment of Officers and Seamen that have ſerved and ſhall ſerve in their Majeſties Navy Royal, and to and for the paying for naval Stores and Proviſions (other than for Victuals) and to and for the Expences of their Majeſties Office of the Ordnance, in reſpect of naval Affairs, and for other neceſſary Uſes and Services performed and to be performed for the ſaid Navy, all ſuch Part thereof as ſhall be iſſued and paid by the Treaſurer of the Navy by Warrant of the principal Officers and Commiſſioners of the Navy, or any three or more of them for naval Stores and Proviſions, ſhall be paid in Courſe to every Perſon or Perſons, or their Aſſigns to whom any ſuch Money is, or ſhall be due, according to the Dates of the Bills or Contracts regiſtred for the ſame, and not otherwiſe; And that out of all ſuch further Part of the ſaid Monies as ſhall be iſſued and paid to the Lieutenant and principal Officers of the Ordnance, or the Pay-maſter thereof, or his Deputy, for the Expence of his Majeſties Ordnance as to naval Affairs, and by them or the ſaid Pay-maſter reſpectively to any Perſon or Perſons for Ammunition or any other Uſe or Service relating to the Office of the Ordnance, ſhall be in like manner paid in Courſe to every ſuch Perſon or Perſons, or their Aſſigns reſpectively, according to the reſpective Dates of the Bills and Contracts for the ſame, and not otherwiſe: And the Comptroller of the Navy, and Store-keeper of the Ordnance are hereby reſpectively required to keep one or more Book or Books in their reſpective Offices, wherein all Bills and Contracts in reference to the Navy, and Office of the Ordnance for ſuch Bills and Contracts reſpectively, as aforeſaid, ſhall be duly regiſtred, that all and every Perſon or Perſons concerned therein may have recourſe thereunto without paying any Fee or Reward for ſo doing; And if any Preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, either by the ſaid Treaſurer of the Navy, or Pay-maſter of the Ordnance, or Comptroller of the Navy, or Store-keeper of the Ordnance, or any of them, or their reſpective Deputies or Clerks, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay double the Value of the Debt, Damages and Coſts to the Party grieved; all which ſaid Penalties, Damages and Coſts to be incurred by the Perſons aforeſaid, or any of them reſpectively, ſhall and may be recovered by the ſaid Party grieved, by Action of Debt, Bill, Plaint, or Information in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed.

Officers of Ordnance or Navy-Board, upon extraordinary Occaſions may pay Impreſt Money.

LXXII. Provided nevertheleſs, That it ſhall and may be lawful for the ſaid Lieutenant and principal Officers of the Ordnance, and the Officers of the Navy-board, upon any emergent or extraordinary Occaſion, to pay any of the ſaid Monies appropriated by this Act to any Perſon or Perſons upon Account, by way of Impreſt; any Thing herein contained to the contrary notwithſtanding.

LXXIII. Provided alſo, That it ſhall not be conſtrued any Preference to incur any Penalty in point of Payment in courſe, as aforeſaid, if the ſaid Treaſurer of the Navy, or Pay-maſter of the Ordnance, or their Deputies reſpectively do pay ſubſequent Bills of Perſons which come and demand their Money, and bring their Warrant or Order in their Courſe for the ſame, ſo as there be ſo much Money reſerved as will ſatisfy precedent Bills or Contracts regiſtred, as aforeſaid, which ſhall not be otherwiſe diſpoſed of, but kept for them in the ſaid reſpective Offices.

## CAP. II.

### An Act that the Inhabitants of the Province of *York* may diſpoſe of their perſonal Eſtates by their Wills, notwithſtanding the Cuſtom of that Province.

'WHEREAS by Cuſtom within the Province of *York*, or other Uſage, the Widows and younger Children of Perſons dying Inhabitants of that Province, are intitled to a Part of the Goods and Chattels of their late Huſbands and Fathers (called her and their reaſonable Part) notwithſtanding any Diſpoſition of the ſame by their Huſbands and Fathers laſt Wills and Teſtaments, and notwithſtanding any Jointures made for the Livelihood of the ſaid Widows by their Huſbands in their Life-time, which are competent, and according to Agreement, whereby many Perſons are diſabled from making ſufficient Proviſion for their younger Children:' For Remedy whereof;

Perſons within the Province of York may diſpoſe by Will of all their perſonal Eſtate.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the ſix and twentieth Day of *March* one thouſand ſix hundred ninety and three, it ſhall and may be lawful for any Perſon or Perſons, inhabiting or reſiding, or who ſhall have any Goods or Chattels within the Province of *York*, by their laſt Wills and Teſtaments, to give, bequeath and diſpoſe of all and ſingular their Goods, Chattels, Debts, and other perſonal Eſtate to their Executor or Executors, or to ſuch other Perſon or Perſons as the ſaid Teſtator or Teſtators ſhall think fit, in as large and ample Manner, as by the Laws and Statutes of this Realm any Perſon or Perſons may give and diſpoſe of the ſame within the Province of *Canterbury*, or elſewhere: And that from and after the ſaid ſix and twentieth Day of *March* one thouſand ſix hundred ninety and three, the Widows, Children, and other the Kindred of ſuch Teſtator or Teſtators ſhall be barred to claim or demand any Part of the Goods, Chattels, or other perſonal Eſtate of ſuch Teſtator or Teſtators, in any other Manner than as by the ſaid laſt Wills and Teſtaments is limited and appointed; any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding.

Freemen of York and Cheſter excepted. In Part repealed by 2 & 3 Ann. c. 5.

III. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to the Citizens of the Cities of *York* and *Cheſter*, who are or ſhall be Freemen of the ſaid reſpective Cities, inhabiting therein, or within the Suburbs thereof, at the Time of their Death, but that every ſuch Citizen's Widow and Children ſhall and may have and enjoy ſuch reaſonable Part and Proportion of the Teſtator's perſonal Eſtate, as ſhe or they might or ought to have had by the Cuſtom of the Province of *York*, before the making of this Act.

## CAP. III.

### An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds towards carrying on the War againſt *France*. [The Money advanced upon this Act, being deficient is ſupplied by 5 W. & M. cap. 5.]

*Moſt Gracious Sovereigns,*

WE your Majeſties moſt loyal and dutiful Subjects the Commons, in Parliament aſſembled, being ſenſible of the great and neceſſary Expences in which your Majeſties are engaged, for carrying on the preſent War againſt the *French* King; and being deſirous to ſupply the ſame in ſuch manner as may be leaſt grievous to your Majeſties Subjects: Therefore for the Encouragement of ſuch Perſons as ſhall voluntarily contribute to the advancing and paying into your Majeſties *Exchequer*, towards carrying on the ſaid War, any Sum or Sums of Money, not exceeding the Sum of ten hundred thouſand Pounds, upon the reſpective Terms and Recompences hereafter mentioned, we your Majeſties ſaid dutiful Subjects the Commons, in Parliament aſſembled, have given and granted, and do hereby give and grant unto your Majeſties the ſeveral additional Rates and Duties of Exciſe herein after mentioned, for and during the Term hereafter expreſſed, and do beſeech your Majeſties that it may be enacted:

Additional Exciſe, &c. upon Beer, Ale, and other Liquors, granted for 99 Years. Continued for ever by 1 Geo. 1. ſtat. 2. c. 12. §. 8. *Burn, V.* 1. 336.

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That from and after the five and twentieth Day of *January* one thouſand ſix hundred ninety and two, there ſhall be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto their Majeſties, their Heirs and Succeſſors, during the Space and Term of ninety and nine Years, from the ſaid five and twentieth Day of *January* one thouſand ſix hundred ninety and two, and no longer, for Beer, Ale, Cyder, and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges, and Impoſitions, by any former or other Acts ſet and impoſed, or to be ſet and impoſed, in Manner and Form following (that is to ſay)

(1) For every Barrel of Beer or Ale above ſix Shillings the Barrel, excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by ſuch other Perſon or Perſons reſpectively, and ſo proportionably for a greater or leſſer Quantity, over and above all other Duties payable for the ſame, nine Pence. (2) For every Barrel of Beer or Ale of ſix Shillings the Barrel or under, brewed by the common Brewer, or any other Perſon or Perſons who ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid common Brewer, or by ſuch other Perſon or Perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer Quantity, over and above all other Duties payable for the ſame, three Pence. (3) For every Barrel of Vinegar Beer, brewed or made of any *Engliſh* Materials, by any common Brewer, or any other Perſon, for Sale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, over and above all other Duties of Exciſe payable for the ſame, one Shilling and ſix Pence. (4) For every Barrel of Vinegar, or Liquor prepared for Vinegar, made here for Sale, that hath run through foreign Rape, or made with or paſſing through any foreign Materials, or any Mixture with foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, four Shillings. (5) For every Barrel of Beer, Ale, or Mum, imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importer before landing, over and above the Duties payable for the ſame, three Shillings. (6) For every Tun of Cyder, or Perry, imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importer before landing, over and above all other Duties payable for the ſame, four Pounds. (7) For every Gallon of Single Brandy, Spirits, or *Aqua vitæ*, imported from beyond the Seas, to be paid by the Importer before landing, over and above all other Duties payable for the ſame, ſix Pence. (8) For every Gallon of Brandy, Spirits, or *Aqua vitæ*, above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importer before landing, over and above all other Duties payable for the ſame, one Shilling. (9) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above all other Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, one Shilling and three Pence. (10) For all Metheglin or Mead made for Sale, either by Retail or otherwiſe, to be paid by the Maker, for every Gallon, three Pence.

Particular Rates. Beer, &c. above 6 s. per Barrel, 9 d.

Beer and Ale 6 s. or under per Barrel, 3 d.

Vinegar Engliſh per Barrel, 1 s. 6 d.

Vinegar made for Pickles for Sale to pay Duty per 8 Annæ, c. 7. §. 4.

Explained as to Vinegar Meaſure by 10 & 11 W. 3. c. 21. §. 15.

Vinegar Foreign per Barrel, 4 s.

Beer, &c. imported per Barrel, 3 s.

Cyder, &c. imported per Tun, 4 l.

Single Brandy imported per Gallon, 6 d.

Double Brandy imported per Gallon, 1 s. Cyder, &c. retailed, 1 s. 3 d. per Hogſhead. Metheglin, &c. per Gallon, 3 d.

III. And be it enacted by the Authority aforeſaid, That the ſeveral Rates, Duties, and Impoſitions upon Beer, Ale, Cyder, and other Liquors aforeſaid, be levied, collected, and paid unto their Majeſties, their Heirs, and Succeſſors, during the ſaid Space and Term of ninety and nine Years, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned in the Act made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*; and alſo in and by another Act made in the twelfth Year of the Reign of the ſaid late King *Charles* the Second, intituled, *A Grant of certain Impoſitions upon Beer, Ale, and other Liquors for the Increaſe of his Majeſty's Revenue during his Life*; and alſo in and by another Act made in the fifteenth Year of the Reign of the ſaid late King *Charles* the Second, intituled, *An additional Act, for the better ordering and collecting the Duty of Exciſe, and preventing the Abuſes therein*; or by any other Law in force relating to the ſaid Revenue of Exciſe; and that the aforeſaid Acts, and every Article, Rule, and Clauſe therein mentioned, as for and concerning only the Rates, Duties, and Impoſitions by this Act granted, ſhall be of full Force and Effect, to all Intents and Purpoſes, during the ſaid Term of ninety and nine Years, in like manner as if the ſame were at large and particularly recited and ſet down in the Body of this Act; and that the ſaid Rates and Duties of Exciſe, by this Act granted, ſhall from Time to Time be within the Receipt and Government of the chief Commiſſioners and Governors of the Receipt of the Exciſe for the Time being.

The Manner how the Duties ſhall be collected. 12 Car. 2. c. 24. 12 Car. 2. c. 23. 15 Car. 2. c. 11.

Commiſſioners of Exciſe to receive the Duties.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Governors for Management and Receipt of the Exciſe, at the head Office in *London* for the Time being, ſhall ſeparate and keep apart all and every the Monies ariſing by the Rates and Duties of Exciſe hereby granted, as the ſame ſhall from Time to Time ariſe or be paid into the ſaid Office of Exciſe, by the Receivers or Collectors of the ſame, or by any other Perſon whatſoever. And the ſaid Commiſſioners and Governors of Exciſe for the Time being are hereby required and ſtrictly enjoined, from Time to Time to pay weekly (viz.) on *Wedneſday* in every Week, if it be not a Holiday, and if it be, then the next Day after that is not a Holiday, all and every the Monies ariſing by the Rates and Duties of Exciſe hereby granted, into the Receipt of their Majeſties *Exchequer*, diſtinct and apart from the other Monies which the ſaid Commiſſioners and Governors of Exciſe ſhall receive for the Uſe of their Majeſties, their Heirs and Succeſſors.

The Monies to be kept apart, and paid Weekly into the Exchequer.

V. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept in their Majeſties *Exchequer* (that is to ſay) in the Office of the Auditor of the Receipts, one Book in which all the ſaid weekly Monies, which ſhall be paid into the *Exchequer* as aforeſaid, ſhall be entred apart and diſtinct from all other Monies paid or payable to their Majeſties, their Heirs, and Succeſſors, upon any Account whatſoever.

Book in the Exchequer of the weekly Payments.

VI. And be it further enacted, That if the ſaid Commiſſioners and Governors of Exciſe, for the Time being, ſhall refuſe or neglect to pay into the *Exchequer* all or any the ſaid weekly Sums appointed to be paid as aforeſaid, in ſuch Manner as they are before by this Act required to do, or ſhall divert or miſapply any of the ſame, then they, for any ſuch Offence ſhall forfeit their Offices of Commiſſioners and Governors

Penalty upon Commiſſioners of Exciſe neglecting to pay or miſapplying the Money.

nors for the Management and Receipt of the Excise, and be incapable of any Office or Place of Trust whatsoever, and shall be liable to pay the full Value of any Sum or Sums so diverted or misapplied, to any Person or Persons, who will sue for the same, by any Action of Debt, Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Imparlance, shall be granted or allowed.

These Duties to be a Fund.

VII. And be it further enacted, That all the said Sums so as aforesaid appointed to be paid weekly into the Receipt of the *Exchequer*, during the said Term of ninety and nine Years, shall be the yearly fund for the several and respective Purposes herein after mentioned and expressed.

Natives and Foreigners may contribute 1,000,000l. before May.

VIII. And be it further enacted, That it shall and may be lawful for any Persons, Natives or Foreigners, to contribute towards the advancing of the said Sum of ten hundred thousand Pounds, for the Purposes aforesaid, by paying into the Receipt of their Majesties *Exchequer*, at any Time before the first Day of *May* one thousand six hundred ninety and three, such Sum or Sums of Money, and upon such Terms respectively, as herein after mentioned and expressed (that is to say) that out of the Monies arising by virtue of this Act, the Sum of one hundred thousand Pounds yearly, until the four and twentieth Day of *June* one thousand seven hundred, be separated and kept apart, as the yearly Fund to be divided amongst the Persons contributing to the raising the said Sum of ten hundred thousand Pounds; and that from and after the said four and twentieth Day of *June* one thousand seven hundred, out of the Monies arising by virtue of this Act, the Sum of seventy thousand Pounds be yearly separated and kept apart, as the yearly Fund, to be divided as herein after is mentioned; that any Person who will become a Contributor, shall and may advance the Sum of one hundred Pounds at the least, for which Sum so advanced he is to name to the Auditor of the Receipt, or the Clerk of the Pells in the *Exchequer* for the Time being, his own, or some other Life, during which he shall be intitled to receive a Share or Dividend of the said yearly Fund, as hereafter is expressed; that every Contributor may advance as many Sums of one hundred Pounds as he shall think fit, for which Sums so advanced he is to name to the Auditor of the Receipt, or the Clerk of the Pells for the Time being, one or more Life or Lives (so as no more Lives be named, than there are distinct hundred Pounds advanced) during which Life or Lives he shall be intitled to receive so many Shares or Dividends of the said yearly Fund, as there are hundred Pounds by him advanced; that all the said Lives shall be named by the several Contributors, their Executors, or Administrators, or such as shall be employed by them to pay in the said Sums, within fourteen Days after the four and twentieth Day of *June* one thousand six hundred ninety and three: That in the said Office of Auditor of the Receipts, and in the Office of the Clerk of the Pells severally, there be provided and kept one or more Book or Books, in which shall be fairly entred the Names of all who shall be Contributors, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums, and also the several Sums so paid, and the Time when the same are respectively paid, the said Entry to be made upon Payment of the said Sums; and also in the said Books there shall be entred the several Nominees, for whose Lives respectively the several Dividends of the said yearly Fund shall be payable, at the Times when the same shall be nominated as aforesaid: To which Books it shall be lawful for the respective Contributors, their Executors, Administrators, and Assigns, from Time to Time, at all seasonable Times, to have Resort, and to inspect the same without Fee or Reward: And as well the said several Contributors, as the said Nominees, shall be described in the said Books by their Christian and Surnames, Additions, Places of abode, and other Descriptions, which shall best ascertain the Persons; and every Contributor, upon Payment of the Sum of one or more hundred Pounds as aforesaid, shall immediately have one or more Tally or Tallies levied, importing the Receipt of the Consideration Money, for which the Contributor is to receive one or more Shares or Dividends of the said yearly Fund, during the Life or Lives of the Nominee or Nominees, whether such Nominee be the Contributor himself, or herself, or any other Person, and an Order for Payment thereof accordingly, bearing the same Date with the Tally; which Orders shall be signed by the Commissioners of the Treasury, or any three or more of them, now being, or by the Treasurer of the *Exchequer*, or any three or more of the Commissioners of the Treasury for the Time being; and after the signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removal of any Commissioners or Commissioner of the Treasury, or Lord High Treasurer, or Treasurer of the *Exchequer*, or by or upon the Determination of the Power or Office of any Commissioner or Commissioners of the Treasury, or Lord High Treasurer, or Treasurer of the *Exchequer*, nor shall any Commissioners of the Treasury, or Lord High Treasurer, or Treasurer of the *Exchequer*, now or for the Time being, have Power to revoke, countermand, or make void such Orders so signed as aforesaid, or any of them. And the said respective yearly Funds of one hundred thousand Pounds, and seventy thousand Pounds (in case the whole Sum of ten hundred thousand Pounds shall be advanced upon Credit of the said Funds) shall be equally divided amongst the Contributors, their Executors, Administrators or Assigns, during the Lives of their respective Nominees, in proportion to the Sums by them advanced, yearly and every Year, by two equal half yearly Payments, that is to say, the four and twentieth Day of *December*, and the four and twentieth Day of *June*; the first Payment to be made the four and twentieth Day of *December* one thousand six hundred ninety and three; and upon the Death of every Nominee, the Share or Shares of the said Funds, which was or were payable during his Life, shall be equally divided amongst the rest of the Contributors, whose Nominees shall be living; and so from Time to Time upon the Death of every Nominee, whatsoever Share or Dividend was payable during the Life of such Nominee, shall be equally divided amongst the rest of the Contributors, their Executors, Administrators, and Assigns, during the Lives of

100,000l. to be yearly distributed till Ann. 1700 and afterwards 70,000l.

Contributor of 100l. to receive a Share during the Life which he names.

Any Person may contribute as many Hundreds as he pleases. Lives when to be named.

Books to be kept of the Names of the Contributors and Nominees, and the Sums contributed.

Contributor upon Payment of his Money, shall have Tally and Order for his Share.

Order not made void by Removal or Revocation of any Officer.

The whole yearly Funds proportionably paid to the Contributors, if the whole Sum be advanced.

Payable half yearly.

Survivors to have Advantage of the Death of the Nominees till only seven be left, and then

of their reſpective Nominees; ſo that from Time to Time the whole reſpective yearly Funds ſhall be divided and paid amongſt the Contributors, whoſe Nominees do ſurvive, until ſuch Time as there ſhall be but ſeven Nominees living; after which Time there ſhall be no more Advantage of Survivorſhip; but upon the Death of every of the ſaid ſeven Nominees, a ſeventh Share of the ſaid yearly Funds ſhall be anſwered to the Uſe of their Majeſties, their Heirs and Succeſſors. And in caſe the whole Sum of ten hundred thouſand Pounds ſhall not by the firſt Day of *May* one thouſand ſix hundred ninety and three, be advanced and paid by ſuch Contributors upon the Terms aforeſaid, that then there ſhall be divided to and amongſt ſuch Contributors as ſhall, before the ſaid firſt Day of *May*, have advanced and paid as aforeſaid, towards the ſame yearly and every Year, by two equal Payments as aforeſaid, ſo much only of the ſaid yearly Funds, as ſhall bear proportion to the ſaid Sum ſo advanced after the Rates aforeſaid, that is to ſay, So much only of the ſaid yearly Funds, as ſhall, during the firſt ſeven Years, to commence from the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-three, anſwer yearly the Sum of ten Pounds for every hundred Pounds ſo advanced and paid; and from and after the Expiration of the ſaid ſeven Years, during the Lives of the ſaid Nominees, and the Survivor of them, yearly and every Year, by two equal Payments as aforeſaid, the Sum of ſeven Pounds for every hundred Pounds ſo advanced and paid, to be divided as aforeſaid, with the like Benefit and Advantage of Survivorſhip, as is herein directed, in caſe the whole Sum of ten hundred thouſand Pounds ſhall be advanced and paid upon the Terms aforeſaid; and from and after the ſaid firſt Day of *May* one thouſand ſix hundred ninety and three, no Contributors ſhall advance any further Sums upon the Terms and Advantages aforeſaid.

the King to have the dead Man's Share.

If the whole Sum be not advanced, the Contributors ſhall be paid ſuch Part of the annual Funds as is proportionable to the Advance.

IX. And for the Encouragement of the Contributors to advance and pay forthwith into the Receipt of the *Exchequer* the Sums by them intended to be advanced upon the Terms aforeſaid, it is enacted by the Authority aforeſaid, That every ſuch Contributor ſhall receive out of the ſaid yearly Funds, for all Monies by him ſo advanced and paid, from the reſpective Days of Payment, unto the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-three, Intereſt for the ſame, at the Rate of ten Pounds *per Centum per Annum*; which Intereſt ſhall be mentioned and expreſſed in the Order hereby appointed to be given, upon Payment of any ſuch Sums.

Ten Pounds per Cent. allowed the Contributors from the Payment till the 24th of June.

X. And be it further enacted, That it ſhall and may be lawful for any Contributor, his Executors, Adminiſtrators, or Aſſigns, at any Time during the Life of his or their reſpective Nominee, by any Writing under Hand and Seal, or by his or their laſt Will in Writing, to aſſign or deviſe any one or more Share or Shares of the ſaid Fund, payable during the Life of any one or more Nominee or Nominees, to any Perſon or Perſons, and ſo *toties quoties*; and no ſuch Aſſignments to be revokable, ſo as an Entry or Memorandum of ſuch Aſſignment or Will be made in Books to be kept for that Purpoſe, in the ſaid Office of the Receipt, within the Space of two Months after ſuch Aſſignment or Death of the Deviſor; and that upon the producing ſuch Aſſignment, or Will, or Probat thereof, in the ſaid Office of Receipt, to be entred as aforeſaid, the Party ſo producing the ſame ſhall bring therewith an Affidavit, taken before ſome Perſon authorized to take Affidavits in Cauſes depending in any of the Courts at *Weſtminſter*, of the due Execution of the ſaid Aſſignment or Will, which Affidavits ſhall be ſeverally filed in the ſaid Office; which ſaid Entry or Memorandum the ſaid Officers in the ſaid Receipt of the *Exchequer* are hereby required to make accordingly, and to file the ſaid Affidavits; and in default of ſuch Aſſignment or Deviſe by Deed or Will, the Intereſt of ſuch Contributor ſhall go to his Executors and Adminiſtrators, for the Life of the Nominee, ſuch Nominee being ſome other Perſon as aforeſaid.

Contributor may aſſign or deviſe his Intereſt.

Entry of the Aſſignment, and Will, and Affidavit of the Execution, to be filed in the Receipt Office.

If no Aſſignment, Intereſt goes to Executors.

XI. And be it further enacted, That it ſhall and may be lawful for any Guardian or Truſtee, having the Diſpoſal of the Money of any Infant under the Age of Twelve Years, for the Uſe and Benefit of ſuch Infant, to advance and pay for the Purpoſe aforeſaid, the Sum of one hundred Pounds of the Monies of ſuch Infant, and ſhall thereupon, within ſuch Time as is herein before appointed for the naming of Lives, name the ſaid Infant to be a Nominee; and ſuch Infant, upon the Payment of the Sum, ſhall become a Contributor within the Meaning of this Act, and be intitled to have and receive, during his or her Life, a Share of the ſaid Funds in ſuch Manner and Proportion as any other Contributor; and the ſaid Guardian and Truſtee, as to the ſaid Sum of one hundred Pounds ſo advanced, is hereby diſcharged.

Guardians may advance Money for Infants under twelve.

XII. And to the Intent and Purpoſe that all Deceits in receiving any Share of the ſaid yearly Fund may be prevented, and that the full Advantage of Survivorſhip may be had, Be it enacted by the Authority aforeſaid, That every Contributor, his Executors, Adminiſtrators, or Aſſigns, upon their demanding any half yearly Payment of his or their reſpective Shares (unleſs the Nominee appear in Perſon at the ſaid Receipt) ſhall produce a Certificate of the Life of his or their reſpective Nominee, ſigned by the Miniſter and Churchwardens of the Pariſh where ſuch Nominee ſhall be then living, upon the Day when the ſaid half yearly Payment ſhall become due (if ſuch Nominee ſhall be then reſiding in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*) which Certificate the ſaid Miniſter and Churchwardens are hereby required to make without Fee or Reward; and the ſaid Certificates ſhall be filed in the ſaid Office of Receipt of the *Exchequer*.

Contributor upon demanding a Share muſt bring a Certificate from the Miniſter and Churchwarden of Nominee's Life.

XIII. And be it further enacted, That in caſe any Nominee ſhall, at the Time of ſuch Demand, be reſident in *Scotland*, or beyond the Seas, and any one or more of the Barons of the *Exchequer* for the Time being ſhall certify, that upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a ſummary Way) it doth ſeem probable to him or them, that the ſaid Nominee is living (which Certificate is to be given, and Examination made, without any Fee or Charge) the ſaid Certificate, being filed as aforeſaid, ſhall be a ſufficient Warrant for the Payment of the ſaid half yearly Share to the reſpective Contributors, their Executors, Adminiſtrators, or Aſſigns.

If Nominee be out of the Land, Certificate muſt be from a Baron.

XIV.

Contributor neglecting to demand, his half yearly Payment goes to the reſt.

XIV. And be it further enacted, That in caſe any Perſon, who by the Intent of this Act, ſhall be intitled to receive any half yearly Payment of his Share of the ſaid Funds, ſhall at any Time neglect to demand the ſame in manner as aforeſaid, until within twenty Days before the next half yearly Payment ſhall become due, he ſhall loſe and forfeit ſuch half yearly Payment ſo neglected to be demanded, and the ſame ſhall be divided amongſt the Contributors, as if his reſpective Nominee had been dead, and ſo from Time to Time upon every Default. Provided nevertheleſs, That if ſuch Contributor ſhall afterwards make a Demand in due Time in manner aforeſaid, for any following half yearly Payment, ſuch Contributor ſhall for the future have his Share of the ſaid Funds, as if ſuch Default had not been made.

Account to be made within twenty Days of every Payment of the Deaths of Nominees.

XV. And to the Intent it may appear and be aſcertained upon every half yearly Payment, unto and amongſt what Perſons, and in what Proportions the ſaid Funds are to be diſtributed, be it enacted, That in the ſaid Office of Auditor of the Receipt, every half Year, within twenty Days before the reſpective Days of Payment, there ſhall be made up an Account of the ſeveral Nominees whoſe Deaths are come to Knowledge, and of the ſeveral Contributors who have made Default in making Demand as aforeſaid, that ſo the reſt of the Contributors may have the Advantage thereof.

Contributor receiving Share after Nominee's Death how puniſhed.

XVI. And be it further enacted, That if any Perſon ſhall receive any one or more half yearly Payments of the ſaid Funds after the Death of any Nominee, for whoſe Life ſuch Share was payable, it ſhall be lawful for any Contributor to require the ſame to be repaid into the Receipt of the *Exchequer*, for the Benefit of the Contributors. And in caſe of Refuſal or Neglect to pay in the ſame within one Month after ſuch Demand, ſuch Perſon ſo refuſing or neglecting ſhall forfeit treble the Sum ſo received, to be recovered by Action of Debt in any of their Majeſties Courts at *Weſtminſter*, in the Name of ſuch Contributor who ſhall make the Demand as aforeſaid; in which Action no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance ſhall be allowed.

Officer offending how puniſhed.

XVII. And be it further enacted, for the better encouraging Perſons to advance the ſaid Sum of ten hundred thouſand Pounds upon the Terms aforeſaid, That all Receipts and Iſſues, and all other Things directed by this Act to be performed in the *Exchequer*, ſhall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Gratuity, or Reward for the ſame. And in caſe any of the Officers of the *Exchequer* ſhall take or demand any ſuch Fee or Reward, or ſhall divert or miſapply any of the ſaid weekly Sums, to be paid into the Receipt of the *Exchequer*, for making up the aforeſaid Funds, or ſhall pay or iſſue out the ſame, otherwiſe than according to the Intent of this Act, or ſhall not keep Books and Regiſters, and make Entries, and do and perform all other Things which by this Act they are required to perform, every ſuch Officer ſhall forfeit his Office, and be for the future incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay treble Damages, with Coſts of Suit, to every Contributor, their Executors, Adminiſtrators, and Aſſigns, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law, Injunction, or Order of Reſtraint, or more than one Imparlance ſhall be granted or allowed; and in the ſaid Action the Plaintiff upon Recovery ſhall have his full Coſts, one third Part of which Sum ſo to be recovered ſhall be paid into the Receipt of the *Exchequer*, for the Benefit of the ſaid Contributors, and the other two third Parts ſhall be to the Uſe of the Proſecutor. And in caſe there ſhall be any Colluſion, or faint Proſecution between the Plaintiff and Defendant in ſuch Action, it ſhall be lawful for any other Contributor to bring another Action, wherein he ſhall recover as aforeſaid, to the Uſes aforeſaid. Provided always, and be it enacted, That in caſe any Officer of the *Exchequer* ſhall make Payment of any Share or Shares of the ſaid Funds, upon ſuch Certificate as is before directed, ſuch Officer ſhall not incur any Penalty, Forfeiture, or Diſability, or be liable to any Action of the Contributors for doing thereof, although the ſaid Certificate be forged or falſe, or the ſaid Nominee be dead, unleſs the ſaid Officer did know at the Time of ſuch Payment that the ſaid Nominee was dead, or that the ſaid Certificate was forged or falſe.

Officer not puniſhable for paying Money upon a forged Certificate except privy to it.

Contributor to certify Death of his Nominee, and return his Tally upon 10l. Penalty.

XVIII. And be it further enacted, That every Contributor, his Executors, Adminiſtrators, or Aſſigns, within one Month next after Notice of the Death of his or their reſpective Nominee, ſhall certify ſuch Death to the Auditor of the Receipt of the *Exchequer* for the Time being, and ſhall alſo, within three Months after ſuch Notice, deliver, or cauſe to be delivered up to the ſaid Auditor his or their Tally and Order, by which he or they were or was intitled, during the Life of ſuch Nominee, to receive any Share of the ſaid Fund, in caſe ſuch Tally and Order be in his or their Hands or Power; and in default thereof ſuch Contributor, his Executors, Adminiſtrators, and Aſſigns, ſhall forfeit the Sum of ten Pounds, to be recovered by Action of Debt as aforeſaid, and to be had and received to the Uſe of any Perſon who ſhall ſue for the ſame.

A Clauſe of Loan, to make up the Sum of 1,000,000l.

XIX. And be it enacted by the Authority aforeſaid, That if the whole Sum of ten hundred thouſand Pounds be not advanced and paid into the *Exchequer* upon this Act, before the four and twentieth Day of *June* one thouſand ſix hundred ninety-three; that then it ſhall and may be lawful for their Majeſties, or their Officers in the Receipt of their Majeſties *Exchequer*, by their Command and Appointment, to borrow and take into the ſaid Receipt, for their Majeſties Uſe, by Way of Loan, any Sum or Sums of Money, which, together with the whole Value or Amount of all the Sums of Money, which ſhall, before the ſaid four and twentieth Day of *June*, be advanced and paid upon the Terms and Advantage of Surviverſhip as aforeſaid, or upon the Terms hereafter in this Act mentioned, ſhall not exceed the Sum of ten hundred thouſand Pounds; which Sum or Sums, ſo taken up by way of Loan, ſhall and may be charged upon the Credit of their Majeſties *Exchequer* in general, and Tallies of Loan and Orders of Repayment of the

ſame

ſame ſhall be levied accordingly; which Orders ſhall be aſſignable and transferrable from one Perſon to another.

XX. And it is hereby enacted, That all and every Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, together with the Intereſt for the ſame, not exceeding the Rate of ſeven Pounds *per Centum per Annum*, to be paid every three Months until Satisfaction of the Principal, or ſo much thereof as ſhall not be repaid out of ſuch Monies as ſhall be advanced upon the Terms hereafter in this Act mentioned, at or after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-three, and before the twenty-ninth Day of *September* next following (all which ſaid Monies ſo to be advanced from and after the ſaid four and twentieth Day of *June*, and before the ſaid twenty-ninth Day of *September*, ſhall be applied and appropriated, and are appropriated for the diſcharging the ſeveral Loans made upon this Act, ſo far as the ſame will extend) ſhall be payable, and be paid or ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, out of any of the next Aids or Supplies to be granted to their Majeſties in Parliament, and ſhall be transferred and transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted; and in caſe no ſuch Aid or Supply ſhall be granted to their Majeſties before the ſecond Day of *February* one thouſand ſix hundred ninety-three, then the ſaid Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, and the Intereſt thereof, or ſo much thereof as ſhall not be repaid out of the Monies which ſhall be advanced before the ſaid twenty-ninth Day of *September* as aforeſaid, ſhall be payable and be paid and ſatisfied to the ſaid Lender or Lenders, his or their Executors, Adminiſtrators, or Aſſigns reſpectively, by and out of any of their Majeſties Treaſure, which from henceforth ſhall come into, be, or remain in the Receipt of their Majeſties *Exchequer*, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this Time made.

Seven Pounds per Cent. allowed to the Lender, and the Charge of the Principal and Intereſt transferred to the next Parliaments Aid, and if no Aid, to next Revenue.

XXI. And be it further enacted, That for the better and more effectual Supply of their Majeſties preſent Occaſions, that if the Sum of five hundred thouſand Pounds, Part of the ſaid Sum of ten hundred thouſand Pounds, be not advanced and paid into the *Exchequer* upon this Act, before the firſt Day of *May* one thouſand ſix hundred ninety-three, that then it ſhall and may be lawful for their Majeſties to borrow, upon Intereſt as aforeſaid, any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, to be paid out of ſuch other Monies as ſhall be advanced upon this Act between the firſt Day of *May* one thouſand ſix hundred ninety-three, and the ſaid twenty-ninth Day of *September* one thouſand ſix hundred ninety-three, in caſe the Money ſo advanced ſhall be ſufficient for the Payment thereof, or otherwiſe ſo much thereof as the ſame ſhall extend to pay; and the Reſidue of the ſaid Sum of five hundred thouſand Pounds, ſo taken up upon Loan, which ſhall remain unpaid out of the Monies advanced upon this Act as aforeſaid, ſhall be taken and reckoned as Part of the ſaid Sum, before directed to be and made payable out of any of the next Aids or Supplies to be granted to their Majeſties in Parliament, or out of their Majeſties Treaſure as aforeſaid.

If 500,000l. only advanced before May, the King may borrow 500,000l. more, to be paid out of Money raiſed by this Act betwixt that Time and September, and if that fall ſhort, next Aid chargeable.

XXII. And be it further enacted by the Authority aforeſaid, That in caſe the whole Sum of ten hundred thouſand Pounds ſhall not be advanced by the ſaid Contributors, and paid into the *Exchequer*, before the ſaid firſt Day of *May* one thouſand ſix hundred ninety and three, upon the Terms and Advantage of Survivorſhip as aforeſaid, that then it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, after the ſaid firſt Day of *May* one thouſand ſix hundred ninety-three, and before the nine and twentieth Day of *September* then next following, to advance and pay into their Majeſties *Exchequer*, any Sum or Sums of Money, not exceeding in the whole (together with what ſhall have been before the ſaid firſt Day of *May* advanced by the ſaid Contributors as aforeſaid) the ſaid Sum of ten hundred thouſand Pounds, upon the Terms following, that is to ſay, That every ſuch Perſon, out of the Monies ariſing by the Rates and Duties of Exciſe granted by this Act, ſhall have and receive, for every Sum of one hundred Pounds by them reſpectively advanced and paid, a yearly Annuity, Rent, or Payment of fourteen Pounds of lawful *Engliſh* Money (and proportionably for a greater Sum) and for and during the Life of ſuch Perſon ſo advancing or paying the ſame, or during any other Life to be nominated by the Perſon advancing or paying any ſuch Sum as aforeſaid, the ſame to be nominated within ſix Days after Payment of the ſaid Sum; which yearly Annuities, Rents, or Payments, ſhall commence from the nine and twentieth Day of *September* one thouſand ſix hundred ninety-three, and ſhall be paid and payable at the four moſt uſual Feaſts in the Year; that is to ſay, at the Feaſts of the Birth of our Lord Chriſt, the Annunciation of the bleſſed Virgin *Mary*, the Nativity of *St. John Baptiſt*, and the Feaſt of *St. Michael* the Archangel, by even and equal Portions; and every Perſon, on Payment of any ſuch Sum or Sums as aforeſaid, ſhall immediately have one or more Tally or Tallies importing the Receipt of the Conſideration Money, and Orders for Payment of the ſaid Annuities, bearing the ſame Date with the Tally, the ſaid Orders to be ſigned in the ſame Manner as in this Act before mentioned, touching Orders to be given to the before mentioned Contributors, and not to be determinable, revokable, or countermandable, as touching the before mentioned Orders is enacted; which ſaid Orders ſhall be aſſignable and transferrable in ſuch and the ſame Manner as is before mentioned touching the ſaid Orders given to the Contributors as aforeſaid, upon the Terms and Advantages in this Act firſt mentioned; and all the Monies ariſing by the Rates and Duties hereby granted (over and beſides ſo much as ſhall bear Proportion, after the Rates aforeſaid, to the whole Sum which ſhall be advanced by the Contributors before the ſaid firſt Day of *May* one thouſand ſix hundred ninety and three) are and ſhall be appropriated and applied, and are hereby appropriated, to and for the Payment of the ſaid Annuities or yearly Rents or Sums, after the Rate of fourteen Pounds *per Annum* for every hundred Pounds advanced as aforeſaid, according to the true Intent and Meaning of this Act, and ſhall not be divertible or diverted to any other Uſe, Intent, or Purpoſe whatſoever, under the

If the whole Sum be not raiſed before May, Perſons contributing ſhall have the Advantage of 14l. per Cent. for Life of the Nominee.

Penalties upon Officers, as before.

like Penalties, Forfeitures, and Disabilities in respect to all and every the Offices above mentioned, as are before appointed and enacted, in case of diverting or misapplying any Part of the Monies which ought to be paid to the Contributors, who are to have the Advantage of Survivorship as aforesaid; and the said Officers respectively are hereby required to keep Books and Registers, and make Entries of the Names of all Persons who shall advance any Money after the said first Day of *May* as aforesaid, and of the several Sums so advanced, and the Times of paying in the same respectively, and the Names of such Persons for whose Lives the several Annuities and yearly Payments are to be payable, without Fee or Reward as aforesaid (to which Books all Persons concerned shall have access as aforesaid) all which the said Officers are to do and perform under the like Penalties and Forfeitures and Disabilities as aforesaid; and every Person, who shall advance and pay any such Sum as aforesaid, after the said first Day of *May*, shall receive out of the Money granted by this Act, for all Monies by him so advanced and paid, from the respective Days of Payment until the said nine and twentieth Day of *September* one thousand six hundred ninety-three, Interest for the same at the Rate of ten Pounds *per Centum per Annum*.

Interest after the Rate of 10 per Cent. allowed till September.

Persons contributing upon Survivorship, may change it into the Advantage of 14 per Cent. for Life.

XXIII. Provided also, and be it enacted, That if any Contributor, who, on or before the said first Day of *May*, shall have advanced any Sum or Sums of Money, in respect whereof such Contributor shall be intitled to have a proportionable Share of the said yearly Funds, with the Benefits of Survivorship as aforesaid, shall at any Time after the said first Day of *May*, and before the said nine and twentieth Day of *September*, be minded or desirous (in lieu and Satisfaction of such proportionable Share of the said Funds with such Benefits of Survivorship) to have an yearly Annuity, Rent, or Payment of fourteen Pounds of lawful *English* Money for every or any Sum of one hundred Pounds by such Contributor so advanced, to be paid during the Life of his, her, or their Nominee before mentioned, and shall signify such Desire to the said Auditor of the Receipt, or the Clerk of the Pells, for the Time being, that then the said Auditor of the Receipt, or Clerk of the Pells, shall cause an Entry or Memorial thereof to be made in a Book or Books, for this Purpose to be kept in the said Receipt; and the said Entry or Memorial being signed by the said Contributor, such Contributor, his Executors, Administrators, and Assigns, during the Life of the said Nominee (whether such Nominee shall be the Contributor, or any other Person) shall have and receive for every Sum of one hundred Pounds, which shall have been so advanced, a yearly Annuity Rent, or Payment of fourteen Pounds as aforesaid, at the four Feasts aforesaid, by equal Portions, in such manner, and with such and the same Advantages, as if such Contributor had originally paid in the Monies by him advanced, after the said first Day of *May* one thousand six hundred ninety-three.

King after Change shall have his Advantage of Survivor.

XXIV. Provided always, That after such Entry or Memorial shall be made in the said Book or Books and signed by the Contributors as aforesaid, all further Payments, which should grow due to such Contributor for his proportionable Part of the said yearly Funds, shall cease and determine for their Majesties Benefit, any Thing contained in this Act to the contrary notwithstanding.

The annual Surplus of the Duties given to the King.

Part of the Aggregate Fund. 1 Geo. 1. c. 12. §. 8.

XXV. And be it further enacted, That in case there shall be any Surplus or Remainder of the Monies arising by the Rates and Duties granted by this Act, at the End of any Year, during the said Term of ninety-nine Years, after all the said several Proportions of the said yearly Funds, and all and every the Annuities, Rents, and yearly Payments, and all Interest payable by this Act, shall be fully satisfied, paid and discharged, such Surplus or Remainder shall be to the Use of their Majesties, their Heirs, and Successors.

Monies lent to be tax free.

XXVI. And be it further enacted, That any Monies lent by, or payable to, any Person or Persons upon or by virtue of this Act, shall not be charged or chargeable with any Rates, Duties, or Imposition whatsoever.

Grants of the Duties to other Uses, &c. void.

XXVII. Provided always, and it is hereby further declared and enacted by the Authority aforesaid, That all Grants or Dispositions of any of the Monies arising, or which shall be collected, by the Authority of this Act, hereafter to be made by their Majesties, their Heirs or Successors, to any other Person or Persons, or in any other Manner, or for any longer Term or Interest than by this Act is appointed, shall be and are hereby declared null and void to all Intents and Purposes whatsoever.

*Farther Provisions concerning Excise,* 5 *W. & M. c.* 20. 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 & 12. 1 *Ann. St.* 2. *c.* 3. 4 *Ann. c.* 6. *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. St.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *c.* 16. 23 *Geo.* 2. *c.* 26. 32 *G* 2. *c.* 17. 33 *Geo.* 2. 9. *and* 1 *Geo.* 3. *c.* 7.

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## CAP. IV.

### An Act for taking Special Bails in the Country upon Actions and Suits depending in the Courts of *King's Bench*, *Common Pleas*, and *Exchequer* at *Weſtminſter*.

FOR the greater Eaſe and Benefit of all Perſons whatſoever, in taking the Recognizances of ſpecial Bails upon all Actions and Suits depending, or to be depending, in any of the Courts of *King's Bench*, *Common Pleas*, or *Exchequer* at *Weſtminſter*; Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the chief Juſtice and other the Juſtices of the Court of *King's Bench* for the Time being, or any two of them, whereof the chief Juſtice for the Time being to be one for the ſaid Court of *King's Bench*, and the chief Juſtice of the Court of *Common Pleas* and other the Juſtices there for the Time being, or any two of them, whereof the chief Juſtice of the ſame Court to be one for the ſaid Court of *Common Pleas*, and alſo the chief Baron and Barons of the Quoif of the Court of *Exchequer* for the Time being, or any two of them whereof the chief Baron for the Time being to be one for the ſaid Court of *Exchequer*, ſhall or may, by one or more Commiſſion or Commiſſions under the ſeveral Seals of the ſaid reſpective Courts, from Time to Time, as need ſhall require, impower ſuch and ſo many Perſons, other than common Attornies and Solicitors, as they ſhall think fit and neceſſary, in all and every the ſeveral Shires and Counties within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, to take and receive all and every ſuch Recognizance or Recognizances of Bail or Bails, as any Perſon or Perſons ſhall be willing or deſirous to acknowledge or make before any of the Perſons ſo impowered, in any Action or Suit depending or hereafter to be depending in the ſaid reſpective Courts, or any of them, in ſuch Manner and Form, and by ſuch Recognizance or Bail-piece, as the Juſtices and Barons of the ſaid reſpective Courts have uſed to take the ſame; which ſaid Recognizance or Recognizances or Bail, or Bail-piece, ſo taken as aforeſaid, ſhall be tranſmitted to ſome or one of the Juſtices or Barons of the ſaid reſpective Courts where ſuch Action or Suit ſhall be depending, who, upon Affidavit made of the due taking of the Recognizance of ſuch Bail or Bail-piece by ſome credible Perſon preſent at the taking thereof, ſuch Juſtice or Baron ſhall receive the ſame, upon Payment of ſuch Fees as have been uſually received for the taking of ſpecial Bails by the Juſtices and Barons Clerks, and other the Officers of the ſaid reſpective Courts; which Recognizance of Bail or Bail-piece, ſo taken and tranſmitted, ſhall be of the like Effect as if the ſame were taken *de bene eſſe* before any of the ſaid Juſtices and Barons; for the taking of every which Recognizance or Recognizances of Bail or Bail-piece, the Perſon or Perſons ſo impowered ſhall receive only the Sum or Fee of two Shillings, and no more.

Chief Juſtice, &c. may make any Perſons, except Attornies and Solicitors, Commiſſioners to take Bail in the Country.

Juſtices, &c. to receive the Bail-piece upon Affidavit of due Execution.

Bail taken below to be as de bene eſſe. Commiſſioners Fee.

II. And be it further enacted by the Authority aforeſaid, That the Juſtices and Barons reſpectively in the ſeveral Courts ſhall make ſuch Rules and Orders for the juſtifying of ſuch Bails, and making of the ſame abſolute, as to them ſhall ſeem meet, ſo as the Cognizor or Cognizors of ſuch Bail or Bails be not compelled to appear in Perſon in any of the ſaid Courts, to juſtify him or themſelves, but the ſame may and is hereby directed to be determined by Affidavit or Affidavits duly taken before the ſaid Commiſſioners, who are hereby impowered and required to take the ſame, and alſo to examine the Sureties upon Oath, touching the Value of their reſpective Eſtates, unleſs the Cognizor or Cognizors of ſuch Bail do live within the Cities of *London* and *Weſtminſter*, or within ten Miles thereof.

Power given to Juſtices, &c. to make Rules for juſtifying, but not to order the Perſon's Appearance. London, &c. ſaved.

III. And be it further enacted by the Authority aforeſaid, That any Judge of Aſſize in his Circuit ſhall and may take and receive all and every ſuch Recognizance and Recognizances of Bail or Bails as any Perſon ſhall be willing and deſirous to make and acknowledge before him, which being tranſmitted in like manner as aforeſaid, ſhall (without Oath) be received in manner as aforeſaid, upon Payment of the uſual Fees.

Juſtices of Aſſize may take Bail.

IV. And be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall before any Perſon or Perſons impowered by virtue of this Act, as aforeſaid, to take Bail or Bails, repreſent or perſonate any other Perſon or Perſons, whereby the Perſon or Perſons ſo repreſented and perſonated may be liable to the Payment of any Sum or Sums of Money for Debt or Damages to be recovered in the ſame Suit or Action, wherein ſuch Perſon or Perſons are repreſented and perſonated, as if they had really acknowledged and entred into the ſame, being lawfully convicted thereof, ſhall be adjudged, eſteemed, and taken to be Felons, and ſuffer the Pains of Death, and incur ſuch Forfeitures and Penalties as Felons in other Caſes convicted or attainted do by the Law of *England* loſe and forfeit.

Felony for any Perſons to be Bail in another Man's Name. 21 Ja. 1. c. 26.

## CAP. V.

### An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandize for the prosecuting the present War against *France*.

Impost 1692.

WE your Majesties most dutiful and loyal Subjects, the Commons assembled in Parliament, for a further Supply of your Majesties extraordinary Occasions, and the effectual Prosecution of the War against *France*, have cheerfully and unanimously given and granted, and do hereby give and grant unto your Majesties the additional and other Rates, Impositions, Duties, and Charges upon the several Sorts of Goods and Merchandizes to be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or from thence exported, as herein after expressed, during such Time, and in such Manner and Form as herein after followeth; and do humbly pray your Majesties that it may be enacted:

This Act made perpetual by 9 Ann. c. 21. §. 1. but repealed in Part as to rating Goods *ad Valorem*, by 11 Geo. 1. c. 7. §. 1.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be answered and paid to their Majesties and their Successors, for the several Goods and Merchandizes hereafter mentioned, over and above all Impositions, Duties, and Charges already imposed and payable upon and for the same in the Book of Rates of Merchandize by Act of Parliament established, and the Direction therein contained or otherwise, the further Rates and Duties following (that is to say)

Amber Beads, 20 l. per 100 l.

(1) For every hundred Pounds Value of Amber Beads imported after the first Day of *March* one thousand six hundred ninety-two, and before the first Day of *March* one thousand six hundred ninety-six, twenty Pounds more than the same are charged with in the said Book of Rates, and so proportionably for a greater or lesser Quantity.

Amber rough, 10 l. per 100 l.

(2) For Amber rough, imported within the Time aforesaid, ten Pounds for every hundred Pounds Value, more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Amber Oil, 10 l. per 100 l.

(3) For Amber Oil, or Oil of Amber, imported within the Time aforesaid, ten Pounds for every hundred Pounds Value, more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Anchovies, 5 l. per 100 l.

(4) For Anchovies, the little Barrel, not exceeding sixteen Pounds of Fish, imported within the said Time, for every hundred Pounds Value, five Pounds more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Ashes, 6 s. per Last.

(5) For Ashes called Wood, Weed, or Soap Ashes, imported within the said Time, six Shillings the Last, more than the same is charged with in the said Book of Rates.

Barbers Aprons, 8 d. per Piece.

(6) For Barbers Aprons and Cheques, imported within the said Time, eight Pence the Piece each, more than the same are charged with in the said Book of Rates.

Battery, 5 s. per 100 lb.

(7) For every hundred Weight of Battery, Bashrones, or Kettles (containing one hundred and twelve Pounds) imported within the said Time, five Shillings more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Battery Metal, 5 s. per 100 lb.

(8) For every hundred Weight (containing one hundred and twelve Pounds) of Metal prepared for Battery, imported within the said Time, five Shillings more than is now paid for the same by the said Book of Rates, and so in proportion as aforesaid.

Books, 4 s. per 100 lb.

(9) For every hundred Weight of Books unbound (containing one hundred and twelve Pounds) imported within the said Time, four Shillings more than the same is charged with in the said Book of Rates, and so in proportion as aforesaid.

Lamp Black, 20 l. per 100 lb.

(10) For Black called *Lamp Black*, imported within the said Time, twenty Pounds for every hundred Pounds Value, more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Boultel Reins, 10 l. per 100 l.

(11) For Boultel Reins imported within the said Time, ten Pounds for every hundred Pounds Value, more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Bracelets, 2 s. 6 d. per Gross.

(12) For every Gross of Bracelets, or Necklaces of Glass imported within the said Time, two Shillings and six Pence, more than the same are charged with in the said Book of Rates, or by any other Statute now in Force.

Brass, 5 l. per 100 l.

(13) For Brass wrought imported within the said Time, five Pounds for every hundred Pounds Value, more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Buckrams, 5 l. per 100 l.

(14) For Buckrams imported within the said Time, five Pounds for every hundred Pounds Value, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Hair Buttons, 10 l. per 100 l.

(15) For Buttons of Hair imported within the said Time, ten Pounds for every hundred Pounds Value, more than the same are charged with in the said Book of Rates, and so in Proportion for any greater or lesser Quantity.

Importation of Hair Buttons prohibited by 4 & 5 W. & M. c. 10.

(16) For Bristles dresst and undresst, imported within the said Time, five Pounds for every hundred Pounds Value, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Bristles, 5 l. per 100 l.

(17) For every Pound of Bacon imported within the said Time, four Pence. [To be paid from the first Day of next Session, 5 & 6 W. & M. cap. 2. sect. 4.]

Bacon, 4 d. per lb.

(18) For Calves Skins imported within the said Time, five Pounds for every hundred Pounds Value, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Calves Skins, 5 l. per 100 l.

(19) For Carpets of all Sorts imported within the said Time, five Pounds for every hundred Pounds Value, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Carpets, 5 l. per 100 l.

(20) For every Gross of Catlings and Lutestrings imported within the said Time, eighteen Pence the Gross, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Catlings, 18 d. per Gross.

(21) For Coals *Scotch* imported within the said Time, five Pounds for every hundred Pounds Value, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity.

Scotch Coals, 5 l. per 100 l.

(22) For every thousand of Canes, called Walking Canes, imported within the said Time, five and twenty

Canes, 11 l. 5 s. per 1,000.

twenty Shillings, more than is now paid for the ſame, and ſo in proportion as aforeſaid. (23) For Canes called Rattans imported within the ſaid Time, five Shillings the thouſand more than is now paid for the ſame, and ſo in proportion as aforeſaid. (24) For every hundred Weight of Copper, called Roſe Brick, Copper Coyn, and all caſt Copper (containing one hundred and twelve Pounds) imported within the ſaid Time, ſeven Shillings and ſix Pence more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (25) For every hundred Weight of Copper, Part wrought, as Plates, Bars, Rods, or raiſed (containing one hundred and twelve Pounds) imported within the ſaid Time, twelve Shillings and ſix Pence more than is now paid for the ſame, and ſo in proportion for any greater or leſſer Quantity. (26) For every hundred Weight of Copper fully wrought (containing one hundred and twelve Pounds) imported within the ſaid Time, ſeventeen Shillings and ſix Pence more than is now paid for the ſame, and ſo in proportion as aforeſaid. (27) For Coral Beads, and all poliſhed Coral imported within the ſaid Time, twenty Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (28) For all Manufactures of Cotton only (except Dimity) not brought from *Eaſt India* or *China*, imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (29) For every hundred Pounds Value of Couries imported within the ſaid Time, ten Pounds more than is now paid for the ſame, and ſo in proportion as aforeſaid. (30) For Elephants Teeth imported within the ſaid Time, ten Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (31) For Flax rough imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (32) For Flax dreſſed or wrought, imported within the ſaid Time, fifteen Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in Proportion for any greater or leſſer Quantity. (33) For every hundred Pounds Value of Tow imported within the ſaid Time, five Pounds more than the ſame is charged with as aforeſaid, and ſo in proportion as aforeſaid. (34) For every Yard of Flannel imported within the ſaid Time, two Pence more than the ſame is charged with in the ſaid Book of Rates. (35) For every Yard of Frize imported within the ſaid Time, three Pence halfpenny more than the ſame is charged with in the ſaid Book of Rates. (36) For every hundred Pounds Value of Furs of all Sorts imported within the ſaid Time, five Pounds more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (37) For Gold and Silver Thread, and Wire Counterfeit, imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (38) For every Pound of Goats Hair, called *Carmenia* Wool, imported within the ſaid Time, four Pence more than the ſame is charged with in the ſaid Book of Rates. (39) For every Pound of Goats Hair of any other Sort, imported within the ſaid Time, two Pence more than the ſame is charged with in the ſaid Book of Rates. (40) For Hides of all Sorts dreſſed and undreſſed (except Buff and Loſh) imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (41) For every Buff Hide imported within the ſaid Time, two Shillings more than the ſame is charged with in the ſaid Book of Rates. (42) For every Loſh Hide imported within the ſaid Time, one Shilling more than the ſame is charged with in the ſaid Book of Rates. (43) For Hemp rough imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (44) For Diamonds, Pearls, Rubies, Emeralds, and all other Jewels and precious Stones imported within the ſaid Time, twenty Shillings for every hundred Pounds Value, to be affirmed by the Oath of the Importer, in lieu of all Impoſitions and Duties now payable for the ſame, and ſo in proportion for any greater or leſſer Quantity. (45) For every Pound of Indico of foreign Plantation, not being of the Growth of any of the Dominions or Plantations belonging to the Crown of *England*, imported within the ſaid Time, four Pence more than the ſame is charged with in the ſaid Book of Rates. (46) For every Pound of Indico of the Growth of the Dominions or Plantations belonging to the Crown of *England*, imported within the ſaid Time, two Pence more than the ſame is charged with in the ſaid Book of Rates. (47) For all Iron, Iron Pots, Kettles, Backs for Chimnies, Iron ſlit or hammered into Rods, Frying-pans, Anvils wrought ſingle, white and black Plates, double white and black Plates, and all other Iron Wares imported from *Ireland* within the ſaid Time, the ſame reſpective Duties as are laid on Iron and Iron Wares imported from any foreign Part, by one Act made in the ſecond Year of their Majeſties Reign, intituled, *An Act for granting to their Majeſties certain Impoſitions upon all* Eaſt India *Goods and Manufactures, and upon all Wrought Silks, and ſeveral other Goods and Merchandizes, to be imported after the five and twentieth*

Rattans, 5s. per 1,000.

Copper, 7 s. 6 d. per 100 lb.

Copper Plates, 12 s. 6 d. per 100 lb.

Copper wrought, 17 s. 6 d. per 100 lb.

Coral, 20 l. per 100 l.

Cotton Manufactures, 5 l. per 100 l.

Couries, 10 l. per 100 l.

Elephants Teeth, 10 l. per 100 l.

Flax rough, 5 l. per 100 l.

Flax wrought, 15 l. per 100 l.

Tow, 5 l. per 100 l.

Flannel, 2 d. per Yard.

Frize, 3 d. halfpenny per Yard.

Furs, 5 l. per 100 l.

Gold Thread, &c. 5 l. per 100 l.

Goats Hair, Carmenia, 4 d. per lb.

Goats Hair, common, 2 d. per lb.

Hides, 5 l. per 100 l.

Buff, 2 s. per Piece.

Loſh Hides, 1 s. per Piece.

Hemp, 5 l. per 100 l.

Diamonds, 1 l. per 100 l. Free, 6 Geo. 2. c. 7.

Indico, 4 d. per lb.

Plantation Indico, 2 d. per lb.

Iron Pots, &c. from Ireland, by 7 & 8 W. 3. c. 10. §. 17.
Bar Iron unwrought, &c. may be imported from Ireland Duty free. 2 W. & M. ſſ. 2. c. 4.

Lattin, 10 l. per 100 l.

Leather, 5 l. per 100 l.

Lime Juice, 20 l. per 100 l.

Litmus, 5 l. per 100 l.

Lapis Calaminaris, 1 l. per Ton. By 7 & 8 W. 3. c. 10. §. 13. 2 s. only ſhall be paid for every Ton of Lapis Calaminaris exported.

Madder, 5 l. per 100 l.

Orchal, 5 l. per 100 l. 8 Geo. 1. c. 15. §. 10.

Pintadoes, 5 l. per 100 l.

Pitch, half more than uſual Rate.

Silver Plate, 5 l. per 100 l.

Rice, 5 l. per 100 l.

Rozin, 10 l. per 100 l.

Salt, 5 s. per Weigh. For the Manner in which it is to be paid, ſee 3 Geo. 2. c. 20. §. 17.

Thrown Silk, 5 l. per 100 l.

Wrought Silk, 2 s. per lb.

2 W. & M. ſſ. 2. c. 4.

Silk Ferret, half more than uſual Rate.

Skins, 5 s. per 100 l.

Tarr, half more than uſual Rate.

Ticks, 5 l. per 100 l.

Thread Outnel, 4 s. per Dozen lb.

Tapiſtry, &c. 10 l. per 100 l.

Inkle wrought.

Pantiles, 8 s. per Thouſand.

Dying Wood, 5 l. per 100 l. 8 Geo. 1. c. 15. §. 10.

Wax, 5 l. per 100 l.

*twentieth Day of* December *one thouſand ſix hundred and ninety.* (48) For Lattin ſhaven, black Lattin, and round Bottoms, imported within the ſaid Time, ten Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (49) For Leather of all Sorts imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (50) For all Lime and Lemon Juice imported within the ſaid Time, twenty Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (51) For Litmus imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (52) For all *Lapis Calaminaris* exported within the ſaid Time, twenty Shillings for every Ton, over and above all other Duties payable for the ſame, and ſo in proportion for any greater or leſſer Quantity. (53) For Madder of all Sorts imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (54) For Orchal imported within the ſaid Time, five Pounds for every hundred Pounds Value thereof, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (55) For Pintadoes or Calico Cupboard Clothes, imported within the ſaid Time, and not brought from *Eaſt India* or *China*, five Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (56) For Pitch imported within the ſaid Time, not being of the Product of any of the Dominions or Plantations of the Crown of *England* or *Scotland*, one Moiety more than the ſame is charged with in the ſaid Book of Rates. (57) For all Sorts of Plate of Silver, gilt or ungilt, imported within the ſame Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (58) For Rice imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (59) For Rozin of all Sorts imported within the ſaid Time (except *French* Rozin) not being of the Product of any of the Dominions or Plantations belonging to the Crown of *England* or *Scotland*, ten Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (60) For every Weigh of Salt imported within the ſaid Time (except ſuch Salt as ſhall be uſed in curing of Fiſh) five Shillings more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (61) For Silk thrown of all Sorts, into the Gum, imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (62) For every Pound of Silk wrought, other than Alamodes and Luſtrings, imported within the ſaid Time, two Shillings more than the ſame is charged with in the ſaid Book of Rates, or by an Act of this preſent Parliament made in the ſecond Year of their Majeſties Reign, intituled, *An Act for granting to their Majeſties certain Impoſitions upon all* Eaſt India *Goods and Manufactures, and upon all wrought Silks, and ſeveral other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thouſand ſix hundred and ninety.* (63) For Silk Ferret or Floret, imported within the ſaid Time, one Moiety more than the ſame is charged with in the ſaid Book of Rates. (64) For Skins of all Sorts imported within the ſaid Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (65) For all Tarr imported within the ſaid Time, not being of the Product of any of the Dominions or Plantations belonging to the Crown of *England* or *Scotland*, one Moiety more than the ſame is charged with in the ſaid Book of Rates. (66) For Ticks and Tickings (except *Scotiſh* Ticks and Ticking) imported within the ſame Time, five Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (67) For every dozen Pounds of Thread Outnel imported within the ſaid Time, four Shillings more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (68) For all Tapiſtry and Dornix imported within the ſaid Time (except ſuch as are manufactured in, or brought from, any Part of the *French* King's Dominions) ten Pounds for every hundred Pounds Value, more than the ſame is charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (69) For all wrought Incle imported within the ſaid Time, one Moiety more than what is now paid for the ſame. (70) For all Pantiles imported within the ſaid Time, eight Shillings the thouſand more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion as aforeſaid. (71) For all Sorts of dying Wood imported within the ſaid Time (except Red Wood from *Guiney*, Drugs and Logwood) five Pounds for every hundred Pounds Value, more than the ſame are charged with in the ſaid Book of Rates, and ſo in proportion for any greater or leſſer Quantity. (72) For all Wax called *Bees Wax*, imported

ported within the said Time, five Pounds for every hundred Pounds Value, more than the same is charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity. (73) For every Tun of *French* Wine imported within the said Time, eight Pounds above all Duties already charged thereupon in the said Book of Rates, or by any other Law, and so in proportion for any greater or lesser Quantity. (74) Upon all *French* Goods and Merchandize (except Wine, Brandy, Salt, and Vinegar) which shall be imported within the said Time, five and twenty Pounds for every hundred Pounds Value thereof, more than the same are charged with in the said Book of Rates, and so in proportion for any greater or lesser Quantity, (75) For all Silks called *Alamodes* and *Lustrings*, imported within the said Time, from any Ports or Places whatsoever, fifteen Pounds for every hundred Pounds Value, more than is paid for the same by any Law now in Force. (76) For all Latin, Brass, or Copper Wire, imported within the said Time, six Shillings the hundred Weight (containing one hundred and twelve Pounds) above all other Duties payable for the same. (77) Upon all Goods and Merchandizes not particularly rated in the said Book of Rates, paying Duty at Value, imported within the said Time, five Pounds for every hundred Pounds Value thereof, to be affirmed upon the Oath of the Importer, according to the Direction of the said Book of Rates; except Mum, and such Goods and Merchandizes as are particularly charged by this Act, or an Act of this present Parliament, intituled, *An Act for granting to their Majesties certain Impositions upon all* East India *Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandizes, to be imported after the five and twentieth Day of* December, *one thousand six hundred and ninety.* (78) For every Gallon of strong Water, *Aqua Vitæ*, or Brandy, commonly called *Single Brandy*, or strong Waters, imported within the said Time, to be paid by the Importer before landing, two Shillings over and above the Duties of Excise and Customs at any time before the second Year of their Majesties Reign payable for the same. [Intended of Duties payable by Statute in Force. 5 W. & M. cap. 2.] (79) For every Gallon of strong Waters, Spirits, or Brandy above Proof, called *Double Brandy*, imported within the said Time, to be paid by the Importer before Landing, four Shillings over and above the Duties of Excise and Customs at any Time before the second Year of their Majesties Reign payable for the same. [Intended of Duties payable by Statute in Force. Ibid.]

French Wine, 8 l. per Tun.

For the Increase and Continuance of the Duties on French Wines, see 7 & 8 W. 3. c. 20. 1 Geo. 1. stat. 2. c. 12. §. 3.

French Goods, 25 l. per 100 l.

By 1 Geo. 2. stat. 2. c. 17. §. 1, 2 French Wine Lees shall pay as Wine.

Silks, 15 l. per 100 l.

Lawn, 6s. per 100 lb.

Goods not in the Book of Rates.

2 W. & M. sess. 2. c. 4.

Brandy Single, 2 s. per Gallon.

Brandy Double, 4 s. per Gallon.

'III. And whereas by one Act made in the second Year of their Majesties Reign, intituled, *An Act for granting to their Majesties several additional Duties of Excise upon Beer, Ale, and other Liquors, for four Years, from the Time that an Act for doubling the Duty of Excise upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire*, it is amongst other Things enacted, That for every Gallon of single Brandy, Spirits, or *Aqua Vitæ*, imported from beyond the Seas, should be paid by the Importer before Landing, over and above the Duties payable for the same, four Shillings; and for every Gallon of Brandy, Spirits, or *Aqua Vitæ*, above Proof, commonly called *Double Brandy*, imported from beyond the Seas, should be paid by the Importers before Landing, over and above the Duties payable for the same, eight Shillings;' Be it enacted by the Authority aforesaid, That the said two Clauses last recited in the said Act mentioned, concerning single Brandy, Spirits, or *Aqua Vitæ*, and Brandy, Spirits, or *Aqua Vitæ*, above Proof, called *Double Brandy*, are and shall be, from the first Day of *March* one thousand six hundred ninety-two, repealed; any thing in the said last mentioned Act to the contrary notwithstanding.

Tax upon Brandy 2 W. & M. sess. 2. c. 10. taken away.

IV. Provided always, and be it enacted, That the several Rates and Impositions, hereby imposed upon the respective Goods and Merchandizes aforesaid, shall be collected and paid according to the respective Rates and Proportions herein expressed, and be raised, levied, collected, and paid unto their Majesties during the Time before mentioned, except where it is otherwise hereby directed, in the same Manner and Form, and by such Rules, Means, and Ways, and under such Penalties and Forfeitures, as are mentioned and expressed in one Act of Parliament, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported*, and the Rules, Directions, and Orders thereunto annexed, or any other Law now in Force, relating to the Collection of their Majesties Customs: Which said Act and Acts, and every Article, Rule, and Clause therein contained, shall stand and be in Force for the Purposes aforesaid, during the Continuance of this Act.

Rates aforementioned how to be collected.

12 Car. 2. c. 4.

V. And be it further enacted, That the several Rates and Duties upon strong Water, *Aqua Vitæ*, or Brandy, commonly called *Single Brandy*, or strong Water, and upon strong Water, Spirits, or Brandy above Proof, called *Double Brandy*, shall be raised, levied, collected, and paid unto their Majesties, their Heirs and Successors, during the Time before mentioned, in the same Manner and Form, and by such Rules, Means, and Ways, and under such Penalties and Forfeitures, as are mentioned, expressed, and directed in one Act of Parliament made in the twelfth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*; and also in another Act of Parliament made in the fifteenth Year of his Reign, intituled, *An additional Act for the better ordering and collecting the Duty of Excise, and preventing the Abuses therein*, or in either of them, or in any other Law now in Force relating to the Revenue of Excise.

Rates upon Brandy how collected.

12 Car. 2. c. 24.

15 Car. 2. c. 11.

VI. And be it further enacted, That for all additional Duties hereby imposed upon the aforementioned Goods and Merchandizes to be imported as aforesaid, the Importer, giving Security at the Custom House, shall have Time, not exceeding twelve Months, for the Payment of the same from the Importation, to be paid by four equal and quarterly Payments; or in case such Importer shall pay ready Money, he shall have after the Rate of ten Pounds *per Centum* of the said Duty for a Year abated to him; and if the Goods and Merchandizes aforementioned, imported as aforesaid, for which the Duties hereby granted, paid or secured at the Importation thereof, be again exported by any Merchant *English*, within twelve Months, or by Strangers within nine Months after the Importation, then the aforesaid Duty shall be wholly repaid,

Merchant to give Security to pay in a Year's Time, or 10 l. per Cent. rebated for present Payment.

These twelve and nine Months enlarged to three

Years, by 7 Geo. 1. ſtat. 1. c. 21. §. 10.

repaid, or the Security vacated, as to what ſhall be ſo exported, except all Brandy, for which the aforeſaid Duty ſhall not be repaid.

Rebate to Exporter of Amber Beads, &c.

VII. Provided nevertheleſs, That the ſeveral Duties charged by this Act upon all Amber Beads, Amber rough, Coral Beads, and poliſhed Coral, and all Cowries, ſhall be repaid to the Merchant exporting the ſame within three Years after the Importation thereof; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Brandy imported in Veſſels not 60 Gallons, forfeited.

VIII. And for preventing the Frauds frequently uſed in importing of ſtrong Water, Spirits, *Aqua Vitæ*, or Brandy, in ſmall Quantities, whereby the ſame is more eaſily conveyed away without Payment of the Duties thereof; Be it enacted, that from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety-three, no Brandy, ſingle or double, ſhall be imported from Parts beyond the Seas, in any Veſſel or Caſk which ſhall not contain ſixty Gallons at the leaſt; upon Pain of forfeiting the ſaid Brandy, or the Value thereof, ſo to be imported as aforeſaid, whereof one half ſhall be to their Majeſties, and the other half to ſuch Perſons as ſhall inform or ſue for the ſame; to be recovered of the Importer or Proprietor thereof by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed, nor any more than one Imparlance.

Duties to be paid into the Exchequer weekly.

IX. And be it further enacted, That all and every the Officer and Officers, who ſhall be concerned in levying the Duties ariſing by this Act, do keep a ſeparate and diſtinct Account thereof, and pay the ſame *in Specie* into their Majeſties *Exchequer* weekly; and upon Neglect and Refuſal of the ſame, every Officer offending ſhall be forejudged from, and ſhall forfeit his Place or Office.

2 W. & M. ſ. 2. c. 4.

The Sum of 5 l. per 100 l. upon Raiſins, and 2 l. 10 s. upon Currans only.

New Duties laid by 8 Annæ, c. 7.

'X. And whereas by the ſaid Act, intituled, *An Act for granting to their Majeſties certain Impoſitions on all* Eaſt India *Goods and Merchandize, and upon all wrought Silks, and upon ſeveral other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thouſand ſix hundred and ninety*, the Sum of ten Pounds is impoſed on every hundred Pounds Value of Grocery Ware and Drugs, wherein the ſeveral Sorts of Raiſins, mentioned in the ſaid Book of Rates, are included, and likewiſe the Sum of five Pounds for every hundred Pounds Value of Currans, which is found by Experience to leſſen the Importation thereof:' Wherefore for Remedy thereof, and the Encouragement of Merchants to import the ſaid Goods, Be it enacted, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety and three, and thenceforth, during the Continuance of the ſaid Act, the Sum of five Pounds only ſhall be paid for every hundred Pounds Value of Raiſins of any Sort to be imported after the ſaid Time, over and above the Rates thereon charged in the ſaid Book of Rates: And fifty Shillings, and no more, for every hundred Pounds Value of Currans imported after the ſaid Time, and thenceforth during the Continuance of the laſt mentioned Act, over and above the Rates charged thereon in the ſaid Book of Rates (the ſaid Act, or any thing therein contained to the contrary notwithſtanding) the ſame to be collected as in and by the ſaid Act is directed and appointed.

The Length and Breadth of Calico ſettled.

'XI. And whereas by the ſaid Book of Rates a Value is impoſed on every Piece of Calico, without Mention of the Length whereof ſuch Piece ſhould conſiſt;' Be it further enacted, That no Piece of Calico imported from and after the firſt Day of *March* one thouſand ſix hundred ninety-two, during the Continuance of the ſaid laſt recited Act, of the Breadth of one Yard and a Quarter, or under, ſhall exceed in Length ten Yards; and no Piece of Calico imported after the ſaid Time, during the Continuance of the ſaid Act, above that Breadth, ſhall exceed ſix Yards; and if any Piece of Calico ſhall exceed thoſe Lengths, the ſame ſhall be rated according to the reſpective Length of ten Yards, and ſix Yards, for each Piece, and pay for the ſame in that Proportion for a greater or leſſer Quantity, according to the Sum rated upon each Piece of Calico in the ſaid Book of Rates; and that the Subſidy, as well as the additional Duties upon Calicoes by the ſaid laſt recited Act appointed, ſhall be collected and paid according to that Admeaſurement of each Piece of Calico ſo imported from and after the ſaid Time, and not otherwiſe; any thing in the ſaid Book of Rates or in the ſaid Act to the contrary notwithſtanding.

Meaſure of Eaſt Country Linen ſettled.

XII. And for the better aſcertaining, explaining, and ſettling the Meaſures of *Eaſt* Country Linen, Be it enacted, That all Linen of *Pruſſia*, *Polonia*, or any Part of the *Eaſt* Country (except *Ruſſia*) above the Breadth of three Quarters and half Quarter of a Yard, ſhall pay as broad *Germany* Linen, during the Continuance of the ſaid laſt recited Act; and all whited Hinderlands from the ſame Countries, under that Breadth, ſhall pay during the ſaid Time, as narrow *Eaſt* Country Linen.

2 W. & M. ſ. 2. c. 6. Coffee reduced to 2 l. 16 s. per 100 lb. Cocoa Nuts to 6 d. per lb. Tea to 1 s. per lb. and Chocolate, 1 s. per lb. See the Note on 1 W. & M. ſ. 2. c. 6. 10 Geo. 1. c. 10. 18 Geo. 2. c. 26.

'XIII. And whereas by one Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for the charging and collecting the Duties upon Coffee, Tea, and Chocolate, at the Cuſtom Houſe*, it is enacted, That from and after the five and twentieth Day of *December* one thouſand ſix hundred eighty-nine, five Pounds and twelve Shillings ſhall be paid for every hundred Weight of Coffee imported into any Parts within this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, accounting one hundred and twelve Pounds to the hundred Weight, over and beſides what was then paid or payable for the ſame, at the Cuſtom Houſe; and for every hundred Weight of Cocoa Nuts imported, and containing as aforeſaid, eight Pounds and eight Shillings, over and beſides what was then paid for the ſame, at the Cuſtom Houſe; and for every Pound Weight of Tea imported five Shillings; and for every Pound Weight of Chocolate ready made five Shillings, over and beſides what was then charged on Tea or Chocolate reſpectively, at the Cuſtom Houſe; which Duties are ſo exceſſive, that few of the ſaid Goods or Merchandizes have been entred at the Cuſtom Houſe ſince the making of the ſaid Act, or any Duty anſwered to their Majeſties for the ſame:' Wherefore for reducing the ſaid Duties to a more reaſonable Rate and Impoſition, for the Encouragement and Advancement of Trade, and the greater Importation of the ſaid reſpective Goods and Merchandizes, Be it enacted, That from and after the ſaid five and and twentieth Day of *March* one

thouſand

thouſand ſix hundred ninety and three, there ſhall be anſwered and paid unto their Majeſties for every hundred Weight of Coffee imported, containing as aforeſaid, during the Continuance of the ſaid laſt mentioned Act, the Sum of ſix and fifty Shillings, and no more: And for every Pound of Cocoa Nuts imported from any of the Dominions or Plantations belonging to the Crown of *England*, after the ſaid Time, during the Continuance of the ſaid Act, the Sum of ſix Pence, and no more; and from any other Countries or Places after the ſaid Time, during the Continuance of the ſaid Act, eight Pence: And for every Pound of Tea imported after the ſaid Time, from any Place from which it may be by Law imported, one Shilling, and no more: And for every Pound Weight of Chocolate ready made, imported after the Time aforeſaid, during the Continuance of the ſaid Act, one Shilling and no more; any Thing in the ſaid laſt recited Act, or any other Matter or Thing to the contrary in any wiſe notwithſtanding. Provided always, That the Rates and Duties hereby appointed to be paid as aforeſaid, for the ſaid reſpective Merchandizes of Coffee, Cocoa Nuts, Tea, and Chocolate, ſhall be paid and anſwered to their Majeſties, during the Continuance of the ſaid Act, over and above the reſpective Duties charged or chargeable upon every of them in the ſaid Book of Rates before the making of the ſaid Act.

Alamodes how to be imported.

XIV. Provided always, and be it enacted by the Authority aforeſaid, for the better Encouragment of the Manufacture of plain Silks, called *Alamodes* and *Luſtrings*, in this Kingdom none of the ſaid foreign Silks ſhall be imported into this Kingdom after the five and twentieth Day of *March* one thouſand ſix hundred ninety-three, but upon Notice firſt given to the Commiſſioners or Farmers of their Majeſties Cuſtoms for the Time being, of the Quality and Quantity, with Marks, Numbers, and Package, of ſuch Silks ſo intended to be imported, with the Name of the Ship and Maſter or Commander, on which they are to be laden, and the Place into which they intend to import the ſame, and taking a Licence under the Hands of the Commiſſioners or Farmers for the Time being, or any three of them, for the lading and importing thereof as aforeſaid, which Licence they are hereby authorized and required to grant without any Fee or Reward, or any other Charge, to the Perſons demanding the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And in caſe any of the ſaid Goods ſhall be imported without ſuch Notice being firſt given, and Licence taken out, as aforeſaid, the ſame ſhall be forfeited, one Moiety thereof to the Uſe of their Majeſties, their Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſeize or ſue for the ſame in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Privilege, Protection, or Wager of Law, nor more than one Imparlance ſhall be allowed.

XV. Provided always, and be it enacted by the Authority aforeſaid, That the Officers of the Cuſtoms ſhall not take or receive from the Merchant exporting any of the Commodities chargeable by this or any other Act with any additional Duties, above what is chargeable by the Book of Rates, any Fee or Reward for paſſing any Debenture for Repayment of the Duties to be paid back on Exportation, according to the ſaid Acts, but ſhall only receive ſuch Fees as were payable for Debentures for the Repayment of the half Subſidy, according to the Book of Rates, and no more: Nor ſhall any Fee or Reward be taken for any Oath to be adminiſtred at any Cuſtom Houſe upon this Act.

3 W. & M. c. 1. That Collectors ſhall not be concerned in Elections, and ſhall give Notes of their Gauges, continued.

XVI. And whereas by an Act made in the third Year of their Majeſties Reign, intituled, *An Act for granting to their Majeſties certain Impoſitions upon Beer, Ale, and other Liquors, for one Year*, it is enacted, 'That no Collector, Surveyor, Gauger, or other Officer, concerned in the charging, collecting, or managing the Duty of Exciſe, ſhall either by Letter, Meſſage, or Word of Mouth, endeavour to perſwade any Elector to give, or diſſwade any Elector from giving, his Vote for any Perſon or Perſons that ſhall be in Nomination to be elected a Member or Members of Parliament: And whereas by the ſaid Act it is further declared and enacted, That true Notes in Writing of the laſt Guages, made or taken by the ſaid Gaugers, ſhall be left by them with all Brewers, Makers, or Retailers of Beer, Ale, or other exciſeable Liquors reſpectively, or ſome of their Servants, at the Time of their taking the ſaid Gauges, containing the Quantity and Quality of the Liquors ſo gauged, under the ſeveral Penalties in the ſaid Act mentioned;' Be it declared and enacted, That the ſaid Act, ſo far as relates to Elections of Members to ſerve in Parliament, and leaving true Notes in Writing of the laſt Gauges made or taken by the ſaid Gaugers, with the ſeveral Penalties reſpectively relating thereunto, be, from and after the firſt Day of *March* next, hereby revived, and ſhall continue and be in force during the Continuance of this Act, and from thence to the End of the next Seſſion of Parliament, and no longer.

Clauſe of Credit for 500,000l.

XVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to their Majeſties into the Receipt of their *Exchequer*, upon the Credit of this Act, any Sum or Sums of Money not exceeding the Sum of five hundred and ten thouſand Pounds in the whole; and to have and receive, for the Forbearance of all ſuch Monies as ſhall be lent, Intereſt not exceeding the Rate of eight Pounds *per Centum per Annum*.

Money to be paid into the Exchequer weekly.

XVIII. And be it further enacted and ordained by the Authority aforeſaid, That all and every the Officer and Officers, who ſhall be concerned in the levying, collecting, and receiving the Duties ariſing by this Act, do keep a ſeparate and diſtinct Account thereof, and pay the ſame *in Specie* into the Receipt of their Majeſties *Exchequer* Weekly on *Wedneſday* in every Week, unleſs it be an Holiday, and then the next Day after which ſhall not be an Holiday; and upon Neglect or Refuſal of the ſame ſhall incur the Penalties, Forfeitures, Damages, and Coſts, as other the Officers of the *Exchequer* herein after mentioned ſhall be liable to; which Monies ſo paid in, ſhall be applied to the Uſes hereafter mentioned in this Act, and no otherwiſe.

A particular Book to be kept, Tallies how to be given, Register to be in Course without Preference.

XIX. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in their Majesties *Exchequer* (that is to say) in the Office of the Auditor of the Receipts, one Book, in which all Monies, that shall be paid into the *Exchequer* by virtue of this Act, shall be entred and registred apart and distinct from all other Monies paid or payable to their Majesties upon any Account whatsoever; and that all and every Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, who shall lend any Money to their Majesties upon the Credit of this Act, and pay the same into the Receipt of the *Exchequer*, shall immediately have a Talley of Loan struck for the same, and an Order for his or their Repayment, bearing the same Date with the Talley; in which Order shall be also contained a Warrant for Payment of Interest for Forbearance, not exceeding the Rates aforesaid, for his or their Consideration, to be paid every three Months, until Repayment of his or their Principal; and that all Orders for Repayment of Money shall be registred in Course, according to the Date of the Talley respectively, without Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Book, so as that the Person, Native or Foreigner, his or their Executors, Administrators, or Assigns, who shall have his, her, or their Order or Orders first entred in the said Book, shall be taken and accounted as the first Person to be paid upon the Monies to come in by virtue of this Act; and he or they, who shall have his or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in by this Act shall be in the same Order liable to the Satisfaction of the said respective Parties, their Executors, Administrators, or Assigns, successively, without Preference of one before another, and not otherwise, and not to be divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any of their Majesties Subjects for providing or making any such Books, Registers, Entries, View, or Search as aforesaid, or in or for the Payment of Money lent, or the Interest as aforesaid, by any of their Majesties Officer or Officers, their Clerks or Deputies, on pain of Payment of treble Damages to the Party grieved by the Party offending, with Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also. And if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case to pay the Value of the Debt, Damages, and Costs, to the Party grieved, and shall be forejudged from his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever after incapable of his Place or Office. And in case the Auditor shall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order, as before directed, then he or they shall be judged to forfeit, and their respective Deputies and Clerks herein offending, to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid. All which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any of the Officers aforesaid, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint shall be in any wise granted or allowed.

What shall not be an undue Preference.

XX. Provided always, and be it hereby declared, That if it happen that several Tallies of Loan, or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered, then it shall be interpreted no undue Preference which of those he enters first, so he enters them all the same Day.

XXI. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Teller do pay subsequent Orders of Persons that come and demand their Money, and bring their Order, before other Persons that did not come to demand their Money, and bring their Order in their Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Money in the Exchequer how assigned over.

XXII. And be it further enacted by the Authority aforesaid, That every Person or Persons, to whom any Monies shall be due by virtue of this Act, after Order entred in the Book of Register aforesaid for Payment thereof, his Executors, Administrators, or Assigns by Indorsement of his Order, may assign and transfer his Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Register aforesaid for Orders (which the Officers shall, upon Request, without Fee or Charge accordingly make) shall intitle such Assignee, his Executors, Administrators, and Assigns to the Benefit thereof, and Payment thereon: And such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons, who have or hath made such Assignments, to make void, release, or discharge the same, or any the Monies thereby due, or any Part thereof.

1,226,516l. 10s. appropriated out of this Year's Tax to the Navy. Ante, c. 1.

XXIII. And be it enacted by the Authority aforesaid, that out of the Money which shall be levied and paid into the Receipt of the *Exchequer*, as well upon Loan as otherwise, by virtue of this Act, or any other Act of this Session of Parliament for granting Aids or Supplies to their Majesties (other than an Act intituled, *An Act for granting to their Majesties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War against* France) the Sum of twelve hundred twenty-six thousand five hundred and sixteen

fifteen Pounds ten Shillings, shall be applied and appropriated, and is hereby appropriated to and for the Payment of Officers and Seamen that have served, and shall serve in their Majesties Navy Royal, and for the paying for Stores, Provisions, and Victuals, supplied and to be supplied for the said Navy, and to and for the Expences of their Majesties Office of Ordnance in respect to naval Affairs, and for other necessary Uses and Services performed and to be performed in and for the said Navy, and not otherwise. And if any Officer any way belonging to their Majesties Revenue, or to the Exchequer, Navy, or Ordnance respectively, shall wittingly and wilfully divert or misapply any Part of the Money herein appropriated, to any other Purpose, than to the Uses hereby directed, contrary to the true Intent of this Act, such Officer and Officers so offending shall forfeit his and their Office and Place, and is and are hereby disabled and made incapable to hold or execute the said Office, or any other Office whatsoever.

Punishment upon Officer misapplying.

XXIV. Provided nevertheless, and be it enacted by the Authority aforesaid, That the new or additional Duties imposed by this Act, shall not extend to affect such foreign Stores as have been sold to the Use of their Majesties Navy, by Contract with the Navy Board, before the first Day of *January* one thousand six hundred ninety-two, so as a Certificate be given from the Commissioners of the Navy, that such foreign Stores have been so contracted for by them for their Majesties Service as aforesaid, and so as the Importer of the same do make Oath before the Commissioners appointed to manage the Customs (which Oath they are hereby impowered to administer) of the Truth of the said Contract, and that he will deliver the said Goods into their Majesties Stores, pursuant to the Contract so certified by the Commissioners of the Navy.

Foreign Stores sold to the Navy, not charged by this Act.

XXV. And as well that the Revenue of the Customs may be more duly and regularly answered, as to render the several Imposts, granted by this present Act, a more effectual Supply to their Majesties; Be it further enacted by the Authority aforesaid, That as well the Commissioners as the Patent Officers, and any of their Deputies, Clerks, or Servants, who have or shall have any Employment in or about their Majesties Customs, shall before the nineteenth Day of *April* next, or at their respective Admissions hereafter to such Employment, take their corporal Oaths for the true and faithful Execution, to the best of their Knowledge and Power, of their several Trusts and Employments committed to their Charge and Inspection, and that they will not take or receive any Reward or Gratuity, directly or indirectly, other than their respective Salaries, and what is or shall be allowed them from the Crown, or the regular Fees established by Law, for any Service done or to be done in the Execution of their Employment in the Customs upon any Account whatsoever.

An Oath to be taken by the Commissioners of the Customs.

## CAP. VI.

An Act for raising the Militia of this Kingdom for the Year one thousand six hundred ninety and three, although the Month's Pay formerly advanced be not repaid. EXP.

## CAP. VII.

### An Act to prevent Abuses committed by the Traders in Butter and Cheese.

'FORASMUCH as divers Countries of this Kingdom consist chiefly of Dairy-Farms, and are in great Measure supported by the Sale of Butter and Cheese, the Growth and Product of the same; and by an Act of Parliament made in the fourteenth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for reforming Abuses in the Weighing and false packing of Butter*, the Weight thereof is ascertained, and the Goodness of the Butter is secured, under the Pains and Penalties therein mentioned: And whereas the Cheesemongers of *London*, their Factors or Agents (without any Authority) have appointed in all or most of the Sea-port Towns in the said Counties a certain Officer, called a *Weigher*, who oftentimes, several Weeks after the Cheese and Butter hath been bought and approved by the Factors and Agents of the said Cheesemongers at the Seller's House, have taken upon them (without any Authority) to weigh and search the said Butter when the same comes to the Sea Ports to be shipped, and there pretend that the same is faulty, and set Rates of Deduction thereupon, and give Notes thereof to the Factors who bought such Butter; and when the Factor comes to pay the Seller for the same, they demand an Abatement accordingly, which if the Seller refuseth to allow, there are frequent Indictments or Informations exhibited against the Sellers, upon the said Act of the fourteenth of the said late King, and great Oppressions have been and are daily committed, to the great Loss and Damage of divers Land Owners and Farmers in the said Counties, contrary to the true Intent and Meaning of the said Act: For Prevention whereof,

13 & 14 Car. 2. c. 26.

3 & 4 Ed. 6. c. 21.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the Factor or Buyer hath bought and contracted for the said Commodity, and approved the same at the Seller's House, or the Place where he exposes the same to Sale, by searching and weighing the same (if he think fit) the Seller shall not after be charged or chargeable with, or liable to any of the Penalties in the said recited Act of the fourteenth Year of the said late King *Charles* the Second mentioned or inflicted, upon any Pretence of Want of Weight, false Packing, or mouldy Butter, or the Tare or Weight not being set upon the Cask, or otherwise; but from thenceforth shall be and

Seller of Butter, &c. discharged from the Penalty of 13 & 14 Car. 2. c. 26. after the Buyer hath bought and approved of the Commodity

is hereby discharged of and from the said Act; any other Law, Statute, or Usage to the contrary thereof in any wise notwithstanding.

Penalty upon Seller changing, &c. the Commodity after sold.

III. And for the preventing any Fraud in the Seller, after the Factor or Buyer hath bought and contracted for the said Butter, and approved of the same; Be it further enacted by the Authority aforesaid, That the said Factor or Buyer shall set his Seal or Mark upon the said Butter, or the Cask in which it is, or his Name at length; and in case the same shall afterwards be exchanged or be opened, and the Cask wherein the same is put up changed, or any bad and decayed Butter shall be mixed and packed up with sound and good Butter, or any other Fraud be committed by the Seller, and the Offender be thereof convicted upon Oath made of the said Offence before one or more of their Majesties Justice or Justices of the Peace by One or more Witness or Witnesses (which Oath the said Justice or Justices are hereby impowered and required to administer) or upon Confession of the Offender or Offenders before such Justice or Justices, the said Party or Parties shall forfeit the Sum of twenty Shillings for every such Firkin and Offence, to be levied by Distress and Sale of the Offenders Goods and Chattels, the Overplus to be restored after all Charges of the said Distress defrayed: And every Constable of the Parish, or chief Constable of the Hundred, where such Offence shall be committed, are hereby authorized and required to levy the same accordingly by Warrant under the Hand and Seal of the said Justice or Justices so to do.

The Weighers of Butter and Cheese shall ship off all that belongs to the London Cheesemongers, &c.

IV. And to the End the Trade for Butter and Cheese may not be ingrossed by particular Persons, but may be free and open to all Persons, and especially to all the Cheesemongers who are free of the City of *London*; Be it further enacted by the Authority aforesaid, That all and every Warehouse-keeper, Weigher, Searcher, or Shipper of Butter and Cheese, at any Port or Place in this Kingdom shall receive into his or their Possession or Warehouse, all Butter and Cheese that shall be brought to him or them for any of the Cheesemongers free of the City of *London*, or other Person making the said Commodities, and shall take due Care thereof until the same shall be shipped, and shall ship the said Butter and Cheese successively, as it shall come to his or their Hands respectively (without undue preferring one Man's Goods before another's) on the next Ship, or Hoy, or Vessel, that shall come to such Port or Place to lade Butter or Cheese for *London* (except the Owners of the said Goods shall give Orders to the contrary) and shall receive for his and their respective Care and Pains therein, of the Owners of the said Goods, the Sum of two Shillings and six Pence for every Load, and no more, and so proportionably: And if any such Person or Persons, or his or their Servant or Servants, shall refuse or neglect to receive such Goods, or to take due Care thereof, or shall not ship the said Goods as they come to his or their Hands successively as aforesaid, that every such Offender and Offenders, being thereof convict in Manner as aforesaid, shall forfeit for every Firkin of Butter ten Shillings, and for every Weigh of Cheese five Shillings, to be levied in Manner as aforesaid.

Fee to the Weigher.

Penalty upon Weighers offending.

Weigher, &c. shall keep a Book of the receiving and shipping the Butter, &c.

V. And for the Prevention of Frauds and undue Practices herein, be it further enacted by the Authority aforesaid, That all and every Warehouse-keeper, Weigher, Searcher, or Shipper of Butter and Cheese, in any such Port or Place, shall from and after the first Day of *April* one thousand six hundred ninety and three, keep a Book, wherein he and they shall duly and fairly enter all Butter and Cheese that shall be brought to him or them, as the same comes to his or their respective Hands; in which Entry shall be inserted the Time when such Goods were received, and the Quantity of such Goods, and the Name of the Owner of the same; and shall make the like Entries when the said Goods are shipped or put on board, of the Time when the same were shipped on board, and the Master's Name, and the Vessels Name in which the same are shipped or put on board, and to whom the same are consigned; which Book so kept shall be free and open for all Persons to see and search at all Times, without paying any thing for such Search; and if such Warehouse-keeper, Weigher, Searcher, or Shipper of Butter and Cheese, shall not keep such Book as aforesaid, or shall refuse, neglect, or omit to make such Entries therein as aforesaid, or shall make any undue Entries therein (by undue preferring one Man's Goods before another) or shall refuse in the Day-time to produce such Book to be searched as aforesaid; that every such Offender and Offenders, being thereof convict in Manner as aforesaid, shall forfeit for every Firkin of Butter two Shillings and six Pence, and for every Weigh of Cheese two Shillings and six Pence, and for every other the aforesaid Offence the Sum of two Shillings and six Pence, to be levied in Manner as aforesaid: And in case such Offender or Offenders shall not have Goods and Chattels sufficient for the levying the said Penalty, that then it shall and may be lawful for the Justice or Justices, before whom such Conviction shall be made, to commit such Offender and Offenders to the Gaol without Bail or Mainprize, there to remain until such Penalties shall be paid and satisfied.

Penalty upon Conviction before a Justice.

Penalty upon Master of Ship refusing to take in Butter, &c.

VI. And be it further enacted by the Authority aforesaid, That if any Master of any Ship, Hoy, or Vessel coming to such Port or Place to lade Butter and Cheese, or his or their Servant or Servants, shall refuse to take and receive on board his and their respective Vessels any such Butter and Cheese as shall be tendred to be shipped by such Warehouse-keeper, Weigher, Searcher, or Shipper of Butter and Cheese, before the same be sufficiently laden, that then every such Offender and Offenders, being thereof convict in Manner aforesaid, shall forfeit for every firkin of Butter so refused five Shillings, and for every Weigh of Cheese so refused two Shillings and six Pence, to be levied in Manner as aforesaid.

Penalties divided betwixt Informer and Poor.

VII. Provided, That one Half of all Penalties and Forfeitures within this Act shall be to the Use of the Poor inhabiting within the Parish where such Offence shall be from Time to Time committed, to be paid to the Churchwardens and Overseers of the Poor of and in such Parish, and the other Half to the Informer, to be distributed by the said Justice or Justices before whom the Offender or Offenders shall be convicted.

VIII.

VIII. Provided always, That this Act, nor any Thing therein contained, shall extend to exclude any Cheesemonger or Cheesemongers, free of the City of *London*, from sending his and their own proper Vessels for his and their own proper and respective Goods; but that it shall and may be lawful to and for such Person and Persons to send his and their own proper Vessels, or such other Vessels as he or they shall hire and send from *London* to freight by Charter-party for his and their own respective proper Goods, and to and for the Warehouse-keeper at such Ports where such Vessels shall be sent, to ship the aforesaid Goods on board, and to and for such Masters of such Vessels, and their Servants, to receive the same, as he, they, or any of them, could or might have done before the making of this Act. Cheesemongers, &c. may make use of their own Vessels.

IX. Provided, That nothing in this Act contained shall extend or be construed to extend to any Warehouse which now is, or hereafter shall be, within the Counties of *Chester* or *Lancaster*, or within the County of the City of *Chester*, nor to any Vessel or Boat at any Time belonging to, or that shall come into, any of the Ports or Havens of any of the said Counties. Warehouses, &c. in Chester and Lancaster, saved.

X. Provided always, That if any Person or Persons shall think him or themselves aggrieved by the Determination of any Justice of the Peace, who shall at any Time act in pursuance of the Powers to him given by this Act, it shall and may be lawful to and for such Person or Persons to appeal to the next General Quarter-Sessions of the Peace to be held for the County, Riding, City, or Town-corporate, where the said Offence shall be committed, the Determination of which Justices shall be final and conclusive to all Parties; the Person so appealing first giving to the Party accused a Bond of the Penalty of twenty Pounds, with one or more sufficient Sureties to the Liking of the said Justice of Peace from whom the said Appeal shall be so made, to pay such Costs to the said Party accused, as the said Court of Quarter-Sessions shall allow, in case the Appellant be not relieved upon his said Appeal; the said Costs to be so paid within one Month after the hearing and determining the said Appeal. Appeal lies from Justice to Sessions, Security being given for Costs. *See* 8 *Geo.* 1. *c.* 27.

## CAP. VIII.

### An Act for encouraging the apprehending of Highwaymen.

'WHEREAS the Highways and Roads within the Kingdom of *England*, and Dominion of *Wales*, 'have been of late Time more infested with Thieves and Robbers than formerly, for want of due 'and sufficient Encouragement given, and Means used, for the Discovery and Apprehension of such Of-'fenders, whereby so many Murders and Robberies have been committed, that it is become dangerous in 'many Parts of the Nation for Travellers to pass on their lawful Occasions, to the great Dishonour of the 'Laws of this Realm, and the Government thereof:' For remedy whereof,

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March* one thousand six hundred ninety and three, all and every Person and Persons, who shall apprehend and take one or more such Thieves or Robbers, and prosecute him or them so apprehended and taken, until he or they be convicted of any Robbery committed in or upon any Highway, Passage, Field, or open Place, shall have and receive from the Sheriff or Sheriffs of the County where such Robbery and Conviction shall be made and done, without paying any Fee for the same, for every such Offender so convicted the Sum of forty Pounds, within one Month after such Conviction and Demand thereof made, by tendring a Certificate to the said Sheriff or Sheriffs under the Hand or Hands of the Judge or Justices before whom such Felon or Felons shall be convicted, certifying the Conviction of such Felon or Felons for a Robbery done within the County of the said Sheriff or Sheriffs, and also that such Felon or Felons was or were taken by the Person or Persons claiming the said Reward; and in case any Dispute shall happen to arise between the Persons so apprehending any of the said Thieves and Robbers touching their Right and Title to the said Reward, that then the said Judge or Justices, so respectively certifying as aforesaid, shall in and by their said Certificate direct appoint the said Reward to be paid unto and amongst the Parties claiming the same, in such Share and Proportions as to the said Judge or Justices shall seem just and reasonable. And if it shall happen any such Sheriff or Sheriffs shall die, or be removed before the Expiration of one Month after such Conviction and Demand made of the said Reward (not being paid as aforesaid) that then the next succeeding Sheriff or Sheriffs of the said County shall pay the same within one Month after Demand and Certificate brought as aforesaid: And if Default of Payment of the said Sum or Sums of Money shall happen to be made by any Sheriff or Sheriffs, such Sheriff or Sheriffs so making Default shall forfeit to the Person or Persons, to whom such Money is due as aforesaid, double the Sum or Sums of Money he ought to have paid, to be recovered by him or them, or his or their Executors or Administrators, in any of their Majesties Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein but one Imparlance, and no Essoin, Protection, or Wager of Law shall be allowed, with treble Costs of Suit by him or them expended in the Recovery of the same. Reward to him that shall take an Highwayman. Extended to Robberies in London, by 6 Geo. 1. c. 23. §. 8. How to be recovered.

III. And be it further enacted, That in case any Person or Persons shall happen to be killed by any such Robber or Robbers, endeavouring to apprehend or in making Pursuit after him or them, that then the Executors or Administrators, or such Person or Persons to whom the Right of Administration of the personal Estate of each Person so killed shall belong (upon Certificate delivered under the Hands and Seals of the Judge or Justices of Assize for the County where the Fact was done, or the two next Justices of the Executors, &c. of Persons killed shall have the Reward.

the Peace, of such Person or Persons being so killed, which Certificate the said Judge or Justices, upon sufficient Proof before them made, are immediately required to give without Fee or Reward) shall receive the Sum of forty Pounds from the Sheriff or Sheriffs of the County where the said Fact was done and committed, and upon Failure of Payment thereof by the said Sheriff or Sheriffs, double the said Sum of forty Pounds to be recovered against him or them with treble Costs of Suit, in Manner and Form as aforesaid.

Sheriffs shall be allowed it in their Accounts.

IV. And it is hereby further enacted, That all Sheriffs, Their Executors, or Administrators, upon producing such respective Certificates, and the Receipts for the Money by them paid in pursuance of this Act, shall be allowed, and are hereby impowered to deduct, upon their accounting with their Majesties, their Heirs, and Successors, all Monies (other than the double Sum and Sums of Money, and Costs of Suit) which they shall disburse as aforesaid, without any Fee or Reward whatsoever.

Sheriff not having sufficient, to be repaid by the Treasury. See also 3 Geo. 1. c. 15. §. 4.

V. Provided always, That if, upon the Account of any Sheriff or Sheriffs, there shall not be Monies sufficient in the Hands of such Sheriff or Sheriffs to reimburse him or them such Monies paid by him or them by virtue of this Act, that then the Sheriff or Sheriffs, having so paid the said Monies, shall have the same repaid by the Lord Treasurer or Commissioners of their Majesties Treasury for the Time being, out of the Revenue of the Crown, upon Certificate from the Clerk of the Pipe to that Effect.

Highwayman's Horse, &c. given to the Apprehender.

VI. And it is hereby further enacted, that all and every Person or Persons who shall so take, apprehend, prosecute, or convict such Robber or Robbers as aforesaid, as a further Reward, shall have and enjoy to his and their proper Use and Behoof the Horse, Furniture, and Arms, Money, or other Goods of the said Robber or Robbers that shall be taken with him or them; any their Majesties Right or Title, Bodies Politick or Corporate, or the Right or Title thereunto of the Lord of any Manor, Liberty, or Franchise, or of him or them lending or letting the same to hire to any such Robber or Robbers, in any wise notwithstanding. Provided always, That this Clause, or any Thing therein contained, shall not be construed to extend to take away the Right of any Person or Persons to such Horses, Furniture and Arms, Money, or other Goods, from whom the same were before feloniously taken.

Person concerned discovering two others pardoned.

VII. And be it further enacted, That if any Person or Persons, being out of Prison shall, from and after the said five and twentieth Day of *March*, commit any Robbery, and afterwards discover two or more Person or Persons, who already hath or hereafter shall commit any Robbery, so as two or more of the Person or Persons discovered shall be convicted of such Robbery, any such Discoverer shall himself have, and is hereby intitled to, the gracious Pardon of their Majesties, their Heirs and Successors, for all Robberies which he or they shall have committed at any Time or Times before such Discovery made; which Pardon shall be likewise a good Bar to any Appeal brought for any such Robbery.

## CAP. IX.

### An Act for reviving two former Acts of Parliament, for the repairing the Highways in the County of *Hertford*.

15 Car. 2. c. 1.

'WHEREAS there was an Act of Parliament made in the fifteenth Year of the Reign of our late Sovereign Lord King *Charles* the Second, intituled, *An Act for repairing the Highways within the Counties of* Hertford, Cambridge, *and* Huntingdon, to be in Force for the Space of eleven Years from the Commencement thereof: And whereas there was afterwards one other Act of Parliament made in

16 & 17 Car. 2. c. 10.

the sixteenth and seventeenth Years of the Reign of the said late King *Charles* the Second, intituled, *An Act for Continuance of a former Act, for repairing the Highways within the County of* Hertford, both which said Acts are some Years past expired, and the Highways within the said County of *Hertford*, intended by the said Acts to be repaired, are since (by great Burthens and Carriages used to pass through the same) become dangerous and impassible:' To the End therefore that the said Highways within the County of *Hertford* (being the great Roads to the North Parts of this Kingdom) may be sufficiently repaired and amended by the Provisions mentioned in the said Acts, the same being not to be done by the ordinary Course of the Laws and Statutes of this Realm, may it please your Majesties that it may be enacted:

Further continued by 6 Geo. 1. c. 20.

Toll at Wades Mill revived for 15 Years.

II. And be it enacted by the King's and Queen's most excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That the Toll mentioned in the said Acts to be taken at *Wades Mill* for the County of *Hertford* be revived, set up, and taken again, in the manner by the said Acts mentioned, to continue for the Space of fifteen Years from the passing of this Act, and that the Monies thereby arising be employed for the Repair of the said Highways within the said County of *Hertford*, according to the Tenor of the said Acts.

Toll when to cease.

III. Provided always, That if the said Highways before the Expiration of the said Term of fifteen Years be in good and sufficient Repair, and an Adjudication thereof be made at the Assize or General Quarter-Sessions to be holden for the said County (as is provided by the said Statutes of the sixteenth and seventeenth Years of King *Charles* the Second) the Toll shall from thenceforth cease and determine, as in the

16 & 17 Car. 2. c. 10.

said Act is directed and appointed.

Officers and collecting, as in former Acts.

IV. And it is hereby further enacted and declared by the Authority aforesaid, that the several Officers and Persons impowered in and by the said Acts to the Purposes therein mentioned, so far as may any ways concern or relate to the said County of *Hertford*, shall from henceforth have the like Powers and Authorities by virtue of this present Act, as they and every of them had by virtue of the said former Acts; and that all Clauses, Provisions, Penalties, Forfeitures, and Exceptions whatsoever therein mentioned concerning the

he collecting, paying, ingaging, or accounting for the said Toll at *Wades Mill*, be from henceforth by virtue of this Act renewed and put in Execution again, during the Continuance of this present Act, as if they were herein particularly expressed and repeated. [Repealed as to the County of *Hertford*, 6 Geo. 2. c. 24.

## CAP. X.

### An Act for prohibiting the Importation of all Foreign Hair Buttons.

WHEREAS by an Act made in the fourteenth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act prohibiting the Importation of Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-strings, Buttons, and Needle-work*, amongst other Things in the said Act mentioned, all Foreign Buttons made of Thread or Silk are prohibited to be imported and sold in the Kingdom of *England*, or Dominion of *Wales*: And whereas since the making of the said Act, Hair Buttons are chiefly used and worn, and the Button-makers of *England* do make better Hair Buttons than any are imported from Foreign Parts, and are able to supply this Kingdom with greater Quantities of them than they can make use of; yet because Buttons made of Hair are not expressly mentioned in the said Act (although they were thereby intended to be prohibited) many Persons who are Enemies to the Manufactures of this Kingdom, taking Advantage of the said Omission, do daily import such great Quantities of Hair Buttons, that the Button Trade of *England* is very much decayed, and many Thousands of poor People, that were formerly kept at work in the said Trade, are like to perish for want of Employment, and all the other Mischiefs mentioned in the said Act, which relate to the Button Trade, and were thereby intended to be remedied, are become as great as they were at the Time of the making of the said Act; For Redress whereof, and the more effectual Prevention of the like Mischiefs for the future; 13 & 14 Car. 2. c. 13. 10 W. 3. c. 2. 8 Ann. c. 6. 4 Geo. 1. c. 7. 7 Geo. 1. c. 12.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March* in the Year of our Lord one thousand six hundred ninety and three, no Foreign Buttons made or to be made of Hair, nor any other Foreign Buttons whatsoever, shall be imported, brought in, sent, or conveyed into the Kingdom of *England*, Dominion of *Wales*, or Port or Town of *Berwick* upon *Tweed*, or bartered, sold, exchanged, or offered to be bartered, sold, or exchanged, upon pain of forfeiting all the said Buttons so imported, brought in, bartered, sold, or exchanged, or offered to be bartered, sold, or exchanged, and upon such further and other Pains, Penalties, and Forfeitures, as are mentioned, contained, and expressed in the said recited Act; one Moiety of all which Forfeitures to be to the Use of our Sovereign Lord and Lady the King and Queen, their Heirs, and Successors, and the other Moiety thereof to the Person or Persons that shall sue for the same in any of their Majesties Courts of Record, by Bill, Plaint, Action of Debt, Information, or otherwise, wherein no Essoin, Protection, or Wager of Law shall be allowed. Foreign Hair Buttons not to be imported, &c. Penalty.

III. And be it further enacted by the Authority aforesaid, That for the preventing the importing, bartering, selling, vending, or exposing to sale any Foreign Buttons whatsoever, the Justices of the Peace within the Kingdom of *England*, Dominion of *Wales*, or Port or Town of *Berwick* upon *Tweed*, within their several and respective Counties, Cities, and Towns Corporate, have the same Authority and Power, and the same Authority and Power is hereby given unto the said Justices, to issue forth their Warrants, to seize, or cause to be seized, all Foreign Buttons whatsoever, as by the said Act is given unto them for the seizing of Foreign Buttons made of Thread or Silk, and other the Manufactures in the said Act mentioned. Justices of Peace have Power to seize. *Farther Provisions concerning Buttons*, 10 *W.* 3. c. 2. 8 *Ann.* c. 6. 4 *Geo.* 1. c. 7. *and* 7 *Geo.* 1. c. 12.

## CAP. XI.

An Act for examining, taking, and stating the publick Accounts of this Kingdom. *Exp.* [Revived by 5 & 6 *W.* & *M. Cap.* 23. till *April* 1695.]

## CAP. XII.

### An Act to make Parishioners of the Church United Contributors to the Repairs and Ornaments of the Church to whom the Union is made.

WHEREAS by an Act of Parliament made in the seventeenth Year of the Reign of King *Charles* the Second of blessed Memory, Provision was made for the Uniting Churches in Cities and Towns Corporate: And forasmuch as it is highly reasonable that Parishioners of Parishes whose Churches are demolished, and either before or afterwards united to other Churches, should be Contributors towards the Repairs and other Parochial Charges of such other Church, to which by Virtue of the said Act they are united; 17 Car. 2. c. 3. 37 *H.* 8. c. 21.

II.

If two Churches be united, and one of them down, the Parishioners of that Church shall pay toward the Repairs, &c. of the other. *Vin. V.* 21. 594.

II. Therefore be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Churches heretofore have been, or hereafter shall be, united by virtue of the said Act, and one of the said Churches so united was, at the Time of such Union, or shall afterwards be demolished, that in all such Cases, as often as the Church which was or shall be made the Church Presentative, and to which the Union was or shall be made, shall be out of Repair, or there shall be need of decent Ornaments for the Performance of Divine Service therein, that the Parishioners of the Parish, whose Church shall then be down or demolisht, shall bear and pay towards the Charges of such Repairs and decent Ornaments, such Share and Proportion as the Archbishop or Bishop that shall make such Union shall by the same Union direct and appoint; and for want of such Direction and Appointment, then one third Part of such Charges of the Repairs and decent Ornaments which shall be made or provided; and the same shall be rated, taxed, and levied, and in Default thereof such Process and Proceedings shall be had and made against him or them, as if it were for the Reparation and finding decent Ornaments for their own Parish Church, if no such Union had been made; any Law, Custom, Usage, or Opinion, to the contrary heretofore notwithstanding.

## CAP. XIII.

EXP. An Act for punishing Officers and Soldiers, who shall mutiny or desert their Majesties Service, and for punishing False Musters, and for the Payment of Quarters. [Continued by 5 & 6 *W.* & *M.* Cap. 15 till 1 *March* 1693.]

## CAP. XIV.

EXP. An Act for Review of the Quarterly Poll granted to their Majesties in the last Session of this present Parliament.

## CAP. XV.

### An Act for continuing certain Acts therein mentioned, and for charging several Joint Stocks.

*Most Gracious Sovereigns,*

WE your Majesties most dutiful and loyal Subjects the Commons, in Parliament assembled, for a further Supply to your Majesties for the more effectual prosecuting the present War against *France*, have cheerfully and unanimously given and granted unto your Majesties the Impositions and Duties hereafter mentioned, for and during the respective Terms hereafter expressed; and do beseech your Majesties to accept thereof, and that it may be enacted;

Duties upon Wine and Vinegar.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the several Impositions and Duties upon Wines and Vinegar, granted by an Act made in the first Year of the late King *James*, intituled, *An Act for granting his Majesty an Imposition upon all Wines and Vinegar, imported between the four and twentieth Day of* June *one thousand six hundred eighty-five, and the four and twentieth Day of* June *one thousand six hundred ninety and three*; which said Act, by an Act of this present Parliament, made in the second Year of their Majesties Reign, was continued from the three and twentieth Day of *June* one thousand six hundred and ninety-three, until the four and twentieth Day of *June* one thousand six hundred ninety-six, shall be continued from the three and twentieth Day of *June* one thousand six hundred and ninety-six, until the four and twentieth Day of *June* one thousand six hundred and ninety-eight, and no longer: And that the said first mentioned Act, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, shall continue and be of full Force and Effect, until the said four and twentieth Day of *June* one thousand six hundred and ninety-eight, and shall be applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said Duties hereby continued, according to the Tenor and Intent of this present Act, as fully to all Intents and Purposes, as if all and every the Clauses, Matters, and Things in the said Act contained, had been again repeated in this Act, and particularly enacted.

Duties upon Tobacco and Sugar. 1 Jac. 2. c. 3.

III. And be it further enacted by the Authority aforesaid, That the Rates and Duties and Impositions for all Sorts of Tobacco granted by an Act made in the first Year of the late King *James*, intituled, *An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar, imported between the four and twentieth Day of* June *one thousand six hundred eighty-five, and the four and twentieth Day of* June *one thousand six hundred ninety-three*, which said Act (as for and concerning the said Duties and Impositions upon Tobacco only) by an Act of this present Parliament, made in the second Year of their Majesties Reign, was continued from the said three and twentieth Day of *June* in the said Year one thousand six hundred ninety-three, until the four and twentieth Day of *June* one thousand six hundred ninety-six, shall be continued from the said three and twentieth Day of *June* one thousand six hundred and ninety-six, until the four

four and twentieth Day of *June* one thousand six hundred and ninety-eight, and no longer; and that the said Act made in the first Year of the late King *James*, for granting the said Impositions upon Tobacco and Sugar, as for and concerning Tobacco only, and all Powers, Provisions, Penalties, Articles and Clauses therein contained, concerning the said Rates and Duties upon all Sorts of Tobacco, shall continue and be of full Force and Effect, until the said four and twentieth Day of *June* one thousand six hundred and ninety-eight; and shall be applied, practised, and executed for the raising, levying, executing, answering, and paying the said Duties upon Tobacco hereby continued, according to the Tenor and Intent of this present Act, as fully to all Intents and Purposes, as if the said Act, and all and every the Clauses, Matters, and Things therein particularly contained, had been again repeated in this Act, and particularly enacted for this Purpose.

IV. And be it further enacted by the Authority aforesaid, That the several additional and other Rates, Impositions, Duties, and Charges, upon the several Sorts of Goods and Merchandize granted by an Act of this present Parliament made in the second Year of their Majesties Reign, intituled, *An Act for granting to their Majesties certain Impositions upon all* East-India *Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thousand six hundred and ninety*; and which were thereby to have Continuance until the tenth Day of *November* one thousand six hundred ninety-five, shall be continued from the ninth Day of *November* one thousand six hundred ninety-five, and shall be raised, levied, collected, answered, and paid unto their Majesties, their Heirs and Successors, until the tenth Day of *November* one thousand six hundred ninety-seven; and that the said Act, intituled, *An Act for granting to their Majesties certain Impositions upon all* East-India *Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thousand six hundred and ninety*, and all Powers, Provisions, Penalties, Articles, and Clauses therein contained, shall continue and be of full Force and Effect, until the said tenth Day of *November* one thousand six hundred ninety-seven, and shall be applied, practised, and executed for the raising, levying, collecting, answering, and paying the said Duties hereby continued, according to the Tenor and Intent of this present Act, as fully to all Intents and Purposes, as if the said last mentioned Act, and all and every the Clauses, Matters, and Things therein contained, had been again repeated in this Act, and enacted particularly; except only as to such Part of the said Impositions, touching which other Provisions or Alterations are or shall be made by any other Act of this present Session of Parliament, which other Provisions or Alterations are to be observed, and to continue during the Continuance of this present Act.

Duties upon East-India Goods, &c. 2 W. & M. ff. 2. c. 4. continued till 1697. 1 Jac. 2. c. 3.

V. Provided always, and it is hereby enacted, That it shall and may be lawful to and for any Person and Persons to advance and lend unto their Majesties, as well upon the Security of this Act, as of the several herein before mentioned Acts, from and after the several and respective Sums thereupon respectively charged shall be fully satisfied and paid, any Sum or Sums of Money, not exceeding in the whole the Sum of five hundred thousand Pounds, and to have and receive for the Forbearance thereof any Sum not exceeding eight Pounds by the hundred for one whole Year, and no more, directly or indirectly.

Clause of Credit for 500,000*l.* at 8 per Cent. See 7 & 8 W. 3. c. 10. §. 7.

'The following 8 Sections are expired.'

Receits to be kept in the Exchequer; Tallies and Payment of the Money in Course. Five Pounds per Cent. upon East-India Stocks. Twenty Shillings upon African Shares. Five Pounds upon Hudson's-Bay Shares. Person interested only to swear to Debenture for Rebate.

'XIV. And whereas it is found by Experience, That great Quantities of Goods are daily imported 'from foreign Parts in a fraudulent and clandestine Manner, without paying the Customs and Duties due 'and payable to their Majesties, and the same hath of late been much increased and promoted by ill Men, who, 'notwithstanding the Laws already made, do undertake as Insurers, or otherwise, to deliver such Goods 'so clandestinely imported, at their Charge and Hazard, into the Houses, Warehouses, or Possession of 'the Owners thereof:' For the preventing so great a Mischief, Be it enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, who, by way of Insurance or otherwise, shall undertake or agree to deliver any Goods or Merchandizes whatsoever, to be imported from Parts beyond the Seas, at any Port or Place whatsoever within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, without paying the Customs and Duties that shall be due and payable for the same at such Importation, or any prohibited Goods whatsoever, or in pursuance of such Insurance, Undertaking, or Agreement, shall deliver, or cause or procure to be delivered, any prohibited Goods, or shall deliver, cause or procure to be delivered, any Goods or Merchandizes whatsoever, without paying such Duties and Customs as aforesaid, knowing thereof, and all and every their Aiders, Abettors, and Assistants, shall for every such Offence forfeit and lose the Sum of five hundred Pounds over and above all other Forfeitures and Penalties to which they are liable by any Act already in Force.

Five hundred Pounds Penalty on Person insuring to import prohibited Goods, or Goods without Custom.

This and the following Section farther provided for by 8 & 9 W. 3. c. 36. §. 2.

XV. And be it further enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, who shall agree to pay any Sum or Sums of Money for the insuring or conveying any Goods or Merchandizes that shall be so imported, without paying the Customs and Duties due and payable at the Importation thereof, or of any prohibited Goods whatsoever, or shall receive or take such prohibited Goods into his or their House, or Warehouse, or other Place on Land, or such other Goods, before such Customs and Duties are paid, knowing thereof, shall also for every such Offence forfeit and lose the like Sum of five hundred Pounds; the one Half of the said Forfeitures to be to their Majesties, and the other Half to the Informer, or such Person or Persons as shall sue for the same.

Five hundred Pounds Penalty upon Person, who shall be so insured.

Reward to Insurer, discovering.

XVI. And be it further enacted by the Authority aforesaid, That if the Insurer, Conveyor, or Manager of such Fraud, be the Discoverer of the same, he shall not only keep and enjoy the Insurance Money or Reward given him, and be discharged of the Penalties to which he is liable by reason of such Offence, but shall also have to his own Use one Half of the Forfeitures hereby imposed upon the Party or Parties making such Insurance or Agreement, or receiving the Goods as aforesaid; and in case no Discovery shall be made by the Insurer, Conveyor, or Manager as aforesaid, and the Party or Parties insured or concerned in such Agreement shall make Discovery thereof, he shall recover and receive back such Insurance Money or *Præmium*, as he hath paid upon such Insurance or Agreement, and shall have to his own Use one Moiety of the Forfeitures imposed upon such Insurer, Conveyor, or Manager as aforesaid, and shall also be discharged of the Forfeitures hereby imposed upon him or them.

Manner of recovering the Penalty.

XVII. And be it enacted, That all the said Penalties and Forfeitures shall be recoverable according to the Course of the Court of *Exchequer*, in like Manner as other Penalties and Forfeitures in like Cases are recoverable.

Proviso.

XVIII. Provided, That no Penalty hereby inflicted shall be recoverable, unless the same be prosecuted within twelve Months after the Time such Fact was committed; any thing in this Act to the contrary notwithstanding.

Application of the Duties.

XIX. And for preventing Doubts touching the Application of Monies, which shall accrue to their Majesties for the Custom of Prize-goods, be it declared and directed by the Authority aforesaid, That all Duties, as well Customs as Imposts, and by what Act or Acts soever, that shall accrue and be payable to their Majesties at the Custom-house after the five and twentieth Day of *March* one thousand six hundred ninety-three, for any Goods or Merchandize taken, condemned, and sold as Prize, shall be applied intirely to the Credit of an Act of this present Session of Parliament, intituled, *An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandize, for the prosecuting the present War against France*, any other Act to the contrary in any wise notwithstanding.

4 & 5 W. & M. c. 5.

## CAP. XVI.

### An Act to prevent Frauds by clandestine Mortgages.

'WHEREAS great Frauds and Deceits are too often practised by necessitous and evil-disposed Persons in borrowing of Money, and giving Judgments, Statutes, and Recognizances privately, for securing the Repayment of the said Money, and the same Persons do afterwards borrow Money upon Security of their Lands of other Persons, and do not acquaint the latter Lender thereof with the same, whereby such late Lender is very often in Danger to lose his whole Money, or forced to pay off the Debts secured by the said Judgments, Statutes, and Recognizances, before they can have any Benefit of the said Mortgages: And whereas divers Persons do many Times mortgage their Lands more than once, without giving Notice of their first Mortgage, whereby Lenders of Money upon Second or after Mortgages do often lose their Money, and are put to great Charges in Suits and otherwise:' For Remedy whereof, and preventing the same as much as may be for the future,

Debtor upon Judgment, &c. taking up Money of another upon a Mortgage, without Notice of the Judgment to the Mortgagee, shall lose his Equity to redeem.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, from and after the first Day of *May* which shall be in the Year of our Lord one thousand six hundred ninety and three, shall borrow any Money, or for any other valuable Consideration, for the Payment thereof, voluntarily give, acknowledge, permit, or suffer to be entred, against him or them, one or more Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, to any Person or Persons, Creditor or Creditors; and if the said Borrower or Borrowers, Debtor or Debtors, shall afterwards take up or borrow any other Sum or Sums of Money of any other Person or Persons, or for other valuable Consideration become indebted to such Person or Persons, and for securing the Repayment and Discharge thereof, shall mortgage his, her, or their Lands or Tenements, or any Part thereof, to the said second or other Lender or Lenders of the said Money, Creditor or Creditors, or to any other Person or Persons in Trust for, or to the Use of, such second or other Lender or Lenders, Creditor or Creditors, and shall not give Notice to the said Mortgagee or Mortgagees of the said Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, in Writing under his, her, or their Hand or Hands, before the Execution of the said Mortgage or Mortgages; unless such Mortgager or Mortgagers, his, her, or their Heirs, upon Notice to him, her, or them, given by the Mortgagee or Mortgagees of the said Lands and Tenements, his, her, or their Heirs, Executors, Administrators, or Assigns, in Writing under his, her, or their Hands and Seals, attested by two or more sufficient Witnesses, of any such former Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, shall within six Months pay off and discharge the said Judgment or Judgments, Statute or Statutes, Recognizance or Recognizances, and all Interest and Charges due thereupon, and cause or procure the same to be vacated or discharged by Record; that then the Mortgager or Mortgagers of the said Lands and Tenements, his, her, or their Heirs, Executors, Administrators, or Assigns, shall have no Benefit or Remedy against the said Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, or Assigns, or any of them, in Equity or elsewhere, for Redemption of the said Lands and Tenements, or any Part thereof; but the said Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Administrators, and Assigns, shall and may hold and enjoy the said Lands and Tenements for such Estate

Eſtate and Term therein, as were or was granted and ſettled to the ſaid Mortgagee or Mortgagees, againſt the ſaid Mortgager or Mortgagers, and all Perſon and Perſons lawfully claiming from, by, or under him, her, or them, freed from Equity of Redemption, and as fully to all Intents and Purpoſes whatſoever, as if the ſame had been purchaſed abſolutely and without any Power or Liberty of Redemption.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, who have or hath once mortgaged, or from and after the ſaid firſt Day of *May* ſhall mortgage, any Lands or Tenements to any Perſon or Perſons, for Security of Money lent, or otherwiſe accrued or become due, or for other valuable Conſiderations; and if the ſaid Mortgager or Mortgagers ſhall again mortgage the ſame Lands or Tenements, or any Part thereof, to any other Perſon or Perſons for valuable Conſiderations (the ſaid former Mortgage being in Force and not diſcharged) and ſhall not diſcover to the ſaid ſecond or other Mortgagee or Mortgagees, or ſome or one of them, the former Mortgage or Mortgages, in Writing under his or their Hands; that then and in thoſe Caſes alſo, the ſaid Mortgager or Mortgagers, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall have no Relief or Equity of Redemption againſt the ſaid ſecond or after Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, upon the ſaid After Mortgage or Mortgages, but that ſuch Mortgagee or Morgagees, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns, ſhall and may hold and enjoy ſuch more than once mortgaged Lands and Tenements, for ſuch Eſtate and Term therein, as were or was granted and conveyed by the ſaid Mortgager or Mortgagers, againſt him, her, or them, his, her, or their Heirs, Executors, or Adminiſtrators reſpectively, freed from Equity of Redemption, and as fully to all Intents and Purpoſes, as if the ſame had been an abſolute Purchaſe, and without any Power or Liberty of Redemption. Perſon mortgaging twice without Notice of the firſt Mortgage, loſes his Equity. 2 Vern. 589, 590.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That nevertheleſs if it ſo happen there be more than one Mortgage at the ſame Time made by any Perſon or Perſons, to any Perſon or Perſons, of the ſame Lands and Tenements, the ſeveral late or under Mortgagees, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall have Power to redeem any former Mortgage or Mortgages, upon Payment of the Principal Debt, Intereſt, and Coſts of Suit, to the prior Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns; any thing herein contained to the contrary thereof in any wiſe notwithſtanding. Under Mortgagees may redeem.

V. Provided always, That nothing in this Act contained ſhall be conſtrued, deemed, or extended, to bar any Widow of any Mortgager of Lands or Tenements from her Dower and Right in or to the ſaid Lands, who did not legally join with her Huſband in ſuch Mortgage, or otherwiſe lawfully bar or exclude herſelf from ſuch her Dower or Right. Dower ſaved. *See farther* 7 *Geo.* 2. c. 20.

## CAP. XVII.

### An Act for the regaining, encouraging, and ſettling the *Greenland* Trade.

WHEREAS the Trade to *Greenland* and the *Greenland* Seas, in the fiſhing for Whales there, hath been heretofore a very beneficial Trade to this Kingdom, not only in the employing great Numbers of Seamen and Ships, and conſuming great Quantities of Proviſions, but alſo in the bringing into this Nation great Quantities of Oil, Blubber, and Fins:

'II. And whereas neighbouting Nations do yearly make great Advantage thereby, not only ſupplying themſelves with that Sort of Oil and Fins, but by vending into other Parts great Quantities thereof, and particularly into this Kingdom, where the ſaid Trade is now quite decayed and loſt:

'III. And whereas ſeveral Merchants of this Kingdom did heretofore endeavour to ſettle and regain the ſaid Trade, and for their Encouragement therein, it was by an Act of Parliament made in the five and twentieth Year of the Reign of his late Majeſty King *Charles* the Second, intituled, *An Act for the Encouragement of the* Greenland *and* Eaſtland *Trades, and for the better ſecuring the Plantation Trade* (amongſt other Things) enacted, That in regard there was then great Want of Harpooniers and Seamen ſkilled and exerciſed in the Trade of Whale-fiſhing, it ſhould and might be lawful for any Ship or Veſſel truly belonging to *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, and whereof the Maſter ſhould be an *Engliſhman*, and inhabiting within the Places aforeſaid, from and after the firſt Day of *May* which was in the Year of our Lord one thouſand ſix hundred ſeventy and three, and until the five and twentieth Day of *March* which was in the Year of our Lord one thouſand ſix hundred eighty and three, employed for the catching of Whales, during ſuch Voyage, to be navigated with one Moiety of the Harpooniers and one Moiety of the reſt of the Mariners only *Engliſh*, and yet to pay no further or other Cuſtom for the Oil, Blubber, or Fins, caught or imported in ſuch Ship or Veſſel, than if ſuch Ship or Veſſel had been navigated with three Fourths of the Mariners *Engliſh*; which ſaid Act was by another Act of Parliament made in the ſecond Year of their preſent Majeſties Reign, intituled, *An Act for granting to their Majeſties a Subſidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*, continued for four Years: 25 Car. 2. c. 7. 2 W. & M. ſ. 1. c. 4.

'IV. And whereas ſeveral Merchants and other Perſons of this Kingdom were by the firſt recited Act encouraged to fit out and ſend to the ſaid *Greenland* Seas ſome Ships or Veſſels for the catching of Whales, whereby ſome ſmall Quantities of Oil, Blubber, and Whale-fins were imported into this Kingdom, but they not being able to carry on the ſaid Trade upon their ſingle or ſeparate Intereſt, in regard that the neighbouring Nations did yearly ſend far greater Numbers of Ships into thoſe Seas, the ſaid Merchants and other Perſons of this Kingdom were forced to diſiſt from following the ſaid Trade, which is now

'wholly ingroſſed by Foreigners; and ſince the Expiration and Revival of the ſaid Act, there have not 'been any Ships ſent from *England* to the ſaid *Greenland* Seas, or any Oil, Blubber, or Whale-fins im- 'ported into *England*, but ſuch as have been bought of Foreigners, whereby great Sums of Money are 'yearly drawn out of *England* for thoſe Commodities, and the Rates and Prices which are now paid for 'the ſame, are now above ſix Times more than heretofore they were, and the ſaid Trade having been for 'above theſe twelve Years laſt paſt wholly loſt to this Kingdom, there are very few or no *Engliſh* Harpo- 'niers or *Engliſh* Seamen ſkilled and exerciſed in the ſaid Trade of Whale-catching, ſo that the ſaid Trade 'cannot now be regained to this Kingdom, nor can be carried on by or without the Aſſiſtance of Foreign 'Harpooniers and Seamen, or upon the ſingle Intereſts or Stocks of any particular Perſons, or by any other 'Way than by a Joint Stock:

'V. And whereas, for the regaining, enlarging, and encouraging the ſaid Trade, a Stock of forty thou- 'ſand Pounds at the leaſt is a neceſſary Fund to be raiſed, for the regaining and carrying on the ſaid Trade The following three Sections are expired. 'whereby it may become beneficial to this Kingdom: And whereas Sir *William Scawen* Knight, &c. have 'undertaken and agreed to raiſe by Subſcription amongſt themſelves the ſaid Stock or Fund of forty thou- 'ſand Pounds at leaſt, to be wholly employed in the regaining, managing, and carrying on the ſaid Trade:' May it pleaſe, &c.

The Company may trade to Greenland, &c. VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Merchants of *London* trading to *Greenland*, and their Succeſſors, ſhall, during the Continuance of this Joint Stock hereby appointed to be raiſed, have, uſe, and enjoy the free Trade and Traffick, and ſhall and may freely traffick and uſe the Trade and Art of Merchandize and catching of Whales by Sea or otherwiſe, to, into, and from *Greenland*, and the *Greenland* Seas, and to, into, and from the ſeveral Ports, Havens, and Places, which are ſituate, lying, and being in *Greenland* and the *Greenland* Seas, and in all other Seas and Places whatſoever (except in the Seas belonging to their Majeſties Colonies and Plantations in *America*) and to and from all and every of them, without any Hindrance, Interruption, Denial, or Diſturbance whatſoever; any Statute, Uſage, or other Cauſe or Matter whatſoever to the contrary notwithſtanding. [This clauſe is continued by 1 Annæ, ſtat. 1. c. 16.]

Power given to Sir *William Scawen*, &c. to raiſe a Joint-Stock of 40,000l. Sir *William Scawen*, &c. made a Corporation by the Name of *The Greenland Company*, and to buy Lands, not exceeding 100l. *per Annum*. The Company may trade to *Greenland*, &c. A Governor, &c. to be choſen. A Book of Subſcriptions, and each Subſcriber muſt ſubſcribe 500l. Money ſubſcribed how and when to be paid. Defaulters to loſe the Subſcription of what is not actually paid, and to forfeit 10l. *per Cent.* Choice of Governor, Deputy Governor, and Sixteen to be the Committee. Oath to be taken by Governor and Deputy Governor. Oath of Committees. Subſcriber of leſs than 500l. no Vote, of 500l. one Vote, of 1000l. two Votes. Subſcribers Oath. Governors, &c. to be choſen annually. What other Oaths the Governor, Deputy Governor and Sixteen Committees, ſhall take. 1 W. & M. ſt. 1. c. 8. The Courts how to be called. The Subſcribers at a Court may make By-laws. The Sales of Goods to be publick. No Lot more than 300l. The Monies for Goods ſold ſhall be faithfully applied. Dividends to be in Money. Shares may be aſſigned by Entry in a Book kept for that Purpoſe. Shares deviſed by Will excepted. No Perſon may ſell a greater Share than he really hath. All Sales not perfected within 10 Days void.

Ships to Greenland, may be navigated with one Third Engliſh enlarged by 1 Annæ, ſtat. 1. c. 16. XXVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Company hereby eſtabliſhed, and for all and every the Ships and Veſſels belonging to or employed by the ſaid Company, and truly belonging to *England*, *Wales*, or Town of *Berwick* upon *Tweed*, and whereof the Maſters ſhall be *Engliſh* Men, and inhabiting within the Places aforeſaid, and for no other Ship or Veſſel whatſoever, from and after the firſt Day of *May* in the Year of our Lord one thouſand ſix hundred ninety-three, and until the firſt Day of *October*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſeven, employed for the catching of Whales in the *Greenland* Seas, and other the Seas and Places aforeſaid, during ſuch their Voyages, to be navigated with one Third of the Mariners *Engliſh* at the leaſt, and yet to pay no further or other Cuſtom for the Oil, Blubber, or Fins, caught and imported in ſuch Ships or Veſſels, than if ſuch Ships or Veſſels had been navigated with three Fourths of the Mariners *Engliſh*; any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding.

Oil and Blubber, &c. may be imported Duty free by 7 & 8 W. 3. c. 33. XXVIII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no *Engliſh* Ship or other Veſſel belonging to *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, and which ſhall belong to and be employed by the ſaid Company in the catching of Whales in the *Greenland* Seas, and other the Seas and Places aforeſaid, and importing Whale-oil, or Blubber, or other Fiſh-Oil, or Whale-fins of *Greenland*, or thoſe Seas, or other the Seas and Places aforeſaid, ſhall enjoy any Benefit or Privilege by this Act, unleſs ſuch Ship or Veſſel did proceed on her Voyage for *Greenland* and thoſe Seas, or for other the Seas or Places aforeſaid, from *England*, or *Wales*, or the Town of *Berwick* upon *Tweed*, and was victualled for the ſaid Voyage in ſome of thoſe Places, to be atteſted by the Collector of the Port where the ſame ſhip or Veſſel was victualled. [Continued by 1 Ann. ſtat. 1. c. 16.]

Corporation to continue for 14 Years. XXIX. Provided always, That this Act and the ſaid Joint-ſtock ſhall continue, and the ſaid Company ſhall have and enjoy the ſaid Traffick and Trade to and from *Greenland* and the *Greenland* Seas, and other the Seas and Places aforeſaid, for the Term of fourteen Years, to be accounted from the firſt Day of *October* in the Year of our Lord one thouſand ſix hundred ninety and three, and no longer. EXP.

Publick Act. XXX. Provided alſo, and be it further enacted, That this Act ſhall be and is hereby declared to be a publick Act of Parliament, and ſhall be ſo taken and acknowledged by all and every their Majeſties Judges in all and every their Majeſties Courts at *Weſtminſter*, and by all and every other their Majeſties Subjects whatſoever.

*Further Encouragements given to the Greenland Trade*, 10 & 11 *W.* 3. *c.* 25. *ſec.* 17. 1 *Ann. ſtat.* 1. *c.* 16. 10 *Geo.* 1. *c.* 16. 12 *Geo.* 1. *c.* 26. *ſ.* 7. 5 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 33. 13 *Geo.* 2. *c.* 28. *ſ.* 5. 22 *Geo.* 2. *c.* 45. 28 *Geo.* 2. *c.* 29.

## CAP. XVIII.

An Act to prevent malicious Informations in the Court of *King's Bench*, and for the more eaſy Reverſal of Outlawries in the ſame Court.

18 *El.* c. 5. 29 *El.* c. 5. 21 *Jac.* 1. c. 4.

WHEREAS divers malicious and contentious Perſons have more of late than in Times paſt procured to be exhibited and proſecuted, Informations in their Majeſties Court of *King's Bench* at *Weſtminſter*, againſt Perſons in all the Counties of *England*, for Treſpaſſes, Batteries, and other Miſdemeanors, and after the Parties ſo informed againſt have appeared to ſuch Informations, and pleaded to Iſſue, the Informers do very ſeldom proceed any further, whereby the Perſons ſo informed againſt are put to great Charges in their Defence; and although at the Trials of ſuch Informations Verdicts are given for them, or a *Nolli proſequi* be entred againſt them, they have no Remedy for obtaining Coſts againſt ſuch Informers: And whereas divers Perſons are proſecuted in the ſaid Court of *King's Bench* to Outlawries for Debts, Treſpaſſes, and other Miſdemeanors, and there is no reverſing ſuch Outlawries but by the perſonal Appearance of the Perſons outlawed, ſo that the Perſons arreſted upon ſuch Outlawries (if poor) lie in Priſon till their Deaths, but if able, it coſts them very dear to reverſe the ſame Outlawries:' For Remedy whereof,

Clerk of the Crown to exhibit no Information for Crimes above mentioned, except by Order of Court, nor iſſue Proceſs, till Proſecutor has given 20 l. Recognizance to proſecute. 2 *Haw. P. C. ch.* 26.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Eaſter* Term, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and three, the Clerk of the Crown in the ſaid Court of *King's Bench* for the Time being ſhall not, without expreſs Order to be given by the ſaid Court in open Court, exhibit, receive, or file any Information for any of the Cauſes aforeſaid, or iſſue out any Proceſs thereupon, before he ſhall have taken or ſhall have delivered to him a Recognizance from the Perſon or Perſons procuring ſuch Information to be exhibited, with the Place of his, her, or their Abode, Title, or Profeſſion, to be entred, to the Perſon or Perſons againſt whom ſuch Information or Informations is or are to be exhibited, in the Penalty of twenty Pounds, that he, ſhe, or they, will effectually proſecute ſuch Informations or Information, and abide by and obſerve ſuch Orders as the ſaid Court ſhall direct, which Recognizance the ſaid Clerk of the Crown, and alſo every Juſtice of the Peace of any County, City, Franchiſe, or Town Corporate (where the Cauſe of any ſuch Information ſhall ariſe) are hereby impowered to take; after the taking whereof by the ſaid Clerk of the Crown, or the Receipt thereof from any Juſtice of the Peace, the ſaid Clerk of the Crown ſhall make an Entry thereof upon Record, and ſhall file a Memorandum thereof in ſome publick Place in his Office, that all Perſons may reſort thereunto without Fee; and in caſe any Perſon or Perſons againſt whom any Information or Informations for the Cauſes aforeſaid, or any of them, ſhall be exhibited, ſhall appear thereunto, and plead to Iſſue, and that the Proſecutor or Proſecutors of ſuch Information or Informations ſhall not, at his and their own proper Coſts and Charges, within one whole Year next after Iſſue joined therein, procure the ſame to be tried; or if upon ſuch Trial a Verdict paſs for the Defendant or Defendants, or in caſe the ſaid Informer or Informers procure a *Nolli proſequi* to be entred; then in any of the ſaid Caſes the ſaid Court of *King's Bench* is hereby authorized to award to the ſaid Defendant and Defendants, his, her, or their Coſts, unleſs the Judge, before whom ſuch Information ſhall be tried, ſhall at the Trial of ſuch Information, in open Court, certify upon Record, that there was a reaſonable Cauſe for exhibiting ſuch Information; and in caſe the ſaid Informer or Informers ſhall not within three Months next after the ſaid Coſts taxed, and Demand made thereof, pay to the ſaid Defendant or Defendants the ſaid Coſts, then the ſaid Defendant and Defendants ſhall have the Benefit of the ſaid Recognizance, to compel them thereunto.

Memorandum to be filed. Defendant ſhall have Coſts, if Cauſe not tried within one Year, after Iſſue joined, &c.

Defendants Remedy for Coſts. 1 Salk. 194.

III. And for the more eaſy and ſpeedy Reverſing of Outlawries in the ſaid Court, Be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *Eaſter* Term, no Perſon or Perſons whatſoever, who are or ſhall be outlawed in the ſaid Court for any Cauſe, Matter, or Thing whatſoever (Treaſon and Felony only excepted) ſhall be compelled to come in Perſon into, or appear in Perſon in, the ſaid Court to reverſe ſuch Outlawry, but ſhall or may appear by Attorney, and reverſe the ſame without Bail, in all Caſes, except where ſpecial Bail ſhall be ordered by the ſaid Court.

Outlawry may be reverſed by Attorney, except in Treaſon and Felony. 2 Salk. 496.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons outlawed, or hereafter to be outlawed, in the ſaid Court (other than for Treaſon and Felony) ſhall from and after the ſaid firſt Day of *Eaſter* Term be taken and arreſted upon any *Capias Utlagatum* out of the ſaid Court, it ſhall and may be lawful to and for the Sheriff or Sheriffs who hath or ſhall have taken and arreſted ſuch Perſon and Perſons (in all Caſes where ſpecial Bail is not required by the ſaid Court) to take an Attorney's Engagement under his Hand to appear for the ſaid Defendant or Defendants, and to reverſe the ſaid Outlawries, and thereupon to diſcharge the ſaid Defendant and Defendants from ſuch Arreſts: And in thoſe Caſes where ſpecial Bail is required by the ſaid Court, the ſaid Sheriff or Sheriffs ſhall and may take Security of the ſaid Defendant or Defendants by Bond, with one or more ſufficient Surety or Sureties, in the Penalty of double the Sum for which ſpecial Bail is required, and no more, for his, her, or their Appearance by Attorney in the ſaid Court at the Return of the ſaid Writ, and to do and perform ſuch Things as ſhall be required by the ſaid Court, and after ſuch Bond taken, to diſcharge the ſaid Defendant and Defendants from the ſaid Arreſts.

Perſons taken upon *Capias Utlagatum* in Common Bail Caſes, diſcharged by an Attorney's Engagement to appear; in Special Bail Caſes, giving Bond with Sureties to appear.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, outlawed as aforeſaid, and taken and arreſted upon a *Capias Utlagatum*, ſhall not be able within the Return of the ſaid Writ to give Security as aforeſaid, in Caſes where ſpecial Bail is required, ſo as he or they are committed to Gaol for Default thereof, that whenſoever the ſaid Priſoner or Priſoners ſhall find ſufficient Security to the Sheriff

Perſon taken as before ſhall be diſcharged, giving Security after Return of the Writ.

or Sheriffs, in whoſe Cuſtody he or they ſhall be, for his or their Appearance by Attorney in the ſaid Court, at ſome Return in the Term then next following, to reverſe the ſaid Outlawry or Outlawries, and to do and perform ſuch other Thing and Things as ſhall be required by the ſaid Court, it ſhall and may be lawful to and for the ſaid Sheriff and Sheriffs, after ſuch Security taken, to diſcharge and ſet at liberty the ſaid Priſoner and Priſoners for the ſame; any Law or Uſage to the contrary notwithſtanding.

This Act only extends to Informations by Maſter of Crown Office.

VI. Provided, That nothing in this Act relating to Informations ſhall extend or be conſtrued to extend to any other Informations, than ſuch as are or ſhall be exhibited in the Name of their Majeſties Coroner or Attorney in the Court of *King's Bench* for the Time being (commonly called the *Maſter of the Crown Office*) any thing in the ſaid Act contained to the contrary notwithſtanding.

Defendants (except deſiring) not to plead again upon the King's Demiſe. *See farther* 9 *An. c.* 20.

VII. And be it further enacted by the Authority aforeſaid, That upon the Demiſe of any King or Queen of this Realm, all Pleas to Informations in the ſaid Court ſhall ſtand and be good in Law, without calling Defendants to plead again to the ſame, unleſs the Defendants deſire ſo to do, and make Requeſt to the ſaid Court for that Purpoſe within five Months next after ſuch Demiſe; any Law or Uſage to the contrary notwithſtanding.

## CAP. XIX.

EXP. An Act for preventing Suits againſt ſuch as acted for their Majeſties Service in Defence of the Kingdom.

To indemnify Lords of the Council, &c. acting beyond their Power in Defence of the Kingdom.

'WHEREAS in this preſent Year of our Lord one thouſand ſix hundred ninety and two, it was notoriouſly known that there were great Preparations for an Invaſion intended from *France*, the Lords of the Council, and thoſe that have acted by their Authority, having apprehended and impriſoned ſeveral ſuſpected Perſons, and ſeized and uſed Horſes and Arms, and cauſed ſome Part of the Militia of this Kingdom to be raiſed, continued, and mantained, otherwiſe than is authorized by the Acts made in the Reign of King *Charles* the Second in that Behalf, and to march and be quartered in divers Places upon that Occaſion: That thoſe Proceedings in that extraordinary Juncture, and the Parties concerned therein, may be indemnified; therefore, and for the preventing the Trouble and Charges which the ſaid good Subjects might be put to by the Proſecution of their Majeſties, their Heirs and Succeſſors, or by the means of Suits of any Perſon whatſoever, for and by reaſon of their Actings and Doings aforeſaid, *&c.*'

## CAP. XX.

An Act for the better Diſcovery of Judgments in the Courts of *King's Bench*, *Common Pleas*, and *Exchequer* at *Weſtminſter*.

'WHEREAS great Miſchiefs and Damages happen and come, as well to Perſons in their Lifetimes, but more often to their Heirs, Executors, and Adminiſtrators, and alſo to Purchaſers and Mortgagees, by Judgments entred upon Record in their Majeſties Courts at *Weſtminſter*, againſt the Perſons Defendants, by reaſon of the Difficulty there is in finding out ſuch Judgments:' For Remedy whereof,

Judgments to be doggetted.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Clerk of the Eſſoins of the Court of *Common Pleas*, every Clerk of the Doggets of the Court of *King's Bench*, and the Maſter of the Office of Pleas in the Court of *Exchequer* for the Time being, ſhall, before the laſt Day of *Eaſter* Term next coming, and ſo in every *Eaſter* Term after, make or cauſe to be made and put into an alphabetical Dogget by the Defendant's Names, a Particular of all Judgments for Debt by Confeſſion, *Non ſum informatus*, or *Nihil dicit*, entred in the ſaid reſpective Courts, of the Term of Saint *Hilary* preceding, which ſhall contain the Name and Names of the Plaintiff and Plaintiffs, the Name and Names of the Defendant and Defendants, his, her, or their Place or Places of Abode, and Title, Trade, or Profeſſion (if any ſuch be in the Record of the ſaid Judgment) and the Debt, Damages, and Coſts recovered thereby; and in what County, City, or Town the reſpective Actions were laid, and the Number Roll of the Entry thereof; and alſo that every Clerk of the Judgments, and every other Clerk of the ſaid Court of *Common Pleas* and *King's Bench* reſpectively ſhall, within ten Days before the Time aforeſaid, bring to the reſpective Clerks of the Doggets of the ſaid reſpective Courts, Notes in Writing of all the Judgments by them and every of them reſpectively entred, of the ſaid Term of Saint *Hilary*, upon Verdicts, Writs of Inquiry, Demurrer, and every other Judgment for Debt or Damages, in all Things as aforeſaid; and alſo that the Clerk of the Judgments, and every other Clerk of the ſaid Court of *Exchequer*, ſhall, within the Times aforeſaid, bring to the ſaid Maſter of the ſaid Office of Pleas, the like Note in Writing of all the like Judgments by him or them reſpectively entred of the ſaid Term, in all Things as aforeſaid; to the end the ſame may be, (by the Clerk of the Eſſoins of the ſaid Court of *Common Pleas*, the Clerk of the Doggets of the ſaid Court of *King's Bench*, and Maſter of the Office of Pleas) reſpectively entred in the reſpective Doggets before mentioned, in Manner and Form aforeſaid; and alſo that the reſpective Officers and Clerks of the ſaid reſpective Courts ſhall likewiſe, before the laſt Day of the Term of Saint *Michael* alſo next coming, and in every *Michaelmas* Term after, make, or cauſe to be made, as aforeſaid, the like Dogget, containing all ſuch Judgments in the ſaid reſpective Courts, of the reſpective Terms of *Eaſter* and *Trinity* then laſt paſt, and the Names of the Plaintiffs and Defendants,

Titles

Titles and Additions, Debt and Damages, in all Things as aforesaid; and also that the said respective Officers and Clerks of the said respective Courts shall likewise, before the last Day of the Term of Saint *Hilary*, which shall be in the Year of our Lord one thousand six hundred ninety and three, and so in every *Hilary* Term after, make, or cause to be made, the like Dogget, containing all such Judgments in the said respective Courts, of the Term of Saint *Michael* then last past, with the Names of the Plaintiffs and Defendants, Titles and Additions, Debts and Damages, in all Things as aforesaid; and that the said respective Doggets shall be fairly put into and kept in Books in Parchment in the respective Offices of the respective Officers before named, to be searched and viewed by all Persons at all reasonable Times, paying to the respective Officers, in whose Keeping the said Books respectively shall be, for every Term's Search for Judgments against any one Person, four Pence, and no more; upon Pain that every Clerk of Essoins of the Court of *Common Pleas*, Clerk of the Doggets of the *King's Bench*, and Master of the Office of Pleas in the Court of *Exchequer*, Clerks of the Judgments, and every Clerk before mentioned respectively, shall, for every Term, in which he shall omit or neglect to do his Duty in the Premisses, forfeit the Sum of one hundred Pounds; the one Moiety to the Party or Parties aggrieved, and the other Moiety to him or them who shall sue for the same in any of their Majesties Courts of Record at *Westminster*, wherein no Privilege, or Essoin, or Protection of Law, shall be admitted, nor any more than one Imparlance.

Fee for Search.

Penalty.

III. And be it further enacted by the Authority aforesaid, That no Judgment, not doggetted and entred in the Books as aforesaid, shall affect any Lands or Tenements as to Purchasers or Mortgagees, or have any Preference against Heirs, Executors, or Administrators, in their Administration of their Ancestors, Testators, or Intestates Estates.

Judgments not doggetted shall not affect Purchasers, &c.

'IV. And whereas the Clerks of the Judgments of the said respective Courts are to be at great Charge and Trouble in the Execution of this Act;' For Recompence whereof be it enacted by the Authority aforesaid, That hereafter there shall be paid by the Plaintiff or Plaintiffs in every of the said Judgments upon Verdicts, Writs of Enquiry, Demurrer, and every other Judgment by them respectively to be entred, over and above the Fees now due for the same, the Sum of four Pence, and no more.

Fee to the Clerk of the Judgments.

V. Provided always, and be it enacted by the Authority aforesaid, That this Act shall continue and be in Force for one Year, from the five and twentieth Day of *March* one thousand six hundred ninety and three, and from thence to the End of the next Session of Parliament, and no longer. [Continued a Year longer by 6 & 7 W. 3. cap. 14. and made perpetual by 7 & 8 W. 3. cap. 36. sect. 3.]

Act to continue one Year.

## CAP. XXI.

### An Act for delivering Declarations to Prisoners.

'WHEREAS by the Course of Practice in the respective Courts of Record at *Westminster*, after the Plaintiff or Plaintiffs, in any Writ issued out of any of the said Courts, have been at great Charge 'to arrest the Defendant or Defendants upon such Writ, and the Defendant or Defendants, for want of 'sufficient Bail, are often committed to Gaol, and unless the Plaintiff or Plaintiffs shall, before the End of 'two Terms, next after such Arrest, cause such Defendant or Defendants, by Writ of *Habeas Corpus*, to 'be removed, to be charged in the said respective Courts with Declarations of the Cause of such Action or 'Actions, such Prisoner or Prisoners are upon a common Bail or Appearance by Attorney discharged from 'their Imprisonment, to the great Prejudice of the Plaintiffs;' For Remedy whereof,

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if now, or at any Time after the five and twentieth Day of *March* one thousand six hundred ninety and three, any Defendant or Defendants be taken or charged in Custody at the Suit of any Person or Persons, upon any Writ or Writs out of any of the said Courts at *Westminster*, and imprisoned or detained in Prison for Want of Sureties for their Appearance to the same, the Plaintiff or Plaintiffs, in such Writ or Writs, shall and may, by virtue of this Act, before the End of the next Term after such Writ or Process shall be returnable, declare against such Prisoner or Prisoners in the respective Court or Courts out of which the Writ or Writs shall issue, whereupon the said Prisoner or Prisoners shall be taken and imprisoned or charged in Custody, and shall or may cause a true Copy thereof to be delivered to such Prisoner or Prisoners, or to the Gaoler or Keeper of the Prison, or Gaoler in whose Custody such Prisoner shall be or remain: To which Declaration or Declarations the said Prisoner or Prisoners shall appear and plead; and if such Prisoner or Prisoners shall not appear and plead to the same, the Plaintiff or Plaintiffs in such Cases shall have Judgment in such Manner as if the Prisoner or Prisoners had appeared in the said respective Courts, and refused to answer or plead to such Declaration.

14 *El.* c. 5. 43 *El.* c. 2. § 14. 22 & 24 *Car.* 2. c. 20.

Prisoner in Custody how charged.

1 Salk. 98.

III. And be it further enacted by the Authority aforesaid, That in all Declarations against any Prisoner or Prisoners detained in Prison by virtue of any Writ or Process issued or to be issued out of the Court of *King's Bench*, it shall be alledged, in Custody of what Sheriff, Bailiff, or Steward of any Franchise, or other Person having the Return and Execution of Writs, such Prisoner or Prisoners shall be at the Time of such Declaration by virtue of the Process of the said Court at the Suit of the Plaintiffs: Which Allegation shall be as good and effectual to all Intents and Purposes, as if such Prisoner or Prisoners were in the Custody of the Marshal of the *Marshalsea* of our sovereign Lord and Lady, the King and Queen.

In the King's Bench Declaration must be *in Custodia* of such a Sheriff, &c.

Carthew 469.

*Farther Provisions concerning Prisoners, &c.* 8 & 9 *W.* 3. c. 27. 11 & 12 *W.* 3. c. 19. 1 *Ann. stat.* 2. c. 6. 5 *Ann.* c. 9. 9 *Geo.* 1. c. 28. 11 *Geo.* 1. c. 22. 11 *Geo.* 2. c. 20. 16 *Geo.* 2. c. 31. 27 *Geo.* 2. c. 3 & 17. *and* 32 *Geo.* 2. c. 28.

CAP.

## CAP. XXII.

### An Act for regulating Proceedings in the Crown Office in the Court of *King's Bench* at *Westminster*.

FOR rectifying the Proceedings in the Crown Office in their Majesties Court of *King's Bench*, and for the greater Ease of all their Majesty's Subjects who shall hereafter be prosecuted in the same; Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Corporation, Lord or Lords of Manors, or other Person or Persons, having Grants by Charter, or other good Conveyances, who have inrolled, and had the same allowed, in and by the said Court, shall hereafter be compelled to plead the same, to any Inquisition returned by any Coroner; any Custom or Usage to the contrary notwithstanding: And if there be any Corporations, Lord or Lords of Manors, or other Person or Persons, who now have, or hereafter shall have such Charters or Grants from the Crown, for Felons Goods, Deodands, and other Forfeitures, such Corporations, Lords of Manors, and other Persons, shall not be compelled to inroll their whole Charters and Grants, but bring in the same to the Clerk of the Crown of the said Court, he shall inroll and enter upon Record so much thereof, as may express and set forth the Grants of such Felons Goods, Deodands, and Forfeitures, and no more; for doing whereof he shall have and receive twenty Shillings for his Fee and Entry thereof, and no more; and from and after such Inrollment, no Corporation, Lord of Manor, or other Person or Persons, Grantees of such Goods or Forfeitures, shall be compelled to plead the same in the said Court, to any Inquisition thereafter filed therein, touching any Goods found thereby; any Usage to the contrary notwithstanding.

Persons having Grants by Charters and inrolled, not bound to plead them to an Inquisition.

So much of Grants of Felons, &c. as may express the Grant, to be only entred, Fee 20 s. After such Entry, Grantee discharged from pleading to Inquisition.

II. And be it further enacted by the Authority aforesaid, That if any Clerk of the Crown of the said Court shall hereafter issue out any Process against any Corporation, Lord of Manor, or other Person or Persons Grantees of such Felons Goods, Deodands, and other Forfeitures, after Inrollment or Entry as aforesaid, the said Clerk of the Crown shall for every Offence forfeit and pay to the Corporation or Party grieved thereby, the Sum of five Pounds, to be recovered by Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, wherein no Essoin, Privilege, Protection, or Wager of Law shall be admitted, nor any more than one Imparlance.

Penalty upon Clerk of the Crown issuing Process after such Entry.

'III. And whereas divers Persons having Grants of Felons Goods and Deodands, and inrolled and 'pleaded as aforesaid, do many times aliene and convey their Interests therein to other Person or Per-'sons, or by their last Wills do devise the same, or by their Deaths such Estates do descend to their Heirs, 'whereby the Clerk of the Crown of the said Court is rendred uncapable to discern where such Interest 'lies, until the Person or Persons, to whom such Estates are conveyed, devised, or descended, shall come 'into the said Court, and make Entry of such their Claim as aforesaid;' Be it therefore hereby further enacted by the Authority aforesaid, That the Clerk of the Crown of the said Court for the Time being, nor any succeeding Clerk there, shall incur any Penalty mentioned in this Act, for issuing Process against any Person or Persons, who shall not, upon every Purchase of the Title of such Felons Goods and Deodands, inroll and plead the same Purchase in the said Court; nor against any Devisee of the like Estate, who shall not likewise inroll or plead such Devise; nor against any Heir, who shall not in like manner inroll his or her Right by Descent to the same, and until after such Pleas have been allowed of, and approved by the said Court; nor where by any Inquest of any Coroner or Coroners, the Goods of any Felon or Felons, or Deodands, shall be by such Inquest not found to be in the Hands of such Purchaser, Devisee, or Heir, or their respective Officer or Officers in Trust for them respectively.

Clerk of the Crown not punishable for issuing Process against Heirs, &c.

'IV. And whereas it is agreeable to Justice, that Proceedings to Outlawries in criminal Causes should 'be as publick and notorious as in civil Causes, because the Consequences to Persons outlawed in criminal 'Causes are more fatal and dangerous to them and their Posterities, than in any other Causes;' Be it further enacted by the Authority aforesaid, That upon the issuing of any Exigent out of any of their Majesties Courts, against any Person or Persons for any criminal Matter, before Judgment or Conviction, there shall issue out a Writ of Proclamation bearing the same Test and Return, to the Sheriff or Sheriffs of the County, City, or Town Corporate, where the Person or Persons in the Record of the said Proceedings is or are mentioned to be or inhabit, according to the Form of the Statute made in the one and thirtieth Year of the Reign of the late Queen *Elizabeth*, of blessed Memory, which Writ of Proclamation shall be delivered to the said Sheriff or Sheriffs three Months before the Return of the same.

A Proclamation at the Time of the Exigent in criminal Cases, to be delivered three Months before Return. 31 El. c. 3.

V. Provided always, and be it enacted by the Authority aforesaid, That this Act shall continue and be in Force for three Years, from the five and twentieth Day of *March* one thousand six hundred ninety three, and from thence to the End of the next Session of Parliament, and no longer. [Made perpetual by 7 & 8 W. 3. cap. 36. §. 4.]

Act to continue three Years.

CAP.

## CAP. XXIII.

### An Act for the more eaſy Diſcovery and Conviction of ſuch as ſhall deſtroy the Game of this Kingdom.

'WHEREAS divers good and neceſſary Laws have been heretofore made for the better Preſervation of the Game, notwithſtanding which Laws, or for Want of the due Execution thereof, the Game of this Kingdom hath been very much deſtroyed by many idle Perſons, who afterwards betake themſelves to Robberies, Burglaries, or other like Offences, and neglect their lawful Employments; for Remedy whereof, and the more effectual Preſervation of the Game;

Laws againſt Game not repealed, to be executed.

13 R. 2. ſtat. 1. c. 13.
11 H. 7. c. 17.
19 H. 7. c. 11.
32 H. 8. c. 8.
8 Eliz. c. 21.
23 Eliz. c. 10.
1 Jac. 1. c. 27.
3 Jac. 1. c. 13.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Law and Statute now in Force for the better Preſervation of the Game, and every Article and Thing in them contained, and not herein and hereby altered or repealed, ſhall be duly put in Execution, according to the Tenor of the ſaid Laws, and under the Penalties therein contained, to be raiſed, levied, and diſpoſed of, as in and by the ſaid Laws are directed.

7 Jac. 1. c. 13. 13 Car. 2. ſtat. 1. c. 10. 22 & 23 Car. 2. c. 15 & 25.

Conſtable by Warrant from a Juſtice may ſearch Houſes of ſuſpected Perſons.

3 & 4 W. & M. c. 10.

III. And be it further enacted by the Authority aforeſaid, That for the more eaſy Conviction of ſuch Offenders, as by the ſaid Laws are prohibited, every Conſtable, Headborough, and Tythingman, being thereunto authorized by Warrant of one or more Juſtice of the Peace, under his or their Hands and Seals, ſhall and may have full Power and Authority, and is hereby required, to enter into and ſearch (in ſuch Manner, and with ſuch Power, as in and by *An Act for the more effectual Diſcovery and Puniſhment of Deer Stealers*, made in the third and fourth Years of their preſent Majeſties Reign, is provided, in caſe of Veniſon or Skin of any Deer, or Toyls) the Houſe or Houſes, Out-houſes, or other Places belonging to ſuch Houſes or ſuſpected Perſons not qualified as aforeſaid: And in caſe any Hare, Partridge, Pheaſant, Pigeon, Fiſh, Fowl, or other Game, ſhall (upon ſuch Search or otherwiſe) be found, the Offender ſhall be carried before ſome Juſtice of Peace of the ſame County, Riding, or Diviſion; and if ſuch Perſon do not give a good Account how he came by ſuch Hare, Partridge, Pheaſant, Pigeon, Fiſh, Fowl, or other Game, ſuch as ſhall ſatisfy the ſaid Juſtice, or elſe ſhall not in ſome convenient Time, to be ſet by the ſaid Juſtice, produce the Party of whom he bought the ſame, or ſome other credible Perſon, to depoſe upon Oath ſuch Sale thereof, that then ſuch Perſon not giving ſuch good Account, nor producing any ſuch Witneſs as aforeſaid, ſhall be convicted by the ſaid Juſtice of ſuch Offence, and upon ſuch Conviction ſhall forfeit for every Hare, Partridge, Pheaſant, Pigeon, Fiſh, Fowl, or other Game, any Sum not under five Shillings, and not exceeding the Sum of twenty Shillings, to be aſcertained by the ſaid Juſtice; one Moiety thereof to be paid to the Informer, and the other Moiety to the Poor of the Pariſh where the Offence was committed; the ſame to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal of the Juſtice before whom the Offender ſhall be convicted, rendring the Overplus, if any be; and for Want of Diſtreſs, the Offender or Offenders ſhall be committed to the Houſe of Correction, for any Time not exceeding one Month, and not leſs than ten Days, there to be whipt and kept to hard Labour; and in caſe any Perſon or Perſons, not qualified by the Laws of this Realm ſo to do, ſhall have, keep, or uſe any Bows, Greyhounds, Setting Dogs, Ferrits, Coney Dogs, Hayes, Lurchers, Nets, Tunnels, Lowbels, Hare Pipes, Snares, or any other Inſtruments for Deſtruction of Fiſh, Fowl, or other Game, and ſhall be thereof convicted upon ſuch Evidence as aforeſaid, the Perſon or Perſons ſo convicted ſhall forfeit and be ſubject to the ſame Pains and Penalties, as are hereby directed to be inflicted upon the Perſon or Perſons who ſhall be found to have any Hare, Partridge, Pheaſant, Pigeon, Fiſh, Fowl, or other Game, as aforeſaid; and if any Perſon or Perſons, ſo produced or charged with the ſaid Offence, ſhall not before the ſame Juſtice give ſuch Evidence of his Innocence as aforeſaid, he ſhall be convicted thereof, in the ſame Manner, as the Perſon or Perſons firſt charged therewith is hereby directed to be, and ſo from Perſon to Perſon, until the firſt Offender ſhall be diſcovered.

If Hare, &c. be found, and Owner cannot give good Account, he ſhall be convicted by a Juſtice.

*Burn, V.* 1. 485.

Penalty upon Conviction; Manner of Levying.

Perſon having Greyhounds, &c. now convicted, and puniſhed.

IV. And to the End all Keepers and Game-keepers, mentioned in and duly authorized according to the Act made in the Reign of the late King *Charles* the Second, may be indemnified in the Execution of the ſaid Office, be it enacted, That all Lords of Manors or other Royalties, or any Perſon or Perſons authorized by them as Game-keepers, ſhall and may, within their reſpective Manors or Royalties, oppoſe and reſiſt ſuch Offender in the Night-time, in the ſame Manner, and be equally indemnified for ſo doing, as if ſuch Fact had been committed within any ancient Chaſe, Park, or Warren incloſed whatſoever.

Game-keepers may oppoſe Perſons in the Night.

21 Ed. 1. ſt. 2.
22 & 23 Car. 2. c. 25.

'V. And whereas divers idle, diſorderly, and mean Perſons, have and keep Nets, Angles, Leaps, Piches, and other Engines for the taking and killing of Fiſh out of the Ponds, Waters, Rivers, and other Fiſheries, to the Damage of the Owners thereof;' Be it therefore enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall and may, at any Time or Times from and after the five and twentieth Day of *March* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-three, have or keep any Net, Angle, Leap, Piche, or other Engine for the taking of Fiſh, other than the Makers and Sellers thereof, for their better Conveniency in the Sale of the ſame, and other than the Owner and Occupier of any River or Fiſhery for the Time being; and moreover, That it ſhall and may be lawful, not only for the Owner or Occupier of any River or Fiſhery, and alſo for all and every other Perſon and Perſons by him or them for that Purpoſe appointed, to ſeize, detain, and keep, to his and their own Uſe and Uſes, all and every Net, Angle, Leap, Piche, and other Engine, which he or they ſhall find uſed or laid, or in the Cuſtody or Poſſeſſion of any Perſon or Perſons whatſoever, fiſhing in any River or Fiſhery whatſoever

Perſons not Owners of Fiſheries, may not keep Nets, &c.

Owner of Fiſhery may ſeize Nets, &c. uſed in his Fiſhery, and [illegible] may [illegible] by Warrant

rant for Nets, and disposé of them as he will. *Burn, V.* 1. 495.

whatsoever without the Consent of the Owner or Occupier thereof, but also for any Person or Persons whatsoever (being thereunto authorized by Warrant under the Hand and Seal of any Justice of the Peace of the same County, Division, Borough, Town Corporate, or any other Place) in the Day-time to search the Houses, Out-houses, or other Places of any Person or Persons hereby prohibited to have or keep the same, as shall be suspected to have or keep, in his or their Custody or Possession, any Net, Angle, Leap, Piche, or other Engine aforesaid, and the same and every or any of them to seize, detain, and keep, to his and their own Use and Uses, or otherwise to cut in Pieces or destroy, as Things by this Act prohibited to be kept by Persons of their Degree.

*See 4 Ann. c. 21. 4 Ann. c. 26. 1 Geo. 1. stat. 2. c. 18. 5 Geo. 1. c. 18. 23 Geo. 2. c. 26. §. 7. 26 Geo. 2. c. 9. 30 Geo. 2. c. 21 & 30. and 33 Geo. 2. c. 27.*

Fishermen, &c. lawfully authorized, excepted.

VI. Provided always, That this Act, or any thing therein contained, shall not extend, or be construed to extend, to abridge any Fisherman or his Apprentice or Apprentices, lawfully authorized to fish in navigable Rivers or Waters, with lawful Nets and Engines; but that every of them shall and may (according to the Laws and Orders made, and to be made and settled, for the good Order, Rule, and Government of such navigable Rivers and Waters) use the Trade of Fishing, as they lawfully might have done before the making of this Act; any thing in this Act contained to the contrary in any wise notwithstanding.

No *Certiorari* of Conviction, except Party convicted give fifty Pounds Security to pay Costs.

'VII. And whereas divers Offenders duly convicted, do commonly procure Writs of *Certiorari* to remove such Convictions into superior Courts at *Westminster*, in hopes thereby to discourage and weary out such Persons injured by great Delays, Expences, and Incertainties;' Be it therefore enacted, That no *Certiorari* shall be allowed to remove any Conviction made, or other Proceeding of, for or concerning any Matter or Thing in this Act, unless the Party or Parties, against whom such Conviction shall be made, shall before the Allowance of such *Certiorari* become bound to the Person or Persons prosecuting, in the Sum of fifty Pounds, with such sufficient Sureties, as the Justice or Justices of the Peace, before whom such Offender was convicted, shall think fit, with Condition to pay unto the said Prosecutors (within one Month after such Conviction confirmed, or *Procedendo* granted) their full Costs and Charges, to be ascertained upon their Oaths; and that in Default thereof it shall be lawful for the said Justice and Justices, and others, to proceed to the due Execution of such Conviction, in such manner as if no *Certiorari* had been awarded.

Person punished by this Act, not punishable by others for the same Offence.

VIII. Provided, That where any Offender shall be punished by Force of this Act, he shall not be prosecuted, nor incur the Penalty of any other Law or Statute for the same Offence.

Persons sued may plead General Issue, and recover treble Costs.

IX. Provided always, That if any Action, Bill, Plaint, or Suit, shall at any Time after the said five and twentieth Day of *March*, be commenced or brought against any Person or Persons whatsoever, for or by reason of any Matter or Thing which he or they shall do in pursuance of this Act, it shall and may be lawful to and for the Person or Persons so sued or prosecuted to plead the general Issue, and give this Act or any other special Matter in Evidence; and if the Verdict shall pass with the Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs become nonsuit, or suffer any Discontinuance thereof, that in any such Case such Defendant or Defendants shall have his or their treble Costs, which he or they shall have sustained in Defence of such Action or Suit, for which the said Defendant or Defendants shall have the like Remedy, as in other Cases where Costs by the Laws of this Realm are given to the Defendants.

Tradesmen, &c. liable to Costs, for coming on another Man's Ground to hunt, &c.

'X. And whereas great Mischiefs do ensue by inferior Tradesmen, Apprentices, and other dissolute Persons neglecting their Trades and Employments, who follow Hunting, Fishing, and other Game, to the Ruin of themselves, and Damage of their Neighbours;' For Remedy whereof be it enacted by the Authority aforesaid, That if any such Person, as aforesaid, shall presume to hunt, hawk, fish, or fowl (unless in Company with the Master of such Apprentice, duly qualified by Law) such Person or Persons shall be subject to the Penalties of this Act, and shall or may be sued and prosecuted for their wilful Trespass in such their coming on any Person's Land, and if found guilty thereof, the Plaintiff shall not only recover his Damages thereby sustained, but his full Costs of Suit; any former Law to the contrary notwithstanding.

Penalty upon Persons burning Ling, &c. upon Heaths.

XI. Provided always, and be it enacted, That for the better preserving the red and black Game of Grouse, commonly called *Heath-cocks*, or *Heath-polts*, no Person whatsoever, on any Mountains, Hills, Heaths, Moors, Forests, Chases, or other Wastes, shall presume to burn, between the second Day of *February* and twenty-fourth of *June*, any Grig, Ling, Heath, Furze, Gosse, or Fern, upon Pain that the Offender or Offenders shall be committed to the House of Correction, for any Time not exceeding one Month, and not less than ten Days, there to be whipt, and kept to hard Labour.

*Farther Provisions relating hereto, 5 Ann. c. 14. 9 Ann. c. 25. 3 Geo. 1. c. 11. 8 Geo. 1. c. 19. 10 Geo. 2. c. 32. and 28 Geo. 2. c. 12.*

## CAP. XXIV.

### An Act for reviving, continuing, and explaining several Laws therein mentioned, which are expired and near expiring.

'WHEREAS divers temporary Laws, which by Experience have been found useful and beneficial, are near expiring, and some of them are already expired;' therefore for continuing and reviving the same, and explaining certain Doubts hereafter mentioned,

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

the Authority of the ſame, That an Act made in the Seſſion of Parliament held in the thirteenth and fourteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for providing Carriages by Land and by Water, for the Uſe of his Majeſty's Navy and Ordnance*, which was thereby to have Continuance, and be in Force until the End of the firſt Seſſion of the next Parliament, and no longer; which ſaid Act being expired, was by one Act made in the firſt Year of the late King *James* revived, and was enacted to have Continuance during the Space of ſeven Years, from the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred eighty-five, and from thence to the End of the firſt Seſſion of Parliament then next enſuing, ſhall be, and is hereby continued, and ſhall be in Force during the Space of ſeven Years, from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence to the End of the firſt Seſſion of Parliament then next enſuing, and no longer. EXP.

13 & 14 Car. 2. c. 20. for providing Carriages for the Navy, &c. continued by an Act of 1 Jac. 2. c. 11 *. further continued for 7 Years; 11 & 12 W. 3. c. 13.

* *For c. 11. read* c. 10.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the eighteenth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for encouraging of Coinage*, and continued by another Act made in the five and twentieth Year of the Reign of the ſaid late King *Charles*, intituled, *An Act for continuing a former Act concerning Coinage*; both which ſaid Acts were revived by an Act made in the firſt Year of the Reign of the late King *James*, and were enacted to have Continuance for the Space of ſeven Years, to commence from the firſt Day of *Auguſt* one thouſand ſix hundred eighty-five, and until the End of the firſt Seſſion of Parliament then next following, ſhall be and are by Virtue of this Act continued, and ſhall be in Force for the Space of ſeven Years, from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence unto the End of the firſt Seſſion of Parliament then next following, and no longer.

18 Car. 2. c. 5. about Coinage, continued by 25 Car. 2. c. 8. both which Acts are continued for 7 Years by 1 Jac. 2. c. 7. further continued for 7 Years. 19 Geo. 2. c. 14.

'IV. And whereas an Act of Parliament was made in the Seſſion holden in the two and twentieth and three and twentieth Years of the Reign of the late King *Charles* the Second, intituled, *An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majeſty*; which ſaid Act, by an Act made in the firſt Year of the Reign of the late King *James* the Second, was revived and enacted to be in Force from the nineteenth Day of *May* in the Year of our Lord God one thouſand ſix hundred eighty-five, and to have Continuance for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament: And whereas the ſame hath been found by Experience to be a good and uſeful Law, and much conducing to the Service of the Crown;' Be it enacted by the Authority aforeſaid, That the ſaid Act, and every Article, Clauſe, and Thing, therein contained, ſhall be in Force, and is hereby made perpetual.

22 & 23 Car. 2. c. 22. for Recovery of Fines and Forfeitures, continued by 1 Jac. 2. c. 17. §. 11. and hereby made perpetual. See 3 Geo. 1. c. 15. §. 12.

V. And be it further enacted by the Authority aforeſaid, That from henceforth all Clerks of the Court of *King's Bench*, Clerks of the Court of *Common Pleas*, Clerks of Aſſize, Clerks of the Peace, Town Clerks, Clerks of Sewers, Clerks of the Markets, and others to whom it belongeth to make Returns of Eſtreats into the Court of *Exchequer*, ſhall, upon Delivery in of all and every ſuch Eſtreat and Eſtreats, take the Oath following, that is to ſay,

Oath to be given upon Return of Eſtreats.

'YOU ſhall ſwear, That theſe Eſtreats, now by you delivered, are truly and carefully made up and examined, and that all Fines, Iſſues, Amerciaments, Recognizances, and Forfeitures, which were ſet, loſt, impoſed, or forfeited, and in Right and due Courſe of Law ought to be eſtreated in the Court of *Exchequer*, are, to the beſt of your Knowledge and Underſtanding, therein contained; and that in the ſame Eſtreats are alſo contained and expreſſed all ſuch Fines as have been paid into the Court, from which the ſaid Eſtreats are made, without any wilful or fraudulent Diſcharge, Omiſſion, Miſnomer, or Defect whatſoever.

*So help you God.*'

Which ſaid Oath the Barons of the Court of *Exchequer*, or any of them, are and is hereby required and impowered to adminiſter from Time to Time accordingly.

VI. And be it further enacted by the Authority aforeſaid, That an Act made at the Seſſion of Parliament holden in the ſaid two and twentieth and three and twentieth Years of the Reign of the late King *Charles* the Second, intituled, *An Act to prevent the planting of Tobacco in* England, *and for regulating the Plantation Trade*, which by an Act made in the firſt Year of the late King *James* was enacted to have Continuance from the firſt Day of the then preſent Seſſion of Parliament, for ſeven Years, and from thence to the End of the next Seſſion of Parliament, ſhall by Virtue of this Act, continue, and ſhall be in Force for the Space of ſeven Years from the ſaid thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence to the End of the next Seſſion of Parliament.

22 & 23 Car. 2. c. 26. continued for 7 Years by 1 Jac. 2. c. 17. §. 13. and hereby farther continued for 7 Years. Made perpetual with 12 Car. 2. c. 4. by 5 Geo. 1. c. 11.

VII. And be it further enacted, That an Act made in the nineteenth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for aſſigning Orders in the Exchequer without Revocation*; which Act in the firſt Year of the Reign of the late King *James* the Second was enacted to be in Force from the firſt Day of the then preſent Seſſion of Parliament, and to continue for ſeven Years, and from thence to the End of the next Seſſion of Parliament, is hereby continued, and ſhall be in Force for the Space of ſeven Years, from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence to the End of the next Seſſion of Parliament. EXP.

19 Car. 2. c. 12. about aſſigning Exchequer Orders, continued by 1 Jac. 2. c. 17. §. 9. and farther continued for 7 Years.

'VIII. And whereas an Act made at the Seſſion of Parliament holden in the ſaid two and twentieth and three and twentieth Years of the Reign of the ſaid late King *Charles* the Second, intituled, *An Act to revive an Act, intituled, An Act to prevent the Diſturbance of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Navy Royal, with ſome Alterations and Additions*, was by an Act made in the firſt Year of the late King *James* the Second enacted to be in Force from the firſt Day of the then preſent Seſſion of Parliament, for ſeven Years, and from thence to the End of the

22 & 23 Car. 2. c. 23. about Seamen and the Navy Stores, continued by 1 Jac. 2. c. 17.

§. 12. farther continued for 7 Years.

'first Seſſion of the next Parliament;' Be it enacted, That the ſaid laſt mentioned Act be continued, and ſhall be in Force for the Space of ſeven Years, from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence to the End of the next Seſſion of Parliament. EXP.

22 & 23 Car. 2. c. 19. about buying Cattle in Smithfield, continued by 1 Jac. 2. c. 17. §. 10. farther continued for 7 Years. Exp. See 11 & 12 W. 3. c. 13. 5 Annæ, c. 34. 7 Annæ, c. 6.

'IX. And whereas an Act was made at the ſaid Seſſion of Parliament held in the two and twentieth and three and twentieth Years of the Reign of the ſaid late King *Charles* the Second, intituled, *An Act to prevent Frauds in the buying and ſelling of Cattle in* Smithfield *and elſewhere*, which was thereby to continue in Force from the four and twentieth Day of *June* one thouſand ſix hundred ſeventy-one, and from thence to the End of the next Seſſion of Parliament: And whereas the ſaid Act, being expired, was afterwards, by an Act made in the firſt Year of the Reign of the late King *James* the Second, enacted to be in Force from the four and twentieth Day of *June* one thouſand ſix hundred eighty-five, for ſeven Years, and from thence to the End of the next Seſſion of Parliament: Nevertheleſs it was thereby provided, That neither the ſaid Act, nor any thing therein contained, ſhould extend to Saleſmen or Factors employed by Farmers or Feeders;' Be it enacted by the Authority aforeſaid, That the ſaid Act, together with the ſaid Proviſo, ſhall continue and be in Force for the Space of ſeven Years from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence unto the End of the next Seſſion of Parliament, and no longer. EXP.

1 W. & M. ſt. 1. c. 32. about Exportation of Woolſ, continued for 3 Years. 7 W. 3. c. 28. 9 W. 3. c. 40. Wooll not to be imported from Ireland to Exeter.

X. And be it further enacted, That an Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for the better preventing the Exportation of Wooll, and encouraging the woollen Manufacture of this Kingdom*, and every Clauſe, Article, and Thing therein contained (other than and except ſuch Part of the ſaid Act as relates to the free Exportation of the woollen Manufacture) ſhall be and is hereby continued, and ſhall be in Force for the Term of three Years, from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence to the End of the next Seſſion of Parliament, and no longer. Provided always, That no Wool ſhall be imported from the Kingdom of *Ireland* into the Port of *Exeter*; any Thing in this Act, or in any former Act, Statute, or Proviſion to the contrary in any wiſe notwithſtanding.

13 & 14 Car. 2. c. 12. for Relief of the Poor, continued by 1 Jac. 2. c. 17. and farther continued by 3 & 4 W. & M. c. 11. continued for 7 Years longer. Made perpetual by 12 Annæ, ſtat. 1. c. 18.

'XI. And whereas an Act made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for the better Relief of the Poor of this Kingdom*, was enacted to have Continuance (except what related to the Corporations therein mentioned, and thereby conſtituted) until the twenty-ninth Day of *May* one thouſand ſix hundred ſixty-five, and from thence to the End of the firſt Seſſion of the next Parliament; which ſaid Act, by an Act made in the firſt Year of the Reign of the late King *James* (except as to what related to the Corporations therein mentioned, and conſtituted thereby) was enacted to be in Force from the firſt Day of *May* one thouſand ſix hundred eighty-five, and ſo to continue for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament: And whereas by an Act made in the laſt Seſſion of this preſent Parliament the ſaid laſt mentioned Act (as to what therein related to the Settlement of the Poor) was enacted to be in Force from the firſt Day of *March* one thouſand ſix hundred ninety-one, but no Proviſion was thereby made for continuing of divers other Parts of the ſaid Act, which by Experience are found to be uſeful and beneficial to the Publick:' Be it enacted by the Authority aforeſaid, That the ſaid Act for the better Relief of the Poor of this Kingdom, as to all Parts thereof not mentioned and continued in and by the ſaid Act made in the laſt Seſſion of this preſent Parliament (other than and except what relates to the Corporations mentioned in the ſaid Act for the better Relief of the Poor of this Kingdom, and thereby conſtituted) ſhall be continued, and ſhall be in Force for the Space of ſeven Years from the thirteenth Day of *February* one thouſand ſix hundred ninety-two, and from thence to the End of the next Seſſion of Parliament, and no longer.

30 Car. 2. ſtat. 1. c. 7. about Recovery againſt Executors *de ſon tort*, continued by 1 Jac. 2. c. 17. §. 14. hereby made perpetual. *Devaſtavit* againſt Executors by Right.

XII. And be it further enacted by the Authority aforeſaid, That an Act made in the thirtieth Year of the Reign of King *Charles* the Second, intituled, *An Act to enable Creditors to recover their Debts of the Executors and Adminiſtrators of Executors in their own Wrong*; which ſaid Act, in the firſt Year of the Reign of the late King *James* the Second, was enacted to be in Force from the firſt Day of the then preſent Seſſion of Parliament, and to continue for ſeven Years, and from thence to the End of the firſt Seſſion of the then next Parliament, ſhall be and is hereby continued and made perpetual. And foraſmuch as it hath been a Doubt whether the ſaid Act did extend to any Executor or Executors, Adminiſtrator or Adminiſtrators of any Executor or Adminiſtrator of Right, who for want of Privity in Law were not before anſwerable, nor could be ſued for the Debts due from or by the firſt Teſtator or Inteſtate, notwithſtanding that ſuch Executors or Adminiſtrators had waſted the Goods and Eſtate of the firſt Teſtator or Inteſtate, or converted the ſame to his or their own Uſe: For Remedy whereof be it further enacted and declared by the Authority aforeſaid, That all and every the Executor and Executors, Adminiſtrator or Adminiſtrators of ſuch Executor or Adminiſtrator of Right, who ſhall waſte or convert to his own Uſe, Goods, Chattels, or Eſtate of his Teſtator or Inteſtate, ſhall from henceforth be liable and chargeable in the ſame Manner as his or their Teſtator or Inteſtate ſhould or might have been; any Law or Uſage to the contrary notwithſtanding.

3 & 4 W. & M. c. 9. continued for 3 Years. Made perpetual by 6 & 7 W. 3. c. 14.

'XIII. And whereas by an Act made at the laſt Seſſion of this preſent Parliament, intituled, *An Act to take away Clergy from ſome Offenders, and to bring others to Puniſhment*, it was enacted, in caſes where a Man, being convicted of Felony, might demand the Benefit of his Clergy, a Woman convicted for ſuch like Offence, and praying the Benefit of that Statute, ſhould not have Judgment of Death given againſt her upon ſuch Conviction, or Execution awarded upon any Outlawry for ſuch Offence, but ſhould ſuffer the ſame Puniſhment as a Man who hath the Benefit of his Clergy in the like Caſe ſhould ſuffer: And whereas ſome Doubt hath ariſen upon the ſaid Statute, whether a Woman ſhould have the Benefit thereof more than once;' Be it therefore declared and enacted by the Authority aforeſaid, That if any Woman hath been, or at any Time hereafter ſhall be, convicted of any Felony, for which a Man might have the

Women only to have Benefit of Clergy once.

Benefit of Clergy, and upon her Prayer hath once had, or hereafter shall once have, the Benefit of the said Statute, and shall be again convicted of any other Felony, for which a Man might have the Benefit of his Clergy, such Woman shall be, and is hereby totally excluded from having any Benefit or Advantage of the said Statute, but shall suffer Pains of Death in such and the same Manner as if the said Statute had not been made. And be it further enacted, That the said last mentioned Act shall continue and be in Force for the Space of three Years, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament and no longer. Made perpetual by 6 & 7 W. 3. c. 14. §. 1.

XIV. And be it further enacted by the Authority aforesaid, That an Act made at the Session of Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King *Charles* the Second, intituled, *An Act for preventing Abuses in printing seditious, treasonable, and unlicensed Books and Pamphlets, and for regulating of Printing and Printing Presses*, which was, by an Act made in the first Year of the Reign of the late King *James*, revived and enacted to have Continuance from the twenty-fourth Day of *June* one thousand six hundred eighty-five, for the Space of seven Years, and from thence to the End of the next Session of Parliament; Be it enacted by the Authority aforesaid, That the said Act be continued and shall be in Force for the Space of one Year, from the thirteenth Day of *February* one thousand six hundred ninety-two, and from thence to the End of the next Session of Parliament, and no longer. 13 & 14 Car. 2. c. 33. about Printing, continued by 1 Jac. 2. c. 17. §. 15. continued for one Year longer.

LXP.

XV. And whereas a certain Act made at the Session of Parliament held in the sixteenth and seventeenth Years of the Reign of the late King *Charles* the Second, intituled, *An Act for returning of able and sufficient Jurors*, is expired;' Be it enacted by the Authority aforesaid, That all Jurors (other than Strangers upon Trials *per Medietatem Linguæ*) who are to be returned for Trials of Issues joined in any of the Courts of *King's Bench*, *Common Pleas*, or *Exchequer*, or before Justices of Assize, or *Nisi prius*, *Oyer* and *Terminer*, Gaol Delivery, or General Quarter-Sessions of the Peace, from and after the first Day of *May* one thousand six hundred ninety-three, in any County of this Realm of *England*, shall every of them have in their own Name, or in Trust for them, within the same County, ten Pounds by the Year at least above Reprizes, of Freehold or Copyhold Lands or Tenements, or of Lands and Tenements of ancient Demesn, or in Rents, or in all or any of the said Lands, Tenements or Rents, in Fee-simple, Fee-tail, or for the Life of themselves, or some other Person: And that in every County of the Dominion of *Wales*, every such Juror shall then have within the same County six Pounds by the Year at least, in Manner aforesaid above Reprizes. All which Persons, having such Estates as aforesaid, are hereby enabled and made liable to be returned and serve as Jurors for the Trial of Issues before the Courts and Justices aforesaid; any Law or Statute to the contrary in any wise notwithstanding. And if any of a lesser Estate and Value shall be respectively returned upon any such Jury, it shall be a good Cause of Challenge, and the Party returned shall be discharged upon the said Challenge, or upon his own Oath of the Truth of the said Matter. And that no Juryman's Issues, making Default, shall be saved, but by special Order of the Court or Judges before whom the Issue is to be tried, for some reasonable Cause proved upon Oath before the same Court or Judges; and all such Issues shall be duly estreated and levied; and the Writ of *Venire Facias*, which from and after the Time aforesaid shall be awarded and directed for the impanelling of Juries in Causes aforesaid, within any County of *England* shall be after this Form: 16 & 17 Car. 2. c. 3. All Jurors to have 10l. per Ann. 13 *Ed.* 1. *c.* 38. 21 *Ed.* 1. *stat.* 1. *De iis qui ponendi sunt in Assisis.* Welch Jurors 6l. per Ann. Issues shall be duly estreated. Continued with 7 W. 3. c. 32.

REX, &c. præcipimus, &c. quod venire fac' coram, &c. Duodecim liberos & legales homines de Vicineto de A. quor' quilibet habeat Decem librat' Terræ, Tenementor' vel Reddituum per Annum ad minus, per quos, &c. & qui nec, &c. Form of Venire.

And the Residue of the said Writ shall be after the ancient Manner; and that the Writs, which shall be awarded and directed for the returning of Juries within the Dominion of *Wales*, shall be made in the same Manner, altering only the Word *Decem* for *Sex*; and that upon every such Writ or Writs of *Venire facias* the Sheriff, Coroner, and other Ministers of each respective County in *England* and *Wales*, unto whom the making of the Panel shall appertain, shall not return in any such Panel any Person, unless he shall then have ten Pounds, or six Pounds, respectively by the Year at least, as aforesaid, in the same County where the Issue is to be tried; upon pain to forfeit for every Person being returned in any such Panel, that shall not then have ten Pounds or six Pounds respectively, as aforesaid, the Sum of five Pounds to their Majesties, their Heirs, and Successors. Penalty upon Sheriff otherwise returning.

XVI. And be it further enacted, That no Sheriff or Bailiff of any Liberty or Franchise, or any of their or either of their Ministers, shall return any such Person or Persons as aforesaid, to have been summoned by them, or any of them, unless such Person and Persons shall have been duly summoned by the Space of six Days at the least, before the Day on which they ought to make their Appearance; nor shall directly or indirectly take Money or other Reward to excuse the Appearance of any Juror, by any of them to be summoned or returned, upon pain to forfeit for every such Offence the Sum of ten Pounds to their Majesties, their Heirs and Successors. Penalty upon Sheriff returning without six Days Summons, or excusing for Reward.

XVII. Saving nevertheless to all Cities, Boroughs, and Towns-corporate, their ancient Usage of returning Jurors of such Estate, and in such Manner, as heretofore has been used and accustomed; any thing in this Act contained to the contrary notwithstanding. Boroughs, &c. excepted.

XVIII. Provided nevertheless, That it shall be lawful to return any Person to serve upon the *Tales* in any County within the Kingdom of *England*, who shall have within the same County five Pounds by the Year, above Reprizes, in Manner aforesaid, and not otherwise. Tales 5l. per Ann.

XIX.

Welch Tales 3l. per Ann.

XIX. Provided nevertheleſs, That it ſhall be lawful to return any Perſon to ſerve upon the *Tales* in any County within the Dominion of *Wales*, who ſhall have within the ſame County three Pounds by the Year, above Reprizes, in Manner aforeſaid, and not otherwiſe.

10l. Penalty upon Officer taking Fee for returning any Tales.

XX. And be it further enacted by the Authority aforeſaid, That no Fee or Reward whatſoever ſhall be taken by any Sheriff, Clerk of Aſſizes, or any other Officer or Perſon whatſoever, for the returning of any *Tales*, or upon the Account of any *Tales* returned, upon pain of forfeiting for every ſuch Offence the Sum of ten Pounds, whereof one Moiety to be to the Uſe of the Proſecutor, and the other Moiety to the Uſe of their Majeſties, their Heirs and Succeſſors, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Non ponend' grantable upon Oath only.

XXI. And be it further enacted, That no Writ *de non ponendis in Aſſiſis & Juratis* ſhall be hereafter granted, unleſs upon Oath made, that the Suggeſtions upon which the ſaid Writ is granted are true.

Act to continue three Years, as to Return of Jurors.

XXII. And be it enacted that ſo much of this preſent Act as does relate to the returning of Jurors, ſhall be in Force for the Space of three Years, from the ſaid firſt Day of *May* one thouſand ſix hundred ninety-three, and from thence to the End of the next Seſſion of Parliament. [Farther continued by 9 Geo. 1. c. 8. §. 2.]

*See 7 & 8 W. 3. c. 32. 3 Geo. 2. c. 25. 4 G. 2. c. 7. 6 G. 2. c. 37. 24 G. 2. c. 18. 29 G. 2. c. 19. which provide farther for the Qualifications, &c. of Jurors, &c.*

## CAP. XXV.

An Act for continuing the Acts for prohibiting all Trade and Commerce with *France*, and for the Encouragement of Privateers. [1 W. & M. Seſſ. 1. Cap. 34. continued by 2 W. & M. Seſſ. 2. Cap. 14. continued for three Years longer.]

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# De Annis Regni GULIELMI & MARIÆ quinto & ſexto.

'AT the Parliament begun at *Weſtminſter* the twentieth Day of *March Anno Dom.* 1689, in the ſecond Year of the Reign of our Sovereign Lord and Lady, WILLIAM and MARY, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King and Queen, Defenders of the Faith, &c. And from thence continued by ſeveral Prorogations and Adjournments to the ſeventh Day of *November* 1693, being the fifth Seſſion of this preſent Parliament.'

## CAP. I.

EXP. An Act for granting to their Majeſties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War againſt *France*.

## CAP. II.

An Act for repealing ſuch Parts of ſeveral former Acts, as prevent or prohibit the Importation of Foreign Brandy, *Aqua Vitæ*, and other Spirits, and Bacon, except from *France*.

4 & 5 W. & M. c. 5.

'WHEREAS by one Act of Parliament made in the fourth and fifth Years of their Majeſties Reign, intituled, *An Act for granting to their Majeſties certain additional Impoſitions upon ſeveral Goods and Merchandizes for the proſecuting the preſent War againſt* France, the Commons aſſembled in Parliament, among other Duties and Charges by the ſaid Act granted to their Majeſties upon Goods and Merchandizes imported after the firſt Day of *March* one thouſand ſix hundred ninety-two, and before the firſt Day of *March* one thouſand ſix hundred ninety-ſix, did grant to their Majeſties for every Gallon of Strong Waters, *Aqua Vitæ*, or Brandy, commonly called, *Single Brandy*, or *Strong Waters*, imported within the ſaid Time, to be paid by the Importer before landing, two Shillings, over and above the Duties of Exciſe and Cuſtoms, at any Time before the ſecond Year of their Majeſties Reign payable for the ſame; and for every Gallon of Strong Waters, Spirits, or Brandy above Proof, called *Double Brandy*, imported within the ſaid Time, to be paid by the Importer before landing, four Shillings, over and above the Duties of Exciſe and Cuſtoms at any Time before the ſecond Year of their Majeſties Reign payable for the ſame; and by one other Act in the ſame Year made, intituled, *An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned to ſuch Perſons as ſhall voluntarily advance the Sum of Ten hundred thouſand Pounds towards carrying on the War againſt* France, the ſaid Commons did grant to their

4 & 5 W. & M. c. 3.

'Majeſties for every Gallon of Single Brandy, Spirits, or *Aqua Vitæ*, imported from beyond the Seas, to 'be paid by the Importer before landing, over and above all other Duties payable for the ſame, ſix Pence; 'and for every Gallon of Brandy, Spirits, or *Aqua Vitæ* above Proof, commonly called *Double Brandy*, 'imported from beyond the Seas, to be paid by the Importer before landing, over and above all other Du- 'ties payable for the ſame, one Shilling: Which Grant, contrary to the Intention of the ſaid Commons, 'became ineffectual to their Majeſties; for that all Importation of Brandy was, by one Act of Parliament 'made in the firſt Year of their Majeſties Reign, intituled, *An Act for prohibiting all Trade and Commerce* 1 W. & M. ſt. 'with France, prohibited to be imported into *England* and *Ireland*, and the Dominions and Iſlands therein 1. c. 34. 'named from and after the four and twentieth Day of *Auguſt* in the Year of our Lord one thouſand ſix 'hundred eighty-nine:' For Remedy whereof, and that the Revenue ariſing by the ſaid Grants may be for the future anſwered to their Majeſties, according to the Purport of the ſaid firſt recited Acts,

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That one Clauſe in the ſaid Act for prohibiting of all Trade and Commerce with *France*, in theſe Words (that is to ſay) 'And be it further enacted, That no Sort of Brandy, *Aqua* Clauſe of 1 W. '*Vitæ*, or other Spirits, or diſtilled Waters, of any Kingdom, Country, or Place whatſoever, ſhall, after & M. ſt. 1. c. 'the ſaid four and twentieth Day of *Auguſt*, be imported into the Kingdoms of *England*, or *Ireland* afore- 34. §. 8. prohi- 'ſaid, Dominions or Iſlands aforeſaid, under Pain of Forfeiture thereof, as alſo of the Ship or Veſſel biting Brandy, 'wherein the ſame ſhall be imported,' is, and ſhall be by virtue of this Act, from the firſt Day of this repealed. preſent Seſſion of Parliament, repealed; any Thing in the ſaid Act for prohibiting all Trade and Commerce with *France*, or any other Law or Statute to the contrary notwithſtanding.

III. Provided always, and be it enacted, That the Duties of two Shillings and four Shillings a Gallon Cuſtom on upon Single Brandy and Double Brandy reſpectively impoſed by the ſaid firſt recited Act, above the Du- Brandy. ties of Exciſe and Cuſtoms at any Time before the ſecond Year of their Majeſties Reign payable for the ſame, was thereby intended, and ſhall be conſtrued to extend to ſuch Duties as were then payable for the ſame, by any Statute then in Force, and not otherwiſe; and that no Sort of Brandy, *Aqua Vitæ*, or other Spirits, ſhall be imported from *France* into this Kingdom, or any of the Dominions and Territories thereunto belonging, by virtue of this Act, other than as the ſame is provided and enacted to be imported by one Act of this preſent Parliament, made in the ſaid fourth and fifth Year of their Majeſties Reign, intituled, 4 & 5 W. & M. c. 25. *An Act for continuing the Acts for prohibiting all Trade and Commerce with* France, *and for the Encouragement of Privateers*.

'IV. And whereas there was further granted to their Majeſties, by the ſaid firſt recited Act, four Pence Cuſtom upon 'for every Pound of Bacon imported within the Time limited by the ſaid Act, which could not be an- Bacon imported. 'ſwered to their Majeſties, becauſe the Importation of Bacon is prohibited by one Act of Parliament 4 & 5 W. & M. 'made in the eighteenth Year of the Reign of the late King *Charles* the Second, intituled, *An Act againſt* c. 5. 18 Car. 2. c. 2. '*importing Cattle from* Ireland, *and other Parts beyond the Seas, and Fiſh taken by Foreigners*: And by one 'other Act made in the twentieth Year of his ſaid late Majeſty's Reign, intituled, *An additional Act againſt* 20 Car. 2. c. 7. '*the Importation of Foreign Cattle*: Be it enacted by the Authority aforeſaid, That the ſaid Sum of four Pence for every Pound of Bacon imported, granted to their Majeſties by the ſaid Act, ſhall be paid and anſwered to their Majeſties from the firſt Day of this preſent Seſſion of Parliament, for and during the Continuance of the ſaid Act; any Thing in the ſaid recited Acts of the eighteenth and twentieth of the ſaid King *Charles* the Second, or any other Law or Statute to the contrary notwithwithſtanding.

## CAP. III.

### An Act for the Importation of fine *Italian*, *Sicilian*, and *Naples* Thrown Silk. EXP.

'WHEREAS by an Act made in the ſecond Year of their Majeſties Reign, intituled, *An Act for* 2 W. & M. ſt. 1. '*the diſcouraging the Importation of Thrown Silk*, amongſt other Things in the ſaid Act contained, c. 9. Exp. 'the bringing in of Thrown Silk of the Growth or Production of *Italy*, *Sicily*, or the Kingdom of *Naples*, 'is prohibited, unleſs imported in ſuch Ships and Veſſels, and navigated in ſuch Manner, as in and by an 'Act made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the En-* 12 Car. 2. c. 18. '*couragement and increaſing of the Shipping and Navigation*, is directed or allowed, and brought from ſome 'of the Ports of thoſe Countries or Places whereof the ſame is of the Growth or Production, and which 'ſhall come directly by Sea, and not otherwiſe: And whereas by the Act of Navigation, *Italian* and *Si-* 'cilian Thrown Silk may be brought from any Port or Place of *Europe*, and that it hath been found by 'Experience, that the Importation of *Italian*, *Sicilian*, and *Naples* Silk, by the Ways preſcribed by the 'ſaid recited Act (in regard of the great Difficulties and Hazard occaſioned by the preſent War with '*France*) is greatly prejudicial, and if longer continued will endanger the Loſs of the Silk Manufactory 'of this Nation, &c.

Italian Silk may be imported. Coarſe Silk, &c. not to be imported. Penalty. All Italian Silk muſt be brought to the Cuſtom-houſe, London.

CAP.

## CAP. IV.

An Act to repeal a Clause in the Statute made in the four and thirtieth and five and thirtieth Years of King *Henry* the Eighth, by which Justices of Peace in *Wales* are limited to eight in each County.

34 & 35 H. 8. c. 26. §. 55.

'WHEREAS in a Statute made in the thirty-fourth and thirty-fifth Years of the Reign of King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of* Wales, there is a Clause or Article contained in these Words, that is to say, "Item, "That there shall not exceed the Number of Eight Justices of the Peace in any of the said Shires, over "and besides the President, Council, and Justices aforesaid, and the King's Attorney and Solicitor; "which President, Council, Justices, and the King's Attorney and Solicitor, shall be put in every Com- "mission of Peace, in every of the said Twelve Shires:" 'And whereas the Law contained in this 'Clause or Article is by Experience found to be inconvenient:'

II. Be it therefore enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by Authority of the same, That the said Clause or Article be from henceforth absolutely repealed and vacated to all Intents and Purposes; and that it shall and may be lawful to and for the King's and Queen's most Excellent Majesties, their Heirs and Successors, by Commission under the Great Seal of *England*, to constitute, nominate, and appoint, from Time to Time, any such Number of Persons to be Justices of Peace in any of the said Counties of *Wales*, as they shall think fitting and convenient, according to such Ways and Methods as are commonly used for the constituting, nominating, and appointing, of Justices of the Peace in and for any County of *England*; and that the Persons so constituted, nominated, and appointed, shall have Power and Authority to act and to do any Manner of Thing pertaining to the Office of a Justice of Peace, in as large and ample Manner as any Justice or Justices of Peace within the Dominion of *Wales* might or ought to have done before the making of this Act; any Law, Statute, Usage, or Ordinance, to the contrary in any wise notwithstanding.

King may nominate any Number of Justices in Wales.

*Further Provisions respecting Wales, 7 & W. 3. c. 38. 11 & 12 W. 3. c. 9. 8 Geo. 1. c. 25. 6 Geo. 2. c. 14. and 20 Geo. 2. c. 42.*

## CAP. V.

An Act to supply the Deficiency of the Money raised by a former Act, intituled, *An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against* France.

4 & 5 W. & M. c. 3.

'WHEREAS by an Act of this present Parliament, intituled, *An Act for granting to their Majesties certain Rates and Duties of Excise, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against* France, it was enacted, That it should be lawful for any Persons, Natives or 'Foreigners to contribute towards the advancing the Sum of ten hundred thousand Pounds for the Purposes therein mentioned, by paying into their Majesties Receipt of *Exchequer* such Sum or Sums of Money, at such Times, and upon such Terms respectively, as in the said Act are particularly mentioned and 'expressed: And whereas the several Sums paid in upon the said Act by the several Contributors did and 'do in the whole amount but to the Sum of eight hundred eighty-one thousand four hundred ninety-three 'Pounds fourteen Shillings and two Pence:' We your Majesties most loyal and dutiful Subjects, the Commons in Parliament assembled, being sensible of the great and necessary Expences, in which your Majesties are engaged for carrying on the present War against the *French* King, and being desirous to supply the same in such Manner as may be least grievous to your Majesties Subjects, do beseech your Majesties that it may be enacted:

*Burn, V. 1. 336.*

14l. per Cent. for Life, for every 100l. advanced.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Persons, Natives or Foreigners, to contribute towards the advancing the Sum of one hundred and eighteen thousand five hundred and six Pounds five Shillings and ten Pence, to make up the whole Sum of ten hundred thousand Pounds by the said recited Act intended to be advanced, by paying into the Receipt of their Majesties *Exchequer*, at any Time before the first Day of *May* one thousand six hundred ninety-four, any Sum or Sums of Money, not exceeding in the whole the Sum of one hundred and eighteen thousand five hundred and six Pounds five Shillings and ten Pence, upon the Terms following; (that is to say,) That every such Person, out of the Rates and Duties of Excise granted by the said recited Act, shall have and receive, for every Sum of one hundred Pounds by them respectively advanced and paid, a yearly Annuity, Rent, or Payment of fourteen Pounds

Pounds of lawful *Engliſh* Money, and proportionably for a greater Sum, for and during the Life of ſuch Perſon ſo advancing or paying the ſame, or during any other Life to be nominated by the Perſon advancing or paying any ſuch Sum as aforeſaid, the ſame to be nominated within ſix Days after Payment of ſuch Sum; which yearly Annuities, Rents, or Payments, ſhall commence from the four and twentieth Day of *June* next enſuing, and ſhall be paid and payable at the four moſt uſual Feaſts of the Year, that is to ſay, the Annunciation of the bleſſed Virgin *Mary*, the Nativity of Saint *John Baptiſt*, the Feaſt of Saint *Michael* the Archangel, and the Feaſt of the Birth of our Lord Chriſt, by even and equal Portions; and every Perſon, on Payment of any ſuch Sum or Sums as aforeſaid, ſhall immediately have one or more Tally or Tallies, importing the Receipt of the Conſideration Money, and Orders for the Payment of the ſaid Annuities bearing the ſame Date with the Tally; the ſaid Tallies to be levied, and the ſaid Orders to be ſigned, in the ſame Manner as in the ſaid recited Act is mentioned touching Tallies and Orders to be given to the Contributors for Annuities upon the ſaid Act, and the ſaid Orders not to be determinable, revocable, or countermandable, as touching the forementioned Orders in the ſaid recited Act is enacted; which ſaid Orders ſhall be aſſignable and transferrable in ſuch and the ſame Manner, as is mentioned in the ſaid recited Act, touching Orders given to the Contributors in the ſaid Act mentioned; and all the Rates and Duties by the ſaid recited Act granted, over and beſides ſo much as ſhall bear Proportion, at the Rates in the ſaid Act mentioned, to the whole Sum of eight hundred eighty-one thouſand four hundred ninety-three Pounds fourteen Shillings and two Pence, already advanced by the Contributors upon the ſaid recited Act, are and ſhall be appropriated and applied, and are hereby appropriated, to and for the Payment of the ſaid Annuities, yearly Rents, or Sums, after the Rate of fourteen Pounds *per Centum per Annum*, for every hundred Pounds to be advanced as aforeſaid, according to the true Intent and Meaning of this Act, and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever, under the like Penalties, Forfeitures, and Diſabilities, in reſpect to all and every the Officers and other Perſons in the ſaid recited Act mentioned, as are in the ſaid Act appointed and enacted, in caſe of diverting or miſapplying any Part of the Monies which ought to be paid to the Contributors upon the ſaid Act; and the ſaid Officers are hereby required to keep Books and Regiſters, and make Entries of the Names of all Perſons who ſhall advance any Monies before the ſaid firſt Day of *May* as aforeſaid, and of the ſeveral Sums ſo advanced, and the Times of paying in the ſame reſpectively, and the Names of ſuch Perſons for whoſe Lives the ſeveral Annuities or yearly Payments are to be payable, without Fee or Reward, in ſuch Manner as in the ſaid recited Act is mentioned; to which Books all Perſons concerned ſhall have Acceſs, as in the ſaid Act alſo is directed; all which the ſaid Officers are to do and perform, under the like Penalties and Forfeitures, and Diſabilities, as in the ſaid recited Act are mentioned: And every Perſon who ſhall advance and pay any ſuch Sum as aforeſaid, before the firſt Day of *May* as aforeſaid, ſhall receive out of the Money granted by the ſaid recited Act, for all Money ſo advanced by him and paid, from the reſpective Days of Payment unto the four and twentieth Day of *June* as aforeſaid, Intereſt at the Rate of ten Pounds *per Centum per Annum*.

Orders transferrable.

Duties appropriated for Payment.

Regiſter to be kept.

Penalty.

Intereſt betwixt May and June.

III. And be it further enacted, That any Monies payable to any Perſon or Perſons, upon or by virtue of this Act, ſhall not be charged or chargeable with any Rates, Duties, or Impoſitions whatſoever: And in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid Rates and Duties of Exciſe, at the End of any Year during the Term of ninety-nine Years granted therein by the ſaid former Act, after making all the Payments which by this, or the ſaid former Act, are appointed to be paid or ſatisfied within the ſame Year, or reſerving Money for the ſame, ſuch Surplus or Remainder ſhall be to the Uſe of their Majeſties, their Heirs and Succeſſors.

Money lent free from Taxes.

Surplus to the King.

IV. And to make the Payment of the Annuities more eaſy to the ſeveral Contributors upon this and the before recited Act, both upon the Terms of Survivorſhip, and the Annuity of fourteen Pounds *per Centum*; Be it enacted, That every Contributor upon this or the former Act, his, or her Executors, Adminiſtrators, or Aſſigns, upon their demanding any half-yearly or quarterly Payment of his, her, or their reſpective Shares of either of the ſaid Funds (unleſs the Nominee appear in Perſon at the ſaid Receipt) ſhall produce a Certificate of the Life of his, her, or their reſpective Nominee, ſigned by the Miniſter and Churchwardens of the Pariſh where ſuch Nominee ſhall be then living, as by the ſaid recited Act is appointed, or otherwiſe it ſhall and may be lawful to and for every Contributor, his or her Executors, Adminiſtrators or Aſſigns, at his, her or their Election, to make Oath of the Truth of his, her, or their reſpective Nominee's Life, upon the Day when the ſaid Payments ſhall become due, before any one or more Juſtices of the Peace of the reſpective County, Riding, City, Town, or Place wherein ſuch Perſon at the Time of making the ſaid Oath ſhall reſide (which Oath he or they are hereby impowered to adminiſter) and the ſaid Juſtice or Juſtices ſhall make a Certificate thereof, for which Oath and Certificate no Fee or Reward ſhall be required; and the ſaid Certificates ſhall be filed in the ſaid Office of Receipt of the *Exchequer*: And if any Perſon ſhall be guilty of a falſe Oath, or forging any Certificate, touching the Premiſſes, and be thereof lawfully convicted, he ſhall incur the Pains and Penalties to be inflicted upon Perſons who commit wilful Perjury or Forgery: And in caſe any Nominee ſhall at the Time of ſuch Demand be reſident in *Scotland*, or beyond the Seas, and any one or more of the Barons of the *Exchequer* for the Time being ſhall certify, that upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a ſummary Way) it doth ſeem probable to him or them, that the ſaid Nominee is living (which Certificate is to be given, and Examination made, without Fee or Charge) the ſaid Certificate, being filed as aforeſaid, ſhall be a ſufficient Warrant for making the ſaid Quarterly Payment to the reſpective Contributors or Advancers, their Executors, Adminiſtrators, or Aſſigns: And if

Certificate of Nominee's Life.

Penalty on Perjury and forging of Certificate.

Certificate of Nominee's Abſence.

Penalty on receiving after Nominee's Death.

any Perſon or Perſons ſhall receive one or more quarterly Payments upon his, her or their Annuity or Annuities for any Time beyond the Death of his, her, or their Nominee, when the ſame ought to ceaſe, ſuch Perſon or Perſons ſhall forfeit treble the Value of the Monies ſo by him, her or them received; the one Half thereof to their Majeſties, their Heirs and Succeſſors, and the other Half to him or them that will ſue for the ſame, by Action, Suit, Bill, or Information, in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance ſhall be allowed.

Proviſion for thoſe that have not named any Life.

'V. And whereas ſeveral Perſons, who did contribute, advance, or pay ſeveral of the Sums of Money 'which have been contributed, advanced, or paid upon the ſaid recited Act, for Shares, Dividends, An-'nuities, or other Benefits in the ſaid Act mentioned reſpectively, as well upon the Benefit of Survivor-'ſhip, as upon the yearly Annuities of fourteen Pounds *per Centum*, did not name to the Auditor of the 'Receipt, or Clerk of the Pells in the Receipt of the *Exchequer*, by or within the reſpective Times by the 'ſaid Act appointed, the reſpective Lives, during which ſuch Dividends, Shares, Annuities, or other Be-'nefits reſpectively were to continue;' It is hereby further enacted and provided by the Authority aforeſaid, That if ſuch Perſons or any of them, ſhall at any Time or Times before the firſt Day of *March* next, nominate to the Auditor of the Receipt, or the Clerk of the Pells in the ſaid *Exchequer*, the reſpective Lives (their own or others) during which ſuch Dividends, Shares, Annuities, or other Benefits, ſhould continue reſpectively, that then and in every ſuch Caſe his, her, or their Nominees ſhall be entred in the Books kept in the ſaid Receipt for the Nominees; and every ſuch Contributor or Contributors, his, her and their Executors, Adminiſtrators and Aſſigns reſpectively, ſhall have, receive and enjoy, and be entitled to have, receive and enjoy, ſuch and the like Dividends, Shares, Annuities and other Benefits, for and in reſpect of the Monies ſo contributed, advanced or paid, as he, ſhe, or they might, ſhould or ought to have had, received or enjoyed, in caſe the reſpective Lives for the ſame had been named within the reſpective Times by the ſaid Act preſcribed; any Thing in this or the ſaid former Act contained to the contrary notwithſtanding.

Surplus not to be charged with Penſions, &c.

VI. Provided alſo, and be it further enacted, That the Surplus or Remainder of the Monies ariſing by the ſaid Rates and Duties, appointed by the ſaid Act to be to the Uſe of their Majeſties, their Heirs and Succeſſors, ſhall not be charged or chargeable with any Gift, Grant, or Penſion whatſoever; and that all and every Grant and Grants of any ſuch Penſions ſhall be and is hereby declared to be utterly void; and all and every Perſon and Perſons to whom ſuch Grants are or ſhall be paſſed, ſhall be and are hereby made Accountants unto their Majeſties, their Heirs and Succeſſors, and ſhall pay back all Sums of Money received by Pretence of ſuch Grants, and the Court of *Exchequer* is hereby required to iſſue out Proceſs accordingly.

## CAP. VI.

### An Act to prevent Diſputes and Controverſies concerning Royal Mines.

1 W. & M. ſ. 1. c. 30.

'WHEREAS by a Clauſe in one Act of Parliament made in the firſt Year of their Majeſties Reign, intituled, *An Act to repeal the Statute made in the fifth Year of King* Henry *the Fourth, againſt the multiplying of Gold and Silver*, it is amongſt other Things enacted, That no Mine of Tin, Copper, Iron, 'or Lead, ſhall hereafter be adjudged, reputed or taken to be a Royal Mine, although Gold or Silver may 'be extracted out of the ſame: But notwithſtanding the good Proviſion by the ſaid Statute to prevent the 'diſcouraging their Majeſties good Subjects, who have Mines of Copper, Tin, Iron, or Lead in their 'Soils, from digging and opening the ſame, many Doubts and Queſtions have ariſen upon the ſaid Statute, 'whereby great Suits and Troubles have ariſen to many Owners and Proprietors of ſuch Mines;' wherefore for the better Explanation of the ſaid Statute,

Owners of Mines ſhall enjoy them.

II. Be it enacted and declared by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons, being Subjects of the Crown of *England*, Bodies Politick or Corporate, that now are or hereafter ſhall be the Owner or Owners, Proprietor or Proprietors of any Mine or Mines within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, wherein any Ore now is, or hereafter ſhall be diſcovered, opened, found or wrought, and in which there is Copper, Tin, Iron or Lead, ſhall and may hold and enjoy the ſame Mine or Mines and Ore, and continue in the Poſſeſſion thereof, and dig and work the ſaid Mine or Mines or Ore, notwithſtanding that ſuch Mine or Mines or Ore ſhall be pretended or claimed to be a Royal Mine or Royal Mines; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

The King may have the Ore on the Rates following.

III. Provided always, and be it enacted and declared, That their Majeſties, their Heirs and Succeſſors, and all claiming any Royal Mines under them, ſhall and may have the Ore of any ſuch Mine or Mines in any Part of the ſaid Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed* (other than Tin Ore in the Counties of *Devon* and *Cornwall*) paying to the Proprietors or Owners of the ſaid Mine or Mines wherein ſuch Ore is or ſhall be found, within thirty Days after the ſaid Ore is or ſhall be raiſed and laid upon the Banks of the ſaid Mine or Mines, and before the ſame be removed from thence, the Rates following (that is to ſay) For all Ore waſht, made clean, and merchantable, wherein is Copper, the Rate of ſixteen Pounds *per* Ton; and for all Ore waſht, made clean, and merchantable, wherein there is Tin, the Rate of forty Shillings *per* Ton; and for all Ore waſht, made clean, and merchantable, wherein there is Iron, the Rate of forty Shillings *per* Ton; and for all Ore waſht, made clean, and merchantable,

chantable, where there is Lead, the Rate of nine Pounds *per* Ton. And in Default of Payment of such respective Sums as aforesaid, it shall and may be lawful for the Owners and Proprietors of the said Mine or Mines, wherein such Ore is, are, or shall be found, to sell and dispose of the said Ore to his and their own Uses; any Law, Statute or Custom to the contrary notwithstanding.

The Tinners Charters, &c. saved.

IV. Provided always, That nothing contained in this Act shall alter, determine, or make void the Charters granted to the Tinners of *Devon* and *Cornwall*, by any of the Kings and Queens of this Realm, or any of the Liberties, Privileges, or Franchises of the said Tinners, or to alter, determine or make void the Laws, Customs, or Constitutions of the Stannaries of *Devon* or *Cornwall*, or any of them.

*See 9 Ann. c. 24. for the Regulation of mine Adventurers.*

## CAP. VII.

**An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds, towards carrying on the War against *France*.**

*Most Gracious Sovereigns,*

WE your Majesties most loyal and dutiful Subjects, the Commons in Parliament assembled, being sensible of the great and necessary Expence in which your Majesties are engaged for carrying on the present War against the *French* King; and being desirous to supply the same in such Manner as may be least grievous to your Majesties Subjects: Therefore for the Encouragement of such Persons, who shall voluntarily contribute to the advancing and paying into your Majesties *Exchequer*, towards carrying on the said War, any Sum or Sums of Money, not exceeding the Sum of ten hundred thousand Pounds, upon the respective Terms and Recompences hereafter mentioned, we your Majesties said loyal and dutiful Subjects, the Commons in Parliament assembled, have given and granted, and do hereby give and grant unto your Majesties, the several Rates and Duties herein after mentioned, for and during the several Terms herein after expressed; and do beseech your Majesties that it may be enacted:

Rates upon Salt for 3 Years. For Application of the Money granted by this Act see 9 & 10 W. 3. c. 34. made perpetual by 7 & 8 W. 3. c. 31. §. 2.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March* one thousand six hundred ninety-four, there shall be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raised, levied, collected and paid unto their Majesties, their Heirs and Successors, until the seventeenth Day of *May* which shall be in the Year of our Lord one thousand six hundred ninety-seven, and no longer, for Salt, the Rates and Duties following, (that is to say)

Foreign Salt 3d. per Gallon. Additional Duties by 9 & 10 W. 3. c. 44. §. 2, 3, & 4.

III. For every Gallon of Salt, not being of the Product or Manufacture of the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, imported or to be imported from and after the said five and twentieth Day of *March* into the said Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, the Sum of three Pence of lawful Money of *England*, to be paid by the Importer thereof, over and above the present Duties now payable for Salt imported, and after that Rate for a greater or lesser Quantity. And for every Gallon of Salt and Rock-salt, made at the Salt-works, or taken out of any Pits, within the said Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the Sum of one Penny Halfpenny, and after that Rate for a greater or lesser Quantity.

Home Salt 1d. ½q.

Duty upon Foreign Salt when to be paid. Explained by 7 & 8 W. 3. c. 31. §. 43. but repealed as to home-made Salt, and additional Duty on Foreign Salt, by 3 Geo. 2. c. 20. §. 1. Revived for 6 Years, by 13 Geo. 2. c. 5. These 6 Months enlarged to 9 by 5 Annæ, c. 29. §. 5.

IV. And be it further enacted by the Authority aforesaid, That the Duty hereby set on all foreign and imported Salt shall be from Time to Time satisfied and paid by the Merchant or Merchants, Importer or Importers of the same, in ready Money, upon his or their Entry or Entries made, and before the landing thereof; and that in case any foreign or imported Salt shall be landed or put on Shore out of any Ship or Vessel from beyond the Seas, before due Entry be made thereof with the Collector or Officer appointed or to be appointed for the said Duty on Salt, in the Port or Place where the same shall be imported, or before the Duty hereby imposed be fully satisfied and paid, or without a Warrant for the landing or delivering of such imported Salt first signed by the Hand of the said Collector or Officer for the said Duty on Salt in the said Port and Place respectively, that all such imported Salt, as shall be landed, put on Shore, or delivered, contrary to the true Intent and Meaning hereof, or the Value thereof, shall be forfeited and lost, and shall be recovered of the Importer or Proprietor thereof, in Manner as is herein after provided: Nevertheless, that all and every Person importing any Salt into this Kingdom, for which the aforesaid Duty is payable by this Act, shall have six Months Time for the Payment thereof from the Time of the Importation, giving Security to the Person appointed to collect the same: And in case such Importer shall pay ready Money, he shall have after the Rate of ten *per Centum per Annum* out of the said Duty abated him.

Managers of this Duty.

V. And be it further enacted by the Authority aforesaid, That the said Duties on Salt shall from Time to Time be within the Receipt, Management, and Government of the chief Commissioners and Governors of the Receipt of Excise for the Time being, and that all Collectors and other Officers necessary for the ascertaining, collecting, or receiving of the said Duty upon Salt, shall be constituted and appointed under

Recovery of Penalties, &c.

the Hands and Seals of the ſaid Commiſſioners and Governors of the Receipt of Exciſe for the Time being, or the Major Part of them; and that all Penalties and Forfeitures by this Act impoſed ſhall be ſued for, recovered, levied, and received, or mitigated, by the ſame Means, Rules, Ways, and Methods, as any Penalty or Forfeiture is to be ſued for or recoverable, or is mentioned, expreſſed, or directed to be recovered, in and by one Act of Parliament made in the twelfth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for taking away the Court of Wards, and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and ſettling a Revenue on his Majeſty in lieu thereof*, or by any other Law or Statute now in Force relating to the Revenue of Exciſe; and that as fully and amply to all Intents as if the ſeveral Clauſes in the ſaid Acts, or any of them, contained, were herein re-enacted or repeated.

12 Car. 2. c. 24.

Entries of the Quantities.

VI. And be it enacted, That all Makers and Proprietors of Salt, and Rock-ſalt, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall from Time to Time make true Entries with the ſaid Officers ſo to be appointed as aforeſaid, ſome or one of them, of the Quantities of Salt ſo by them made, or taken out of any Pit or Pits, and delivered or imported as aforeſaid, and ſhall likewiſe have a Warrant or Ticket, under the Hand and Seal of ſome one of the ſaid Officers, impowering ſuch Maker or Proprietor of Salt to carry away the ſame, before ſuch Time as the ſaid Salt made or taken out of any Pit or Pits, within any the Places aforeſaid, or any Part thereof, ſhall be removed or carried from the reſpective Salt-works or Pits, under the ſeveral Penalties and Forfeitures herein after mentioned, which ſaid Warrant the ſaid Officers are hereby required to give *gratis* unto the ſaid Makers or Proprietors of ſuch Salt, upon Payment, or giving Security for the Payment, of the Duties hereby granted, within ſix Months after ſuch Entry made; which Security the ſaid Commiſſioners and Officers are hereby authorized and required to accept upon ſuch Entry as aforeſaid. Provided always, That if any Perſon or Perſons, at the Time of the Entry and Delivery of his or their Salt, ſhall pay down the Duty hereby impoſed, ſuch Perſon or Perſons ſhall be allowed at the Rate of ten Pounds *per Centum per Annum* for the ſame.

Officers Warrant to remove Salt.

Rebate on prompt Payment.

Penalty for Salt conveying without Warrant.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Officers, ſo appointed, to ſeize all ſuch Salt, which ſhall from and after the ſaid five and twentieth Day of *March* be conveying or conveyed, by Day or by Night, either by Land or by Water, before due Entry be made of ſuch Salt, without Warrant, Ticket, or Licence, obtained from the Commiſſioners of the Duties granted by this Act, their Collectors or Officers, or ſome or one of them as aforeſaid, for the conveying or carrying the ſaid Salt: And the Salt that ſhall be ſo ſeized ſhall be brought to the Office appointed for theſe Duties, next adjoining to the Place where ſuch Salt ſhall be ſo ſeized, there to be detained and kept; and in caſe the Salt ſo ſeized ſhall not be claimed by the true and lawful Owner thereof, or by one deputed under his or their Hand, within ten Days after Seizure, the ſaid Salt ſhall be abſolutely forfeited to their Majeſties, and ſhall be ſold the next general Day of Sale, to be appointed by the Comiſſioners, or their Officers reſpectively, after the ſaid Days are expired; the one Moiety or half Part of the Proceed thereof (all neceſſary Charges being firſt deducted out of the whole) to be paid to the Uſe of their Majeſties, and the other Moiety or half Part to be paid to the Party or Parties who ſeized the ſame: And in caſe ſuch Salt ſo ſeized ſhall be claimed within ten Days, by the true and lawful Owner thereof, or by one deputed thereunto under his Hand, and if the ſaid Owner or Claimer ſhall nevertheleſs neglect, or refuſe to make it appear before the next Juſtice of Peace of the County where ſuch Seizure ſhall be made, by the Oath of one or more credible Witneſſes (which Oath the ſaid Juſtice is hereby impowered to adminiſter) that the ſaid Salt ſo ſeized was or had been duly entred, and a Warrant, Ticket, or Licence obtained for the carrying and conveying the ſame as aforeſaid, that then the ſaid Salt ſhall likewiſe be forfeited to their Majeſties, to be ſold and diſpoſed of as aforeſaid; and every Perſon who ſhall carry or convey, or cauſe any Salt to be carried and conveyed, before due Entry be made, and Warrant or Licence obtained as aforeſaid, ſhall likewiſe forfeit to their Majeſties double the Value of ſuch Salt ſo carried or conveyed.

Further Penalty by 2 & 3 Annæ, c. 14. §. 8.

Retailer not to convey Salt by Water, before Oath.

VIII. And be it further enacted, That no Retailer or Shopkeeper ſhall be permitted to ſhip any Salt to be ſent to any Port within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, before he hath made it appear by Oath, or otherwiſe, before the Commiſſioners for collecting of the ſaid Duties granted by this Act, or their Officers, or ſome, or one of them, that the Duty of ſuch Salt is paid, or ſecured to be paid, or that it was bought of ſome other Retailer or Shopkeeper that hath paid the Duty.

Maſter of Veſſel how to act.

IX. And be it further enacted, That all and every Maſter and Commander of any Ship or Veſſel whatſoever, that from and after the ſaid five and twentieth Day of *March* ſhall tranſport or carry any Salt, or Rock-ſalt from one Port to another, within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall (before he or they have any Warrant for the landing or delivering of ſuch Salt, by him tranſported and carried on Shore in any Port) deliver to the Officers for collecting the ſaid Duties granted by this Act, in the ſaid Port appointed to receive the ſame, a true Particular of the Quantity ſo tranſported and carried as aforeſaid, ſigned by the Officers for collecting the ſaid Duties granted by this Act, and by the Officers of the Cuſtoms of the Port from whence the ſaid Ship or Veſſel came; and that then the Maſter or his Mate, or the Boatſwain of ſuch Ship or Veſſel ſhall make Oath before the Commiſſioners for collecting the ſaid Duties granted by this Act, or their Officers, ſome, or one of them, That to his Knowledge there hath not been laid on board, or taken into the ſaid Ship or Veſſel, any Salt, ſince he or they came from ſuch Port as aforeſaid; and in caſe ſuch Ship or Veſſel be to deliver one Part of her Salt at one Port, and another Part at another Port or Ports, that then the Officers for collecting the ſaid Duties,

Theſe Proviſions are enlarged by 5 Geo. 1. c. 18. §. 25. and extended to Boats

Duties and Officers of the Cuſtoms, when ſuch Part of the ſaid Salt ſhall be delivered, ſhall certify on the Backſide of the Coquet, *Tranſire*, or other Warrant, or elſe by Certificate alone, under the Hands and Seals of the Officers, how much, and what Quantity of the Salt mentioned in the Coquet, *Tranſire*, or other Warrant, from the Port from whence ſuch Ship or Veſſel came, hath been there landed and delivered, upon the Penalty of forfeiting double the Value of the Salt that ſhall be otherwiſe delivered. And be it further enacted, That no Fee or Reward be had or taken for making, iſſuing, or granting any of the Tickets, Warrants, or Licences herein before mentioned, but that the ſame be made, iſſued, and granted *gratis*.

and Barges carrying Salt from Rivers, &c.

Ticket to be given gratis.

X. Provided always, and be it enacted by the Authority aforeſaid, That for all ſuch Fiſh, hereafter mentioned, as ſhall be exported, during the Continuance of the Duty upon Salt, by this Act impoſed, from any Port or Place in this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, into Parts beyond the Seas, by any Perſon or Perſons whatſoever, the Rates or Sums of Money hereafter expreſſed (that is to ſay) For every Caſk or Veſſel of Pilchards or Scads, containing fifty Gallons, twelve Shillings, and ſo proportionably for a greater or leſſer Quantity: For every Barrel of White-herrings two Shillings and ſix Pence: For every Barrel of Red-herrings two Shillings: For every Barrel of Salmon five Shillings: For every hundred of Cod-fiſh, Ling, Conger, or Hake, fifteen Shillings, and ſo proportionably for a greater or ſmaller Number or Quantity, ſhall be paid by the Officer appointed to collect the Duties upon Salt, payable by this Act, in the ſame Port from whence any ſuch Fiſh ſhall be exported, within thirty Days after Demand thereof, on a Debenture, to be prepared by the Collector of the Cuſtoms in the Port where ſuch Fiſh ſhall be entred out for Exportation, and verified by the Perſon executing the Office of Searcher in ſuch Port, as to the Quantity of Fiſh actually ſhipped; and that the Oath of the Exporter or Agent be firſt taken before the principal Officers of the ſaid Port, before the Debenture be allowed, who are hereby required and impowered to give the ſaid Oath, that the Fiſh in ſuch Debenture mentioned were *Engliſh* taken, and really exported to Parts beyond the Seas, and not intended to be relanded in *England*, *Wales*, or *Berwick*; for which Debenture no Fee or Reward ſhall be taken. And in caſe the Officer hereby directed to pay ſuch Debenture, ſhall not have ſufficient Money in his Hands to pay the ſame, then upon Certificate thereof by him made (which Certificate he is hereby required to give the Party *gratis*) the principal Commiſſioners for managing their Majeſties Revenue of Exciſe for the Time being ſhall be chargeable with the ſaid Payment, to be made in Courſe out of the firſt Money in their Hands ariſing out of the ſaid Duties upon Salt; and any Officer neglecting or refuſing to pay the ſaid Money, or to give ſuch Certificate as is here directed, ſhall forfeit double the Sum ſo to be paid to the Party grieved, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Reward to Exporter of certain Fiſh.

how to be paid.

XI. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall export beyond the Seas any Salt, as well Foreign as *Engliſh*, or any Rock-Salt, the Officer of the Place where the ſaid Salt was made, taken out of Pits, or imported, and the Duty thereof paid or ſecured to be paid, ſhall upon Demand deliver *gratis* a Certificate under his Hand and Seal, that the Duty impoſed by this Act on ſuch Salt hath been duly paid or ſecured to be paid, and then the Officer of the Place where the Salt is exported, upon producing the ſaid Certificate, and Oath made of ſhipping off the ſaid Salt, and of its not being relanded in *England* or *Wales*, ſhall give a Debenture under his Hand for Repayment of the ſaid Duty, which being produced to the Officer of the Place where the Duty on the ſaid Salt ſhall have been paid, or ſecured to be paid, ſuch Security ſhall be diſcharged; and all and every Sum and Sums of Money paid for the Duty of the ſaid Salt ſhall be repaid upon Demand by the ſaid Officer, without Fee or Reward.

Duty repaid upon Exportation. The Benefit hereof extended to Scotland, the Iſle of Man, Jerſey, and Guernſey, by 2 & 3 Annæ, c. 14. § 9.

XII. And be it further enacted, That the Juſtices of the Peace not concerned in making or ſelling Salt, in every County, Riding, or Diviſion of *England*, ſhall, and are hereby authorized and impowered at every *Eaſter* and *Michaelmas* Quarter-ſeſſions, to ſet the Prices of all Salt and Rock-ſalt, to be ſold by the Maker or firſt Seller thereof in the ſaid County, for the half Year next enſuing, and that no Perſon or Perſons, that ſhall be the Maker or firſt Seller of any Salt, ſhall ſell the ſame for more than the Prices ſo ſet by the ſaid Juſtices as aforeſaid, over and above the Duty payable by virtue of this Act, upon pain of forfeiting for every ſuch Offence five Pounds, and double the Value of the Salt ſo ſold, to be levied by Diſtreſs and Sale of the Offender's Goods; the one Moiety thereof to be paid to their Majeſties, their Heirs and Succeſſors, and the other Moiety thereof to the Informer.

Juſtices ſhall ſet the Rate of Salt,

XIII. And be it enacted and declared, That all Salt imported or brought by Sea or Land into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and not of the Product of any of the ſaid Places, ſhall be adjudged and deemed to be foreign Salt imported, and ſhall be charged as ſuch with the Duty of three Pence *per* Gallon by this Act granted, and that all *Scotch* Salt brought into *England* by Land ſhall be entred at *Carliſle* or *Berwick*, with the Officer or Officers for that Purpoſe there to be appointed, under the Penalty of the Forfeiture of double the Value of ſuch Salt ſo brought in.

What ſhall be deemed foreign Salt imported.

XIV. And be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be capable of acting as chief Commiſſioner for collecting the ſaid Duties granted by this Act, until he or they ſhall, before one of the Barons of the *Exchequer*, take the Oaths appointed by an Act of Parliament made in the firſt Year of their Majeſties Reign, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance*, and appointing other Oaths, and the Oath following:

Oaths to be taken by Commiſſioners and under Officers. 1 W. & M. ſ. 1. c. 8.

'YOU

'YOU shall swear to execute your Office truly and faithfully without Favour or Affection, and shall from Time to Time true Account make and deliver to such Person and Persons as their Majesties shall appoint to receive the same, and shall take no Fee or Reward for the Execution of the said Office from any other Person than from their Majesties, or to those whom their Majesties shall appoint on that Behalf:

*So help you God,'* &c.

XV. And be it likewise enacted, That no Person or Persons shall be capable of intermeddling with any Office or Employment relating to the said Duties granted by this Act, other than that of chief Commissioner, until he or they shall (before two or more of the chief Commissioners for collecting the Duties granted by this Act, or before two or more of the Justices of the Peace of the County or Place where they shall be appointed Officers for Execution of this Act) take the aforesaid Oaths appointed by the said Act, and the said other last mentioned Oath, *mutatis mutandis*; and the said Barons of the *Exchequer*, and chief Commissioners for collecting the said Duties granted by this Act, and the said Justices are hereby impowered and required to administer the said Oaths.

Persons sued, for executing this Act may plead General Issue, and have double Costs.

XVI. Provided always, and be it enacted, That if any Person or Persons shall at any Time be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, he or they shall or may plead the General Issue, and give this Act in Evidence for his Defence; and if upon Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonsuit, discontinue, or forbear prosecuting the said Actions, then such Defendant or Defendants shall have double Costs to him or them awarded against such Plaintiff or Plaintiffs; for which Costs he shall have such Remedy as in other Cases where Costs are by Law given to Defendants.

No Certiorari upon Orders.

XVII. Provided also, and be it enacted, That no Writ or Writs of *Certiorari* shall supersede Execution or other Proceedings upon any Order or Orders made by the said chief Commissioners or Justices of Peace in pursuance of this Act, but that Execution and other Proceedings shall and may be had and made thereupon, any such Writ or Writs, or Allowance thereof notwithstanding.

Measure settled. 7 & 8 W. 3. c. 31. §. 44.

XVIII. Provided always, and be it further enacted, For the ascertaining of all Measures where the said Duties are to be paid, That all Salt be measured by a Bushel of eight Gallons *Winchester* Measure, and by fit Measurers living upon the Place where the Salt is made, to be sworn and admitted by some Justice of Peace near adjoining, without Charge or Fee, upon Forfeiture of double the Value of the Salt that shall not be so measured.

Penalty for removing without Notice.

XIX. And be it enacted, That no Salt shall be delivered from any Salt-works or Pits without Notice first given to the Officer appointed for that Purpose, upon pain of Forfeiture of the Salt so delivered, and upon Pain of twenty Pounds to be forfeited by the Owner or Owners of the Salt-works or Pits where such Salt shall be so delivered; the Moiety of which Forfeitures to be to the Use of the Prosecutors, and the other Moiety to the Use of ther Majesties.

Penalty for relanding.

XX. And be it further enacted by the Authority aforesaid, That if any of the Salt, for which the Duty shall have been repaid and discharged upon the Exportation thereof, as is herein before directed, shall (by Fraud or otherwise) be landed in *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, before the Duty be again paid, and such Entry and all other Things performed, as are herein before required in case where any foreign Salt is imported, every Person so offending shall forfeit double the Value of such Salt so landed, and such other Penalties and Forfeitures as are herein inflicted upon any Person who shall land any foreign Salt contrary to the true Intent and Meaning of this Act.

Provision for Persons losing Salt at Sea.

XXI. And be it further enacted by the Authority aforesaid, That if any Merchant or other Person, being a Subject of this Realm of *England*, shall during the Continuance of this Act, ship any Salt or Rock-salt, that hath paid the Duty to their Majesties by this Act imposed, to convey it by Sea to any Part of *England*, and the Vessel on which such Salt as aforesaid is shipt, shall either perish at Sea, or be taken by Enemies, with such Salt on board her, that in such Case any Merchant, or Person, Owner of the said Salt, shall, upon Proof made before the Justices of the Peace at the Quarter-Sessions held for the County, Riding, Division, or Town wherein he doth inhabit, of the Loss of such Salt so shipt, receive from the said Sessions a Certificate that such Proof was made before them, and upon producing the said Certificate to any of their Majesties Officers appointed to collect the Duty by this Act imposed, the said Officer or Officers are hereby required to let such Persons buy the like Quantity of Salt, as is expressed in the Certificate to be lost, without paying to their Majesties any Duty or Excise for the same; any Thing in this Act contained to the contrary notwithstanding.

Owner not to pay Excise till Salt be sold.

XXII. Provided also, and be it enacted, that it shall and may be lawful for the Owners and Proprietors of any Salt-rock, or Rock-salt, to remove and carry out of and from the Pits or Warehouses adjoining to or belonging to such Pits, into his or their Warehouses, or other Places for storing thereof, for Conveniency of selling or shipping off the same, any of the said Salt-rock or Rock-salt, after due Entry made thereof, and a Warrant or Ticket taken for the same, from the Officer next to such Salt-pits, which Warrant or Ticket the said Officer is hereby required, upon Demand, to give without Fee or Reward as aforesaid; and that the said Owners or Proprietors shall not be obliged to pay or secure the Payment of the said Duty, until such Time as the said Salt-rock, or Rock-salt shall be sold and delivered as aforesaid.

Contracts heretofore, made.

XXIII. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall be obliged, by virtue of any Contract made at any Time before the first Day of *December* one thousand

ſund ſix hundred ninety-three, to deliver any Salt or Rock-ſalt, unleſs the Perſon who is to receive the ſame, ſhall, before or at the Time for Delivery of the ſame by ſuch Contract, pay to the Seller thereof ſuch Sum or Sums as he ſhall have paid or ſecured to pay for the Duty for the ſame by virtue of this Act.

'XXIV. And whereas Salt made at the preſent Salt-works in the County Palatine of *Cheſter*, when taken from the Pans, is put into Walms, Baſkets, or Veſſels, and muſt be carried by the Maker ſome Miles diſtant from the Works before he can deliver the ſame to the Merchant or firſt Buyer, ſo that to bre k and meaſure the Salt at the ſaid Salt-works would be great Loſs to the Makers thereof;' Be it therefore enacted, That all Salt made at the ſaid Salt-works in the ſaid County ſhall be entred by Weight only, and that fifty-ſix Pounds Weight thereof ſhall be deemed and taken to be a *Wincheſter* Buſhel of eight Gallons *Wincheſter* Meaſure, and ſhall be entred, rated, and taxed accordingly. Cheſter Salts to be entred by Weight.

'XXV. And whereas Salt-rock or Rock-ſalt taken out of Pits is in ſuch great Lumps that it cannot be meaſured without breaking the ſame to Powder, which would be great Loſs to the Proprietors thereof;' Be it therefore enacted, That all Salt-rock or Rock-ſalt taken out of Pits ſhall be entred by Weight only, and that ſix ſcore Pounds Weight thereof ſhall be deemed and taken to be a *Wincheſter* Buſhel of eight Gallons *Wincheſter* Meaſure, and ſhall be entred, rated, and taxed accordingly. Salt Rock by Weight. 'Altered by 10 & 11 W. 3. c. 22. §. 2.'

XXVI. And to the Intent that Salt made by melting and refining of Rock-ſalt may not, contrary to the true Intent and Meaning of this Act, be charged more than other *Engliſh* Salt, Be it further enacted by the Authority aforeſaid, That where any ſuch Rock-ſalt ſhall be melted and refined, which had before paid the Duty impoſed by this Act, according to the Direction of the ſame, the Perſon who ſhall make ſuch Salt by refining ſhall receive an Allowance and Abatement of Duty on the Salt by him ſo made, after the Rate and Proportion of twelve Pence for every Buſhel of ſuch Rock-ſalt ſo melted and refined, which had paid the Duty as aforeſaid; Oath being firſt made before ſome Juſtice of the Peace near adjoining to ſuch Salt-works of the particular Quantities of the ſaid Rock-ſalt ſo by him employed in making the ſaid Salt by refining, which Oath the ſaid Juſtice of the Peace is hereby impowered to adminiſter, and upon due Proof by Oath, or otherwiſe made of the Payment of the Duty impoſed by this Act. Allowance to Refiner. *Farther Proviſions concerning Salt*, 10 & 11 *W.* 3. *c.* 22. 1 *Ann. ſt.* 1. *c.* 21. 2 & 3 *Ann. c.* 14. 4 *Ann. c.* 12. 5 *Ann. c.* 29. 6 *Ann. c.* 12. 9 *Ann. c.* 23. 12 *Ann. ſt.* 2. *c.* 2. 5 *Geo.* 1. *c.* 18. 8 *Geo.* 1. *c.* 4 & 16. 11 *Geo.* 1. *c.* 30. 3 *Geo.* 2. *c.* 20. 5 *Geo.* 2. *c.* 6. 8 *Geo.* 2. *c.* 12. 14 *Geo.* 2. *c.* 22. 26 *Geo.* 2. *c.* 3 & 32.

'XXVII. And whereas by an Act of Parliament made in the ſecond Year of their Majeſties Reign, intituled, *An Act for granting to their Majeſties ſeveral additional Duties upon Beer, Ale, and other Liquors, for four Years from the Time that an Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire*, it was enacted from and after the ſeventeenth Day of *November* in the Year of our Lord one thouſand ſix hundred ninety-one, there ſhould be throughout their Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto their Majeſties, and their Succeſſors, during the Space and Term of four Years, and no longer, for Beer, Ale, Cyder, and other Liquors therein mentioned, by way of Exciſe, over and above all other Duties, Charges, and Impoſitions, by any former Act or Acts, which ſhould be then unexpired, ſet and impoſed, in ſuch Manner as therein is mentioned:' Be it further enacted, That for the further Encouragement of ſuch Perſons who ſhall voluntarily contribute as aforeſaid, towards the raiſing and paying into their Majeſties *Exchequer*, any Sum or Sums not exceeding in the whole the Sum of ten hundred thouſand Pounds, upon the ſeveral Terms and Recompences herein after mentioned, that from and after the ſeventeenth Day of *May* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſeven, there ſhall be throughout their Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto their Majeſties, their Heirs and Succeſſors, during the Space and Term of ſixteen Years, and no longer, for Beer, Ale, Cyder, and other Liquors herein after expreſſed, by way of Exciſe, over and above all Duties, Charges, and Impoſitions, by any former Act or Acts then unexpired, ſet, and impoſed, one Moiety or half Part of the ſeveral Rates and Duties of Exciſe granted by the ſaid laſt mentioned Act, in Manner and Form following: (that is to ſay) (1) For every Barrel of Beer or Ale above ſix Shillings the Barrel, excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately to be paid by the common Brewer, or by ſuch other Perſon or Perſons reſpectively, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for the ſame, nine Pence. (2) For every Barrel of Beer, or Ale of ſix Shillings the Barrel or under, brewed by the common Brewer or any other Perſon or Perſons who ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by ſuch other Perſon or Perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for the ſame, three Pence. (3) For every Barrel of Vinegar, or Vinegar Beer, brewed or made of any *Engliſh* Materials, by any common Brewer, or any other Perſon, for Sale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties of Exciſe payable for the ſame, one Shilling ſix Pence. (4) For every Barrel of Vinegar, or Liquor prepared for Vinegar, made here, that hath run through Rape, or made with or paſſing through any foreign Materials, or any Mixture with foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, four Shillings. (5) For every Barrel of Beer, Ale, or Mum, imported from beyond the Seas, or from the Iſlands of *Guernſey* or *Jerſey*, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importers before landing, over and above the Duties payable for the ſame, three Shillings. (6) For every Tun of Cyder or Perry imported

2 W. & M. ſt. 2. c. 10. Additional Exciſe upon Beer, &c. for 16 Years. 'Theſe Duties are expired, and others granted.'

Exciſe for three laſt Years to be diſpoſed according to Act of Parliament. 5 & 6 W. & M. c. 20.

Beer, &c. above 6 s.

Beer, &c. under 6 s.

Vinegar Engliſh.

Vinegar Foreign. 'Vinegar made for Pickles for Sale liable to Duties by 8 Annæ, c. 7. §. 4.'

Beer, &c. imported.

Cyder, &c. imported.

imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importer before landing, over and above the Duties payable for the ſame, four Pounds. (7) For every Gallon of Single Brandy, Spirits, or *Aqua Vitæ*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, two Shillings. (8) For every Gallon of Brandy, Spirits, or *Aqua Vitæ*, above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, four Shillings. (9) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above the Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, one Shilling three Pence. (10) For all Metheglin or Mead made for Sale, whether by Retail or otherwiſe, to be paid by the Maker, for every Gallon, three Pence.

Brandy Single.

Brandy Double.

Cyder, &c. by Retail.

Metheglin, &c.

Recovery of Duties.

XXVIII. And be it enacted by the Authority aforeſaid, That the ſaid ſeveral Rates, Duties, and Impoſitions upon Beer, Ale, Cyder, and other Liquors aforeſaid, be levied, collected, and paid unto their Majeſties, their Heirs and Succeſſors, during the ſaid Space and Term of ſixteen Years, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned in the Act made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*; and alſo in and by another Act made in the twelfth Year of the Reign of the ſaid late King *Charles* the Second, intituled, *A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life*; and alſo in and by another Act made in the fifteenth Year of the Reign of the ſaid late King *Charles* the Second, intituled, *An additional Act, for the better ordering and collecting the Duties of Exciſe, and preventing the Abuſes therein*; or by any other Law in Force relating to the ſaid Revenue of Exciſe; and that the aforeſaid Acts, and every Article, Rule, and Clauſe therein mentioned, as for and concerning only the Rates, Duties, and Impoſitions upon Beer, Ale, and other Liquors by this Act granted, ſhall be of full Force and Effect, to all Intents and Purpoſes, during the ſaid Term of ſixteen Years, in like Manner as if the ſame were at large and particularly recited and ſet down in the Body of this Act; and that the ſaid Rates and Duties of Exciſe, and the other Duties upon Salt by this Act granted, ſhall from Time to Time be within the Receipt and Government of the chief Commiſſioners and Governors of the Receipt of the Exciſe for the Time being.

12 Car. 2. c. 24.

12 Car. 2. c. 23.

15 Car. 2. c. 11.

Money to be kept apart,

XXIX. And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Governors for Management and Receipt of the Exciſe, at the Head-office in *London* for the Time being, ſhall ſeparate and keep apart all and every the Monies raiſed by the Rates and Duties of Exciſe, and other Duties upon Salt hereby granted, as the ſame ſhall from Time to Time ariſe, or be paid into the ſaid Office of Exciſe, by the Receivers or Collectors of the ſame, or by any other Perſon whatſoever. And the ſaid Commiſſioners and Governors of Exciſe for the Time being are hereby required and ſtrictly enjoined, from Time to Time, to pay weekly, *videlicet*, on *Wedneſday* in every Week, if it be not a Holiday, and if it be, then the next Day after that is not a Holiday, all and every the Monies ariſing by the Rates and Duties of Exciſe, and other Duties hereby granted, into the Receipt of their Majeſties *Exchequer*, diſtinct and apart from the other Monies, which the ſaid Commiſſioners and Governors of Exciſe ſhall receive for the Uſe of their Majeſties, their Heirs and Succeſſors. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept in their Majeſties *Exchequer*, that is to ſay, in the Office of the Auditor of the Receipts, one Book in which all the ſaid weekly Monies, which ſhall be paid into the *Exchequer* as aforeſaid, ſhall be entred apart and diſtinct from all other Monies paid or payable to their Majeſties, their Heirs and Succeſſors, upon any Account whatſoever.

paid in weekly,

and regiſtred.

Penalty upon Officers.

XXX. And be it further enacted, That if the ſaid Commiſſioners and Governors of Exciſe, for the Time being, ſhall refuſe or neglect to pay into the *Exchequer* all or any the ſaid weekly Sums appointed to be paid as aforeſaid, in ſuch Manner as they are before by this Act required to do, or ſhall divert or miſapply any of the ſame, then they, for every ſuch Offence ſhall forfeit their Offices of Commiſſioners and Governors for the Management and Receipt of the Exciſe, and be incapable of any Office or Place of Truſt whatſoever, and ſhall be liable to pay the full Value of any Sum or Sums ſo diverted or miſapplied, to any Perſon or Perſons who will ſue for the ſame, by any Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Imparlance ſhall be granted or allowed.

To be a yearly Fund.

Salaries of Officers.

XXXI. And be it further enacted, That all the ſaid Sums, ſo as aforeſaid appointed to be paid weekly into the Receipt of the *Exchequer*, during the ſaid Term of ſixteen Years, ſhall be the yearly Fund for the ſeveral and reſpective Purpoſes herein after mentioned and expreſſed. Provided always, and be it enacted, That it ſhall and may be lawful to and for their Majeſties, their Heirs and Succeſſors, out of the ſaid Duties ariſing upon Salt, to cauſe ſuch Sum and Sums of Money to be expended and paid from Time to Time for Salaries, or other incident Charges, as ſhall be neceſſary in and for the receiving, collecting, levying or managing of the ſame Duties upon Salt, during the ſaid Term therein by this Act granted; any Thing in this Act contained to the contrary notwithſtanding.

Exciſe Office, &c. continued.

XXXII. And be it further enacted by the Authority aforeſaid, That the Head-office of Exciſe, which is now eſtabliſhed within the City of *London*, ſhall be continued and be within the ſaid City, or ten Miles thereof, and a ſufficient Number of Commiſſioners therein, from Time to Time, ſhall be continued or appointed by their Majeſties, their Heirs and Succeſſors, to govern and manage the Receipt of Exciſe, and to perform and execute the ſeveral Matters and Things hereby enjoined to be done and executed by ſuch Commiſſioners, until the ſame ſhall be fully performed and complied with, according to the true Intent and

Meaning

Meaning of this Act; and that in like Manner there shall be continued and be within the said City, or ten Miles thereof, by the Appointment of their Majesties, their Heirs and Successors, a Comptroller of Excise, until such Time as all Matters and Things, which by this Act such Comptroller is enjoined to do and perform, shall be fully performed and accomplished; which said Comptroller for the Time being is hereby also required and commanded to keep a perfect and distinct Account in Books fairly written of all the Monies which shall arise by the said Duties upon Salt, and the said Duties of Excise by this Act granted, as the same respectively shall from Time to Time arise, come, or be brought into the said Office of Excise; to which Books all Persons concerned shall have free Access at all seasonable Times, without Fee or Charge; and that the said Commissioners and Comptroller shall execute their respective Offices, in the Performance of all Things enjoined by this Act, without any other Salary, Fee, or Reward, than what they now have or enjoy.

Accounts of Salt and Excise to be kept apart.

XXXIII. And be it further enacted by the Authority aforesaid, That yearly and every Year, reckoning the first Year to begin from the said five and twentieth Day of *March* one thousand six hundred ninety-four, the full Sum of one hundred and forty thousand Pounds, by or out of the Monies to arise by the said Duties upon Salt, and by the said Rates and Duties of Excise hereby granted, or either of them, and to be brought into the Receipt of the *Exchequer*, by weekly Payments as aforesaid, in case the said weekly Payments shall extend thereunto, shall be the whole and intire yearly Fund: And in case the said weekly Payments shall not amount to one hundred and forty thousand Pounds *per Annum*, then the said weekly Monies or Payments, so far as the same will extend, shall be Part of the yearly Fund for and towards the answering or paying of the Annuities herein after mentioned, and for other the Purposes hereafter in this Act expressed. And in case the said Duties upon Salt, and the said Rates and Duties of Excise by this Act granted, or either of them, shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year to be reckoned as aforesaid, the weekly Payments upon the same Rates or Duties, or any of them, shall not amount to so much as one hundred and forty thousand Pounds, or to so much as shall be sufficient to discharge and satisfy the said Annuities, and other Benefits and Advantages by this Act appointed or intended to be paid within or for the same Year respectively; that then and so often, and in every such Case, the Commissioners of their Majesties Treasury, and the Under-treasurer of the *Exchequer* now being, and the Treasurer and Under-treasurer of the *Exchequer*, or Commissioners of the Treasury for the Time being, are hereby strictly enjoined and required by virtue of this Act, and without any further or other Warrant, to be sued for, had or obtained from their Majesties, their Heirs or Successors, in this Behalf, to cause every such Deficiency to be made good, by applying and issuing, or paying so much of any Treasure or Revenue, belonging or to belong to their Majesties, their Heirs or Successors (not being appropriated to any particular Use or Uses, by any Act or Acts of Parliament) towards the discharging or paying off the said Annuities, or other Benefits or Advantages appointed to be paid by this Act, as together with the Monies which shall have been brought into the said Receipt, of or for the said Rates or Duties upon Salt, and the said Rates and Duties of Excise as aforesaid, shall be sufficient to pay off and discharge, and shall completely pay off and discharge, all the Monies which within the same Year respectively shall be grown due, or ought to be paid upon the said Annuities, or other Benefits or Advantages, according to the true Intent and Meaning of this present Act.

140,000*l.* a yearly Fund.

The King's Revenue chargeable, if these Duties fall short.

XXXIV. And be it further enacted, That it shall and may be lawful for any Person or Persons, Natives or Foreigners, to contribute towards advancing the Sum of ten hundred thousand Pounds for carrying on of the said War, by paying at or before the tenth Day of *September* one thousand six hundred ninety-four, to any Receiver or Receivers, to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers intire Sums of ten Pounds upon this Act; and that for the raising the said Sum of ten hundred thousand Pounds, any Person who will become an Adventurer, shall and may advance the Sum of ten Pounds, for which Sum so advanced, he, she, or they, for sixteen Years, shall be entitled to receive a Share or Dividend of the said yearly Fund, as hereafter is expressed; and that every Adventurer may advance as many intire Sums of ten Pounds, as he, she, or they shall think fit, and for every such Sum of ten Pounds so advanced, he, she, or they is or are to be interested in one Lot or Share in the said yearly Fund. [From Section 34 to 49 Exp.]

Natives or Aliens may advance 10*l.* &c.

XLIX. And be it further enacted, That any Money contributed or lent by or payable to any Person or Persons, upon or by virtue of this Act, shall not be charged or chargeable with any Rates, Duties or Impositions whatsoever.

Money lent on this Act, Tax free.

L. Provided always, and it is hereby further declared and enacted by the Authority aforesaid, That all Grants or Dispositions of any of the Monies arising or which shall be collected by the Authority of this Act, hereafter to be made by their Majesties, their Heirs or Successors, to any other Person or Persons, or in any other Manner, or for any longer Term or Interest, than by this Act is appointed, shall be and are hereby declared null and void to all Intents and Purposes whatsoever.

Grants made by the King void.

' LI. And whereas by reason of the Multiplicity of Payments, which are to be made in pursuance to this ' Act, it will be difficult (if not impossible) that every particular Payment should be directed, recorded, ' paid and accounted for by the several Officers of the Receipt of the *Exchequer*, in the ordinary Course of ' Payments there used;' Therefore and to the End that the *Exchequer* may be regularly discharged of all the Monies of the several Rates and Duties before mentioned, which shall be brought into the same for the said Fund; Be it enacted by the Authority aforesaid, That there shall be in the said Receipt of the *Exchequer* a distinct Office for paying the Annuities or Benefits by this Act appointed to be paid, and some convenient Room or Rooms, in or near the Receipt of the *Exchequer* at *Westminster*, shall be prepared, assigned and used for that Purpose; which Office shall continue until all the Payments to grow due by this Act,

A particular Officer appointed by the Treasury in the Exchequer for Payment of these Annuities, who shall be subject to the Rules of the Treasury.

during the ſaid Term of ſixteen Years, ſhall be ſatisfied; and an Officer or Officers ſhall be appointed thereunto from Time to Time by the Commiſſioners of their Majeſties Treaſury now being, or by the Treaſurer of the *Exchequer*, or Commiſſioners of the Treaſury for the Time being, who ſhall alſo take Security, according to the beſt of their Judgments and Diſcretions, from every or any ſuch Officer or Officers, for his or their due paying, anſwering and accounting for all the Monies which he or they ſhall receive, and for the due and faithful Performance of his or their Office and Offices reſpectively; and that the Money of the Fund by this Act appointed, which ſhall from Time to Time come or be brought into the Receipt of the *Exchequer* as aboveſaid, ſhall, by the Commiſſioners of their Majeſties *Treaſury*, and the Under-treaſurer of the *Exchequer* now being, or by the Treaſurer or Under-treaſurer of the *Exchequer*, or Commiſſioners of the *Treaſury* for the Time being, without any further or other Warrant to be ſued for, had, or obtained from their Majeſties, their Heirs, or Succeſſors, and in ſuch Proportions from Time to Time, as ſhall be neceſſary and ſufficient to anſwer the reſpective Payments which ſhall grow due, and are to be made by the ſaid particular Officer or Officers, be iſſued or paid over, from Time to Time, to the Hands of ſuch Officer or Officers by way of Impreſt, and upon Account, to and for the Payment of the ſaid Annuities or Benefits by this Act appointed to be paid; and that ſuch particular Officer and Officers ſhall apply the ſame thereunto in ſuch Manner and Form as are above mentioned, and by this Act directed in that Behalf; and ſhall be ſubject and liable to ſuch Inſpection, Examination, Comptrol, and Audit, and to ſuch Rules, in reſpect of his paying, accounting, and other Matters relating to the Execution of his Office, as the ſaid Commiſſioners of the *Treaſury* now being, or the Treaſurer and Under-treaſurer of the *Exchequer*, or the Commiſſioners of the *Treaſury* for the Time being, ſhall think fit, or find neceſſary or reaſonable to eſtabliſh or appoint from Time to Time, for the better Execution of the Intent and End of this Act, and the Satisfaction of Contributors, Adventurers, or others concerned or to be concerned therein; any Thing in this preſent Act contained, or any Law, Cuſtom, Uſage, or Courſe of the *Exchequer* to the contrary notwithſtanding.

Transfer Office to be ſubject to the Orders of the Treaſury.

LII. And it is enacted by the Authority aforeſaid, That the Transfer-office above mentioned ſhall be continued for the Purpoſes aforeſaid, by their Majeſties, their Heirs and Succeſſors, and an Officer in the ſame, until all Matters and Things hereby required to be done by ſuch an Officer ſhall be fully accompliſhed; and that as well the Managers and Directors above mentioned, as alſo the Commiſſioner and Officer of the Transfer-office, and the ſaid Receivers, and the ſaid particular Officer in the *Exchequer*, and all the Clerks, Miniſters, and Servants, to be employed by or under them reſpectively, from Time to Time, ſhall, in and for the better Execution of their ſeveral Places and Truſts, and for purſuing the Directions, Ends, or Intents of this Act, obſerve and perform ſuch Rules, Methods, and Orders, as they reſpectively ſhall from Time to Time receive from the ſaid Commiſſioners of the *Treaſury* now being, or from the Treaſurer of the *Exchequer*, or Commiſſioners of the *Treaſury* for the Time being, ſo as ſuch Rules, Methods, and Orders, be conducible to the Ends and Purpoſes of this Act, and not otherwiſe.

Borrowing Clauſe, if 1,000,000l. be not advanced before 24 June.

LIII. And be it enacted by the Authority aforeſaid, That if the whole Sum of ten hundred thouſand Pounds be not advanced and paid into the *Exchequer* upon this Act, before the four and twentieth Day of *June* one thouſand ſix hundred ninety-four, that then it ſhall and may be lawful for their Majeſties, or their Officers in the Receipt of their Majeſties *Exchequer*, by their Command and Appointment, to borrow and take into the ſaid Receipt, for their Majeſties Uſe by way of Loan, any Sum or Sums of Money, which together with the whole Value or Amount of all the Sums of Money, which ſhall before the ſaid four and twentieth Day of *June* be contributed or adventured as aforeſaid, ſhall not exceed the Sum of ten hundred thouſand Pounds, which Sum or Sums ſo taken up by way of Loan ſhall and may be charged upon the Credit of their Majeſties *Exchequer* in general, and Tallies of Loan, and Orders of Repayment of the ſame, ſhall be levied and drawn accordingly, which ſaid Orders ſhall be aſſignable and tranſferrable from one Perſon to another.

8l. per Cent. allowed for Intereſt, and this Fund, &c. chargeable for the Payment of Principal and Intereſt.

LIV. And it is hereby enacted, That all and every Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, together with the Intereſt for the ſame, not exceeding the Rate of eight Pounds *per Centum per Annum*, to be paid every three Months, until Satisfaction of the Principal ſhall be payable and ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, out of the Monies which ſhall afterwards ariſe and be brought into the *Exchequer*, by or for Contributions upon this Act, ſo far as the ſame will extend: And in caſe the Monies ſo ariſing by this Act ſhall not be ſufficient for the paying thereof, then the ſaid Loans which ſhall remain unſatisfied, and the Intereſt of the ſame, ſhall be paid and ſatisfied out of the next Aids or Supplies to be granted to their Majeſties in Parliament, and ſhall be transferred and transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted to their Majeſties; and if no ſuch Aids or Supplies ſhall be granted to their Majeſties before the ſecond Day of *February* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-four, then the ſaid Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, and the Intereſt thereof, ſhall be payable, and be paid and ſatisfied to the ſaid Lender or Lenders, his, her, or their Executors, Adminiſtrators, or Aſſigns reſpectively, by and out of any their Majeſties Treaſure, which from thenceforth ſhall come into, be, or remain in the Receipt of their Majeſties *Exchequer*, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this Time made.

The annual Surplus Money how diſpoſed.

LV. And be it further enacted, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the Rates and Duties granted by this Act, at the End of any one Year of the ſaid Term of ſixteen Years, after all the Annuities or Payments directed by this Act ſhall be fully ſatisfied, paid and diſcharged, ſuch Surplus or Remainder ſhall go and be applied for or towards the Payment and Satisfaction of ſuc

ſuch Principal and Intereſt Monies, which ſhall be or remain due upon the Regiſter kept in the ſaid Receipt of *Exchequer*, for the two third Parts of the Rates and Duties of Exciſe granted in the ſecond Year of their Majeſties Reign, intituled, *An Act for granting to their Majeſties ſeveral additional Duties of Exciſe upon Beer, Ale, and other Liquors for four Years, from the Time that an Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire*, and continued by Clauſes in a ſubſequent Act, intituled, *An Act for raiſing Money by a Poll, payable quarterly for one Year, for the carrying on a vigorous War againſt* France. And that ſuch Surplus or Remainder, together with the Monies applicable by the two Acts laſt mentioned, ſhall be iſſued and paid jointly and ſeverally, for and towards the diſcharging of the Principal and Intereſt Monies which from Time to Time ſhall be or remain due and unpaid upon the ſaid Regiſter, until the ſame ſhall be fully ſatisfied, and afterwards the Monies, which ſhall further ariſe by the ſaid Surplus or Remainder, ſhall be to the Uſe of their Majeſties, their Heirs and Succeſſors, for the carrying on the War againſt *France*. Provided always, That in caſe the whole Sum of ten hundred thouſand Pounds be not advanced and paid into the *Exchequer*, by or for Contributions upon this Act, the Surplus or Remainder of the Monies ariſing by the Rates and Duties hereby granted, more than is requiſite to pay the Annuities or Payments directed by this Act, ſhall be diſpoſed as ſhall be hereafter directed by Act of Parliament; any Thing in this Act contained to the contrary thereof notwithſtanding.

Surplus of Exciſe of Liquors to be diſpoſed according to 2 W. & M. ſ. 1. c. 10. 3 & 4 W. & M. c. 6. §. 1. [illegible] 5 & 6 W. & M. c. 20. §. 41.

LVI. And be it further enacted by the Authority aforeſaid, That ſuch Receiver or Receivers General, or other Perſon or Perſons, who is, or ſhall be employed in the receiving, collecting, or paying the ſeveral Duties upon Salt by this Act granted, ſhall, and are hereby required, between the five and twentieth Day of *March* one thouſand ſix hundred ninety-five, and the nine and twentieth Day of *September* following, and ſo from Year to Year yearly, at thoſe Times, during the Continuance of this Act, to deliver in their reſpective Accounts thereof to their Majeſties Auditors of the Impreſt for the Time being, or one of them, who ſhall, and are hereby from Time to Time reſpectively authorized to examine upon Oath the ſaid Receiver or Receivers General, or other Perſon or Perſons, Accomptants, which are or ſhall be employed in raiſing, receiving, and collecting the ſaid Duties, of what Sum or Sums of Money was or were by them or any of them reſpectively raiſed, collected, or received, within the Time of ſuch their Accounts, and likewiſe what Part thereof was by them or any of them paid into their Majeſties Receipt of *Exchequer*, or by virtue of any Warrant of Privy-ſeal, or Warrant of the Lord High Treaſurer, or Commiſſioners of their Majeſties Treaſury for the Time being, otherwiſe paid, and to whom, and for what Service or Services; and in making the ſaid Accounts to and before the ſaid Auditors, or one of them, they are to produce proper Vouchers for every Sum or Sums of Money ſo by them or any of them raiſed, received, and paid, according to the ancient Methods of the *Exchequer*. And to the end it may appear upon Record what the ſame amounted to in the Year, for which ſuch Account or Accounts ſhall be made, and what thereof was paid, and to whom, and for what Uſe and Service, Uſes and Services, as aforeſaid, and what remains unpaid, and reſts *inſuper* upon each reſpective Receiver and Collector; and ſuch Account or Accounts, ſo to be taken by the ſaid Auditor, is and are to be declared before the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, and Chancellor of the *Exchequer* now and for the Time being, according to the Courſe of the *Exchequer* in ſuch Caſes.

Receivers to give an annual Account to the Auditors of the Impreſt, to be declared before the Treaſurer, &c.

LVII. Provided always, and be it enacted by the Authority aforeſaid, That no Member of the Houſe of Commons ſhall at any Time be concerned directly or indirectly, or any other in Truſt for him, in the farming, collecting, or managing, any of the Sums of Money, Duties, or other Aids granted to their Majeſties by this Act, or that hereafter ſhall be granted by any other Act of Parliament, except the Commiſſioners of the Treaſury, and the Officers and Commiſſioners for managing the Cuſtoms and Exciſe, not exceeding the preſent Number in each Office, and thoſe appointed to be Commiſſioners for putting in Execution an Act, intituled, *An Act for granting to their Majeſties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War againſt* France, as to their executing only the Authority of the ſaid Act, by which they are appointed Commiſſioners. Provided always, That *Thomas Neale* Eſquire may be employed by their Majeſties as they ſhall think fit, in the ordering, or managing the ſeveral Recompences and Advantages hereby given to the Contributors upon this Act; any Thing in this Act contained to the contrary notwithſtanding.

No Members, except Commiſſioners of Treaſury and Land Tax, and T. Neale, to be Farmers. Members of Houſe of Commons may be Members of the Bank of England by 5 & 6 W. & M. c. 20. §. 33.

5 & 6 W. & M. c. 1. *Farther Proviſions concerning Exciſe*, 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 & 12. 1 *Ann. ſt.* 2. *c.* 3. 4 *Ann. c.* 6. 8 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. ſt.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *c.* 16. 23 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. *and* 1 *Geo.* 3. *c.* 7.

## CAP. VIII.

EXP. 2 W. & M. ff. 2. c. 15.

An Act for the explaining, and for the more effectual Execution of a former Act for the Relief of poor Prisoners.

## CAP. IX.

An Act for Repeal of a Clause in the Statute of the fifth Year of Queen *Elizabeth* (containing divers Orders for Artificers and others) which relates to Weavers of Cloth.

5 Eliz. c. 4. §. 32.

'WHEREAS by an Act of Parliament made in the fifth Year of the Reign of Queen *Elizabeth*, intituled, *An Act containing divers Orders for Artificers, Labourers, Servants in Husbandry, and Apprentices*; it is enacted in these Words following: "Provided always, and be it further enacted by the "Authority aforesaid, That no Person or Persons, using or exercising the Art or Mistery of a Woollen "Cloth Weaver, other than such as be inhabiting within the Counties of *Cumberland*, *Westmorland*, *Lancaster*, and *Wales*, weaving Frizes, Cottons, or Housewife's Cloth only, making and weaving Woollen "Cloth commonly sold, or to be sold by any Clothman or Clothier, shall take and have any Apprentice, "or shall teach, or in any wise instruct any Person or Persons in the Science, Art, or Occupation of "Weaving aforesaid, in any Village, Town, or Place, (Cities, Towns-corporate, and Market-towns "only excepted) unless such Person be his Son, or else that the Father or Mother of such Apprentice or "Servant shall, at the Time of the taking of such Person or Persons to be an Apprentice or Servant, or "to be instructed, have Lands or Tenements, or other Hereditaments, to the clear yearly Value of three "Pounds at least, of an Estate of Inheritance or Freehold, to be certified under the Hands and Seals of "three Justices of the Peace of the Shire or Shires, where the said Lands, Tenements, or other Hereditaments, do or shall lie; the Effect of the Indenture to be registred within three Months, in the Parish "where such Master shall dwell, and to pay for such registring four Pence, upon pain of Forfeiture of "twenty Shillings for every Month that any Person shall otherwise take any Apprentice, or set any such "Person on Work, contrary to the Meaning of this Article." 'Now forasmuch as such Part of the said 'Act before recited hath been found to be very inconvenient, and a great Prejudice to the Cloathing Trade;' may it please your most Excellent Majesties, that it may be enacted,

Clause repealed.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act, as is before recited, be, and is hereby declared to be repealed, null, and void to all Intents and Purposes, as if the same had never been made.

## CAP. X.

An Act for the Relief of the Orphans and other Creditors of the City of *London*.

'WHEREAS the Mayor, Commonalty, and Citizens of the City of *London*, have been, and are 'answerable for, and chargeable with, all Monies of the Orphans of the said City from Time to 'Time paid into the Chamber of the said City; but by reason of sundry Accidents and publick Calamities, 'are now become indebted to the said Orphans and other Creditors, for principal Money and Interest 'thereof, in a much greater Sum of Money than they are able to satisfy and pay, unless some Assistance be 'given them for the same:

The City Lands charged with 8,000l. per Ann. for the Orphans.

II. Be it therefore enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for and towards the raising a perpetual Fund to pay the yearly Interest of four Pounds for every hundred Pounds principal Money, and of all the said Interest thereof, due to any Orphan of the said City, or the Executors, Administrators, or Assigns, of any such Orphan, unto the five and twentieth Day of *December* one thousand six hundred ninety-three, such Interest to be computed from the Time it was first payable unto the five and twentieth Day of *December* one thousand six hundred eighty-three, at five Pounds for the Interest of every hundred Pounds for one Year, and from the five and twentieth Day of *December* one thousand six hundred eighty-three, unto the five and twentieth Day of *December* one thousand six hundred ninety-three, at three Pounds for the Interest of every hundred Pounds for one Year, and proportionably for any greater or lesser Sum (the Interest already received for such principal Money to be deducted) and also to pay the like yearly Interest of four Pounds for every hundred Pounds of the principal Money and Interest thereof, to be computed as aforesaid, due upon Bond, Bill, or Note, liable to pay Interest, between the five and twentieth Day of *December* one thousand six hundred fifty and five, and the said five and twentieth Day of *December* one thousand six hundred ninety-three, or any other the Creditor or Creditors of the said Mayor, Commonalty, and Citizens, or the Executors, Administrators, or Assigns, of any such Creditor or Creditors, on the said five and twentieth Day of *December* one thousand six hundred ninety-three, from the Chamber of the said City or from the Mayor,

How much Orphans Money to be paid.

Common-

Commonalty, and Citizens thereof, and ſo proportionably for any greater or leſſer Sum, all and every the Manors, Meſſuages, Lands, Markets, and Fairs, and other the Hereditaments, Revenues, and Income whatſoever, of and belonging to the ſaid Mayor, Commonalty, and Citizens, in Poſſeſſion or Reverſion, and the Improvements that ſhall or can be made thereof (except the Manors, Meſſuages, Lands, Eſtates, Poſſeſſions, and Revenues, of and belonging to *Chriſt's Hoſpital*, *St. Bartholomew*, *Bridewell*, *St. Thomas*, and *Bethlehem Hoſpitals*, or any other Hoſpital in or belonging to the ſaid City of *London* or Borough of *Southwark*, and ſuch as are chargeable with and for the Repairs of *London* Bridge) ſhall be, and are hereby declared to be yearly charged for ever, from and after the four and twentieth Day of *June* one thouſand ſix hundred ninety-four, for and towards the raiſing thereout the full and clear annual Sum of eight thouſand Pounds for ever, free from all Deductions for any Impoſitions whatſoever; which ſaid yearly Sum ſhall be annually raiſed and paid out of all and every the ſaid Manors, Lands, Tenements, Hereditaments, and other Revenue whatſoever, of and belonging to the ſaid Mayor, Commonalty, and Citizens (except before excepted) and ſhall be, and is hereby appropriated towards the raiſing ſuch a perpetual Fund, and to be applied as aforeſaid.

Aqueducts charged.

III. And be it further enacted by the Authority aforeſaid, That all the Aqueducts and Right of bringing and conveying Water belonging to the ſaid Mayor, Commonalty, and Citizens, and all the Improvements that ſhall be at any Time made thereof, and all the Rents, Profits, and Benefits whatſoever, which do or ſhall at any Time hereafter ariſe by any Aqueducts or Right of bringing and conveying Water, which do or ſhall belong to the ſaid Mayor, Commonalty, and Citizens (other than ſuch Water as ſhall be for the Supply of the publick Conduits, Hoſpitals, Halls, and Priſons in the ſaid City) ſhall, from and after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, for ever be appropriated and applied towards the Payment of the ſaid Intereſt Money.

2000 l. upon perſonal Eſtates.

IV. And for and towards the raiſing ſuch a perpetual Fund, and ſo to be applied as aforeſaid, be it further enacted by the Authority aforeſaid, that from and after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, the ſaid Mayor, Commonalty, and Citizens, ſhall and may, and they are hereby required yearly to raiſe the Sum of two thouſand Pounds, by an equal proportionable Aſſeſſment upon the perſonal Eſtates of the ſeveral Inhabitants within the ſaid City and the Liberties thereof, to be yearly aſſeſſed, collected, received, and paid, or in Default of Payment, diſtrained for, in ſuch Manner as the ſaid Mayor, Commonalty, and Citizens, in their Common Council aſſembled, or otherwiſe, ſhall from Time to Time annually direct and appoint.

Lights granted for 21 Years for 600 l. yearly.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Mayor, Commonalty, and Citizens, ſhall, on or before the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, demiſe or grant to Sir *Charles Hara* Knight, *John Stanyon*, Eſquire, *Philip Neve*, Eſquire, and *John Lillye*, Gentleman, and all other the Perſons concerned and intereſted in the Glaſs Lights, commonly called or known by the Name of *Convex Lights*, a Leaſe or Licence for the ſole Uſe of the publick Lights, to be uſed in all publick Places within the ſaid City and the Liberties thereof, for the Term of one and twenty Years, to be computed from the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, reſerving the yearly Rent of ſix hundred Pounds, in ſuch Manner, and by and under ſuch other Articles, Covenants, and Agreements, for Payment of the ſaid Rent, or making void the ſaid Leaſe in Default thereof or otherwiſe, as by and between the ſaid Mayor, Commonalty, and Citizens, and the ſaid Perſons above mentioned, are or ſhall be agreed on for that Purpoſe by certain Articles made or to be made in that Behalf: Which ſaid yearly Sum of ſix hundred Pounds ſhall be and is hereby appropriated towards raiſing the ſaid Fund, and Payment of the ſaid Intereſt Money as aforeſaid: From and after the Determination of which Leaſe, all and every the Rents, Profits, and Benefits whatſoever, which the ſaid Mayor, Commonalty, and Citizens, ſhall or may at any Time lawfully make, by farming or granting Licence or Licences to any Perſon or Perſons whatſoever, for the lighting the Streets within the ſaid City, or the Liberties thereof, by ſuch Ways and Means as the ſaid Mayor, Commonalty, and Citizens ſhall think moſt proper, ſhall be, and are hereby declared and enacted to be for ever appropriated and applied to and for the Uſes aforeſaid.

Appropriation of the Money during and after the Term.

Tax upon binding Apprentice.

VI. And for the further and greater Increaſe of the ſaid Fund; Be it enacted, That from and after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, every Perſon being free of any of the reſpective Companies within the ſaid City of *London*, and the Liberties thereof, who ſhall take or receive any Apprentice, ſhall bind his Apprentice before the Maſter or Wardens of ſuch Company whereof the Maſter is a Member, or one of them, or their ſufficient Deputy in that Behalf, which ſaid Apprentice, at the Time of his binding, ſhall pay to the ſaid Maſter or Wardens, or one of them, or their ſufficient Deputy, the Sum of two Shillings and ſix Pence; all and every which ſaid Sum and Sums of two Shillings and ſix Pence the ſaid Maſter and Wardens, or their Deputy, ſhall tranſmit and pay to the Chamberlain of the ſaid City of *London*, twice in the Year *(viz.)* on the fifteenth Day of *December*, and eighteenth Day of *June*, to be employed for the Uſes aforeſaid: And all and every Maſter, Warden, or Wardens of the ſaid reſpective Companies ſhall, from Time to Time, provide and keep, in their common Halls, one or more Book or Books of Vellum or Parchment, in which every ſuch Sum of two Shillings and ſix Pence ſhall be ſet down and entred by the ſaid Maſter or Wardens, or their reſpective Deputy or Deputies, and the Name of the Apprentice who paid the ſame: And it ſhall and may be lawful to and for every Perſon and Perſons to have free Acceſs unto and view the ſaid Books at at all Times, between the Hours of nine and twelve in the Forenoon, without any Fee or Reward to

Books to be kept.

be

Penalty upon Wardens, &c. offending.

be taken for the View or Inſpection thereof; and for every Sum of Money which ſuch Maſter, Warden, or Wardens, or their Deputies ſhall receive, and ſhall not be tranſmitted to the ſaid Chamberlain at the Times herein before appointed, ſuch Maſter, Warden, or Wardens, ſhall forfeit the Sum of five Pounds; the ſaid reſpective Forfeitures to be recovered in the Name of the Chamberlain of the ſaid City for the Time being, in any Action of Debt, Bill, Plaint, or Information, to be commenced in any of their Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, and ſhall be applied towards raiſing the Fund aforeſaid.

5 s. upon Freemen.

VII. And be it further enacted, That towards the raiſing the ſaid Fund, every Perſon who ſhall be admitted from and after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, to be a Freeman of the ſaid City, ſhall, at the Time of his Admiſſion, pay unto the ſaid Mayor, Commonalty, and Citizens of the ſaid City, the Sum of five Shillings; which ſeveral above mentioned Sums of two Shillings and ſix Pence and five Shillings ſhall, from and after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, be paid over and above the uſual and accuſtomed Fees for the ſame.

4 s. per Ton upon Wines.

VIII. And be it enacted by the Authority aforeſaid, That a Duty of four Shillings per Tun ſhall be and is hereby impoſed and laid upon all Sorts of Wines whatſoever, which, from and after the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-four, ſhall be imported into the Port of the ſaid City of *London*, or the Members thereof, by way of Merchandize, over and above the preſent Duties charged or chargeable thereupon, and ſo proportionably for a greater or leſſer Quantity; which ſaid Duty ſhall, from Time to Time, for ever be paid by the Importer thereof unto the ſaid Mayor, Commonalty, and Citizens, and is hereby appropriated towards raiſing the ſaid Fund, and ſo to be applied as aforeſaid.

Collector to be appointed by Mayor, &c.

IX. And for the better collecting the ſaid Duty from all and every Perſon or Perſons whatſoever, as well Free as Unfreemen of the ſaid City, be it enacted by the Authority aforeſaid, That one or more ſufficient Perſon or Perſons ſhall from Time to Time be appointed by the ſaid Mayor and Court of Aldermen of *London* for the Time being, by an Order of the ſaid Court, to collect and receive the ſaid Duty,

Impoſt how to be levied.

during the Pleaſure of the ſaid Court; and the ſaid Impoſition of four Shillings *per* Tun ſhall be raiſed, levied, collected, and paid to the ſaid Collector or Collectors, or his or their Deputy and Deputies, in the ſame Manner and Form, and by ſuch Rules, Rates, Ways, and Means, and under ſuch Penalties

12 Car. 2. c. 4.

and Forfeitures, as are provided, mentioned, and expreſſed in one Act of Parliament made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported*, for the paying, recovering, collecting, or ſeizing the Duty of Tonnage thereby granted.

Duty on Coals.

X. And for a further Increaſe of the ſaid Fund, Be it enacted by the Authority aforeſaid, That for all Sorts of Coals which ſhall be imported or brought into the Port of the ſaid City of *London*, or the River of *Thames* within the Liberty of the ſaid City upon the ſame River, to be ſold by the Chaldron or Ton, there ſhall be paid by way of Impoſition thereupon, according to the Rates and Duties herein after mentioned (that is to ſay) For all ſuch Sorts of Coals or Culm as are uſually ſold by the Chaldron, for every Chaldron thereof, which ſhall be imported from and after the ſaid four and twentieth Day of *June* one

4 d. for Metage.

thouſand ſix hundred ninety-four, the Sum of four Pence Metage for ever, over and above what is now lawfully paid for the Metage thereof; which ſaid Sum ſhall be paid in like Manner as the preſent Duty for Metage is or hath been accuſtomed to be paid, and, from Time to Time, be paid to the ſaid Mayor, Commonalty, and Citizens of the ſaid City by the Officer and Officers receiving the ſaid Metage. And for all ſuch Sort of Coals or Culm which ſhall be imported into the ſaid Port or Members thereof, from and after the nine and twentieth Day of *September*, which ſhall be in the Year of our Lord one thouſand and ſeven hundred (over and above all other Impoſitions and Duties, and the above mentioned Sum of four

6 d. per Chaldron.

Pence) the further Sum of ſix Pence for every Chaldron thereof. And for ſuch Sort of Coals as are ſold by the Tun, for every Tun thereof, containing two thouſand Weight, the like Sum of ſix Pence; which

6 d. per Ton.

ſaid Impoſition of ſix Pence ſhall continue from the ſaid nine and twentieth Day of *September*, for and during the Term of fifty Years, and no longer. And the ſaid Impoſition of ſix Pence for every Chaldron of

21 Geo. 2. c. 29.

How and when to be paid.

Coals ſhall, from Time to Time, during the Continuance of the ſaid Impoſition, be anſwered and paid unto the ſaid Mayor, Commonalty and Citizens, by the Maſter, Owner or Owners, or other Perſon or Perſons taking Charge of any Ship or Veſſel whereupon the ſame ſhall be laden, before they ſhall break Bulk, or have a Meter aſſigned for the meaſuring or weighing any Coals aforeſaid, to be delivered from on board ſuch Ship or Veſſel, the ſame to be paid at ſuch Place or Places, as by the ſaid Mayor and Court of Aldermen ſhall from Time to Time be appointed, within the ſaid City or Liberties thereof, for the Receipt thereof; upon Receipt whereof the Party appointed to receive the ſame ſhall without Delay, Fee or Reward, deliver a Receipt to the Perſon or Perſons who ſhall pay the ſaid Duty

How recovered.

or Duties; which Receipt ſhall for ſo much be a ſufficient Diſcharge; and that the ſaid Impoſition of ſix Pence *per* Tun or Chaldron ſhall, by Virtue of this Act, be collected and levied in ſuch Sort and

19 Car. 2. c. 3.

Manner in all and every Reſpects, as in and by one Act made in the nineteenth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for the rebuilding the City of* London, the Impoſition of Coals thereby granted was to be collected and levied; and all and every the Powers, Authorities, Directions and Proviſions, in or by the ſaid Act mentioned or provided for the levying, collecting and recovering thereof, or the Penalties thereby impoſed, or for the ordering or regulating the Proceedings of the ſaid Coal Meters or others in Diſcharge of their reſpective Offices and Duties, or for the preventing of

Fraud

Fraud and Covin, and for the Discovery of the just Quantity of all Sorts of Coals to be imported as aforesaid, shall remain and be in Force, and by Virtue of this present Act shall and may be exercised and put in Use for the collecting, levying and recovering the said Duty of six Pence, according to the Purport and Effect of the aforesaid Act, and under the same Penalties in all and every Respect, and that for and during all the Time by this Act limited and appointed for the Payment of the said Imposition, as if the same were expressly mentioned in this present Act, with Reference to the said Imposition thereby imposed: All which Monies so to be received upon Account of the said respective Impositions of four Pence, and six Pence, or by any other additional Duty, in case of Concealment thereof, as by the aforesaid Act is appointed, and all other the Sums of Money hereby appointed as Part of the said Fund, shall from Time to Time be paid into the Receipt of the Chamber of the City of *London*, and shall be and is hereby appropriated towards the raising such a Fund as aforesaid, and applied towards the Discharge of the said Debts.

All the Money to be paid into the Chamber.

XI. And be it enacted by the Authority aforesaid, That all and every Officer and Officers, or other Person or Persons whatsoever concerned or to be concerned in the Receipt of any of the Sums by this Act appropriated to the Uses aforesaid, before he or they shall be admitted to take upon him or them the Execution of any the said Office or Offices, he or they shall be bound with sufficient Sureties to the said Mayor, Commonalty and Citizens, for the just and faithful Execution of such Office or Employment, in such reasonable Sum or Sums, as by the said Mayor or Court of Aldermen shall be thought fitting, with Respect to this present Act, and to the Trust hereby reposed in such Officer or Officers.

Officers to give Security.

XII. And to the Intent that the said Fund may be perpetual, be it further enacted by the Authority aforesaid, That from and after such Time as the aforesaid Imposition of six Pence hereby laid shall cease and determine, all and every the Manors, Messuages, Lands, Tenements, Markets, Fairs and the Duties thereof, and all other the Revenues of and belonging to the said City of *London*, in Possession or Reversion, shall stand and be charged with the full yearly Sum of six thousand Pounds (over and above the said yearly Sum of eight thousand Pounds) and is hereby appropriated and enacted to be applied to the same Uses, to which the said yearly Sum of eight thousand Pounds is herein before made liable.

City Lands charged with 6000*l.* more.

XIII. And be it further enacted by the Authority aforesaid, That all and every the aforesaid yearly and other Rents and Payments, Issues, Profits, Duties, Impositions, Sum and Sums of Money whatsoever, by this Act appointed to be raised, charged, paid, collected, had, received or made by, out of, or for any the Matters or Things, or by any the Ways or Means herein before mentioned, shall (deducting thereout such necessary and reasonable Salaries and Allowances, as the said Mayor and Court of Aldermen shall think fit to allow to any Person or Persons, whom they shall employ for the collecting, receiving or paying the same) from Time to Time for ever, in the first Place be applied by the Mayor, Commonalty, and Citizens of the said City, for the Payment of the annual Sum of four Pounds of lawful Money for the Interest of every one hundred Pounds, and proportionably for a greater or lesser Sum, of the above mentioned respective Debts, and all the Interest thereof due on the said five and twentieth Day of *December* one thousand six hundred ninety-three, to any Orphan of the said City, or the Executors, Administrators or Assigns of any such Orphan, and also for the Payment of the like yearly Interest of four Pounds for every hundred Pounds principal Money, and the Interest thereof, to be computed as aforesaid, due at any Time between the said five and twentieth Day of *December* one thousand six hundred fifty-five, and the said five and twentieth Day of *December* one thousand six hundred ninety-three, upon Bond, Bill, or Note, liable to pay Interest, from the said Mayor, Commonalty, and Citizens, unto any Person or Persons whatsoever, or to so much thereof only as the said Monies, by this Act appointed to be raised and paid as aforesaid, shall yearly amount unto, to satisfy and pay towards the said Interest to the said Orphans, and other the said Creditors of the said Mayor, Commonalty, and Citizens, or their respective Executors, Administrators or Assigns, equally in proportion to their respective Interest, the said Payments to be made twice in every Year (that is to say) on the Feast Days of *Saint Thomas* the Apostle, and *Saint John* the Baptist, or within fourteen Days after: The first Payment thereof to be made on the Feast Day of *Saint Thomas* the Apostle, which shall be in the Year of our Lord one thousand six hundred ninety-four, or within fourteen Days after: And the said Monies, or any Part thereof, shall not be applied, issued, or paid to any Use, Intent or Purpose whatsoever, by Virtue of any Order or Warrant whatsoever, other than for the Use aforesaid; but all Orders and Warrants for issuing, paying or disposing any of the said Monies, contrary to the true Intent and Meaning of this Act, shall be utterly void.

How much of the Orphans Money to be paid, and how.

XIV. And be it further enacted by the Authority aforesaid, That the Provision hereby made for Payment of the said Interest Money for ever, shall be and is hereby declared to be in full Satisfaction and Discharge of and for the Debts due from the said Mayor, Commonalty, and Citizens of the said City of *London*, to the said Orphans, and others their said Creditors, and of and from all Interest due or to be due for the same, unto the five and twentieth Day of *December* one thousand six hundred ninety-three; and that all and every the said Orphans and Creditors, or their respective Executors, Administrators or Assigns, shall, according to usual Custom, acknowledge Satisfaction of their respective Debts, paying to the Officers concerned such Fees only as the Mayor and Court of Aldermen for the Time being shall direct and appoint, not exceeding thirteen Shillings and four Pence for every thousand Pounds; and the said Mayor, Commonalty, and Citizens of the said City of *London*, and their Successors, are and shall be hereby acquitted and discharged of and from the same.

Orphans to acknowledge Satisfaction.

XV. And to the End the said Monies may be duly applied to the Uses aforesaid, for which the same are by this Act appointed and appropriated, Be it further enacted by the Authority aforesaid,

Books of Receipts and Disbursements to be kept.

That there ſhall, from Time to Time, be provided and kept by the ſaid Chamberlain for the ſaid City of *London* for the Time being, one or more Book or Books of Vellum or Parchment, in which all Monies to be received, by any the Ways or Means herein before mentioned, ſhall from Time to Time, as the ſame ſhall be received, be entred or ſet down, and for what the ſame was received; and alſo one other like Book or Books, wherein the Accounts of all Payments and Diſburſements out of the ſame ſhall be likewiſe entred, expreſſing the Time when, the Occaſion for which, and the Name of the Perſon or Perſons to whom the ſame were ſo paid and diſburſed; and that it ſhall and may be lawful to and for all and every Perſon and Perſons to have free Acceſs unto, and View of the ſaid reſpective Books of Receipts and Diſburſements, at all Times, between the Hours of nine and twelve in the Forenoon, without any Fee or Reward to be taken for the View or Inſpection thereof: And that the Receipts and Payments of all the Monies aforeſaid, by the ſaid Chamberlain of the ſaid City, or other Officer, who ſhall be appointed by the ſaid Mayor, Commonalty, and Citizens, to receive or iſſue out the ſaid Monies, be audited yearly upon Oath before one of the Auditors of the Impreſt for the Time being (which Oath the ſaid Auditors reſpectively are hereby required to adminiſter) between the Feaſt Days of *Saint Michael* the Archangel, and *Saint Thomas* the Apoſtle; and the ſaid Auditor ſhall have and receive of the Chamberlain of the City of *London* for the Time being, the Sum of twenty Shillings, and no more, for every thouſand Pounds the ſaid Accounts ſhall amount unto, the which Accounts ſo audited ſhall be ſigned by the ſaid Auditor, and be allowed alſo by the ſaid Mayor and Court of Aldermen, and fairly entred, and remain in the Chamber of the ſaid City, to be peruſed and viewed as aforeſaid.

Accounts to be audited yearly,

and allowed by the Court of Aldermen.

Auditor's Allowance.

Penalty upon Chamberlain miſapplying the Money.

XVI. And be it further enacted, That if any Chamberlain of the ſaid City of *London*, or other Perſon aforeſaid, ſhall, after Receipt of any of the ſaid Monies, divert or miſapply the ſame, or any Part thereof, contrary to the true Intent and Meaning of this Act, that then ſuch Officer or Perſon, ſo diverting or miſapplying the ſaid Money, ſhall forfeit treble the Sum ſo miſapplied; which ſaid Forfeitures ſhall be recovered by any the ſaid Orphans, or other Creditors, their Executors, Adminiſtrators or Aſſigns, that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Chamberlain, &c. to give a Note of what is owing.

XVII. And be it further enacted by the Authority aforeſaid, That the Chamberlain and common Serjeant of the ſaid City, ſhall upon Requeſt give unto every of the ſaid Orphans and Creditors, and to their reſpective Executors, Adminiſtrators or Aſſigns, a Bill or Note in Writing of the principal Debt and Intereſt owing to ſuch Orphan or Creditor, and to their reſpective Executors, Adminiſtrators or Aſſigns; and that any Perſon or Perſons, to whom any Money ſhall be payable by Virtue of this Act, may by Writing under his or their reſpective Hands and Seals aſſign and transfer his, her or their Right or Intereſt, in and to ſuch Monies payable by Virtue of this Act, or any Part thereof, to any Perſon or Perſons whatſoever; which being entred or regiſtred in a Book to be kept by the ſaid Mayor and Court of Aldermen for that Purpoſe (which they are hereby enjoined to keep) and the Note or Bill of the ſaid Debt ſo given as aforeſaid being delivered up to the Officer appointed by the ſaid Court of Aldermen for that Purpoſe, who ſhall thereupon give his Note or Bill in Writing of the Debt ſo aſſigned, to the Party or Parties to whom ſuch Aſſignment ſhall be made, ſuch Aſſignee or Aſſignees, his or their Executors, Adminiſtrators or Aſſigns, ſhall be intitled to the Benefit thereof, and of all Monies payable thereon, and ſuch Aſſignee or Aſſignees may in like Manner aſſign again, and ſo *toties quoties*, and afterwards it ſhall not be in the Power of any ſuch Perſon or Perſons, who have made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or the Monies thereby aſſigned, or any Part thereof.

Orphans Debt transferrable.

No Perſon compellable to pay Orphans Money into the Chamber.

XVIII. Provided always, and be it enacted, That no Perſon or Perſons whatſoever ſhall at any Time be compelled or obliged by Virtue of any Cuſtom within the ſaid City, or by any Order or Proceſs of the Court of Orphans, or otherwiſe howſoever, to pay or deliver into the Chamber of the ſaid City of *London*, any Sum or Sums of Money or perſonal Eſtate, due or to be due or belonging to any Orphan or Orphans of any Freeman of the ſaid City; any Law or Uſage for enforcing the ſame notwithſtanding.

Proceſs upon Recognizance ſaved.

XIX. Provided always, That nothing herein contained ſhall be deemed or conſtrued to extend to impeach, make void, or prevent Proceſs upon any Recognizance already given, according to the Cuſtom of the ſaid City.

Corporation Lands charged, if Mayor, &c. miſapply.

XX. And be it further enacted, That if any of the ſaid Sum or Sums by this Act appropriated, or any Part thereof, ſhall happen to be miſapplied or converted to any other Uſe than as aforeſaid, by the ſaid Corporation of the Mayor, Commonalty, and Citizens of *London* for the Time being, or any of their Officers, or any other Perſon, by Colour of any Warrant or Authority by, from, or under them; that then in ſuch Caſe the ſaid Mayor, Commonalty, and Citizens, ſhall and may be anſwerable for the ſame, out of the Revenue of the ſaid Corporation, in any Action to be brought by any of the ſaid Orphans, or other Creditors, their Heirs or Aſſigns; which ſaid Sum ſo recovered ſhall go and be to and for the Uſes aforeſaid, in like Manner as the ſame (if not miſapplied) ſhould or might have been, excepting the Coſts of ſuch Suit, which ſhall be to and for the Benefit of him, her or them ſo ſuing.

Fines, &c. upon the Mayor, &c. not to be diſcharged.

XXI. Provided always, and be it enacted, That all Amerciaments, Fines, Iſſues, or Diſtreſſes againſt the ſaid Corporation of the ſaid Mayor, Commonalty and Citizens, and their Succeſſors reſpectively, had, charged or levied, in or upon Account of ſuch Suit or Actions brought, ſhall be applied to the Uſes aforeſaid, and to no other Uſe whatſoever, nor ſhall the ſame be pardoned, acquitted or diſcharged by any Letters of Signet, Privy Seal, or Great Seal, of their Majeſties, their Heirs or Succeſſors, or otherwiſe howſoever; any Law or Uſage to the contrary notwithſtanding.

XXII.

XXII. Provided always, and be it enacted, That when, and as often as any Application ſhall be made to the ſaid Mayor and Court of Aldermen for the Time being, on Behalf of any Orphan or Orphans of the ſaid City, by the Executors or Adminiſtrators of the Father of ſuch Orphans, to pay in and lodge any Sum or Sums of Money, of or belonging to ſuch Orphan or Orphans, in the ſaid Chamber, and to have the Benefit of the ſaid Proviſion hereby made, it ſhall and may be lawful to and for the ſaid Mayor and Court of Aldermen, and they are hereby impowered and directed, to order the Chamberlain of the ſaid City for the Time being, to pay off the like Sum to ſuch Perſon or Perſons intitled to the ſaid yearly Payments as aforeſaid, as they think fit, not being Orphans under the Age of one and twenty Years, and giving three Months Notice to or for the Perſon or Perſons ſo to be paid off and diſcharged; at the End of which three Months, upon Payment, or tendring of the ſaid Monies due for Principal and Intereſt to or for the Perſon or Perſons to whom ſuch Notice ſhall be given, according to the Proviſion hereby made, at the Office of the ſaid Chamberlain in *Guild-hall*, *London*, then and from thenceforth the annual Sum or Sums of Money payable to ſuch Perſon or Perſons, to whom ſuch Notice, Payment, or Tender ſhall be made or given, ſhall ceaſe and determine, and the ſame ſhall become due and payable to or for the Uſe of ſuch Orphan or Orphans, who ſhall have paid in the Monies for the ſame, and ſhall be regiſtred accordingly, and be aſſignable as aforeſaid. Nevertheleſs, the Monies ſo tendred ſhall be paid to ſuch Perſon and Perſons, upon their Demand of the ſame, and aſſigning or giving a Diſcharge for the ſame, it being hereby enacted and declared, That the Proviſion hereby made ſhall be and remain a perpetual Stock or Fund for the Benefit of the Orphans of the ſaid City ſucceſſively.

Orphans hereafter may take Advantage of this Act.

XXIII. And be it further enacted and declared, That all ſuch of the ſaid Debts due to any of the ſaid Orphans, as have been at any Time before the ſaid five and twentieth Day of *December* aſſigned or granted, or covenanted to be aſſigned or granted, or for which any Authority hath heretofore been given or granted, by any of the ſaid Orphans, their Huſbands, Executors or Adminiſtrators, to any Perſon or Perſons, to receive the ſame, or any Part thereof, to the Uſe of ſuch Perſon ſo authorized, or any other Perſon beſide ſuch Orphan, ſhall and may be redeemed, and are hereby declared to be redeemable by the ſaid Orphans, or their Huſbands, or their reſpective Executors or Adminiſtrators, on Payment of the ſaid principal Sum of Money paid in Conſideration of making the ſaid Aſſignment, Grant, Covenant or Authority, together with the Charges and Intereſt for the ſame, from the Time of the Payment thereof, after the Rate of eight Pounds *per Centum per Annum*, for one Year, diſcounting for what hath been received for or in reſpect of the ſaid Debt by any ſuch Perſon to whom ſuch Aſſignment or Authority was made or given, and upon Payment or Tender of the ſaid principal Money, Intereſt, and Charges, ſuch Grant, Aſſignment or Authority, and all Covenants and Agreements concerning the ſame, ſhall be void. Provided nevertheleſs, That ſuch Redemption as aforeſaid be made within the Space of three Years from and after the End of this preſent Seſſion of Parliament.

Orphans who have already transferred may redeem in 3 Years Time.

'XXIV. And whereas divers Perſons, pretending as Agents and Solicitors to obtain the Payment of the 'Orphans Debts by Act of Parliament or otherwiſe, have induced many Orphans, and others for them, to 'enter into Obligations, Agreements, Contracts, Subſcriptions, or other Securities, for Payment of large 'Portions of their Debts whenſoever it ſhould be recovered, which may amount to very great Sums;' Be it therefore enacted by the Authority aforeſaid, That all ſuch Bonds, Obligations, Agreements, Contracts, Subſcriptions, and other Securities ſo entred into, ſhall be null and void; and that it ſhall be lawful for the Mayor and Court of Aldermen of the City of *London*, out of the Revenue ſettled by this Act for Relief of the Orphans and other Creditors, to allow and pay unto ſuch Agents and Solicitors what they judge may be reaſonable; which Sums ſhall be allowed in the Account of the ſaid Revenue; and in caſe any ſuch Agents or Solicitors ſhall demand or receive any more Money upon Account of, or from any of the ſaid Orphans, than what ſhall be ſo adjudged due to them reſpectively, they ſhall reſpectively forfeit treble the Sum they ſhall ſo receive, to be recovered together with Coſts of Suit, by ſuch Perſon or Perſons, who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Bonds to Agents void.

Mayor, &c. to pay Agents.

Agent offending forfeits treble Damages.

XXV. Provided, That this Act ſhall not extend to the *New River* Water, nor to the Profits and Perquiſites thereof. Provided nevertheleſs, That nothing in this Act contained ſhall be conſtrued or taken to hinder or obſtruct the Governor and Company of Undertakers for raiſing the *Thames* Water in *York* Buildings, or their Aſſigns, from taking or drawing Water out of the River of *Thames*, or from laying or repairing their Pipes or Branches, according to an Act of Parliament in that Behalf made; but that they may ſtill enjoy all their Rights and Titles by the ſaid Act provided, and may ſtill continue to take the ſaid *Thames* Water, and to lay and repair their Pipes, as they might have lawfully done before the making of this Act; any thing herein contained to the contrary thereof in any wiſe notwithſtanding. Provided alſo, That neither the ſaid Governor and Company of Undertakers for raiſing the *Thames* Water in *York* Buildings, or their Aſſigns, nor the ſaid Mayor and Commonalty and Citizens, or their Aſſigns, do or ſhall diſturb, obſtruct, or hinder each other, in laying, repairing or amending ſuch their reſpective Pipes or Branches, or to do or cauſe to be done any Prejudice or Damage to each others Pipes or Branches.

New River Water ſaved.

York Buildings Water ſaved.

Proviſo for Pipes.

XXVI. Provided, That nothing in this Act ſhall be conſtrued or taken to hinder or obſtruct the Governor and Company of the Water-works and Water-houſes in *Shadwell*, or their Succeſſors, of any Right or Title to take and receive Water out of the River of *Thames*, nor to hinder or obſtruct

Shadwell Water ſaved.

them in laying Pipes and Branches in the Streets and open Paſſages, or holding, uſing, exerciſing, or enjoying all or any ſuch Right, Title, Eſtate, Powers, Privileges, and Advantages whatſoever, as by one Act of this preſent Parliament, intituled, *An Act for incorporating the Proprietors of the Water-works in the Pariſh of* St. Paul Shadwell *in the County of* Middleſex, *and for the encouraging, carrying on, and ſettling the ſaid Water-works*, or by any other lawful Ways and Means, they and their Succeſſors do now enjoy the ſame, or as they may or might enjoy the ſame, as if this preſent Act had never been made; any Thing contained herein to the contrary notwithſtanding.

3 & 4 W. & M. c. 37. a Private Act.

London Bridge Water ſaved.

XXVII. Provided, That this Act, or any Thing herein contained, ſhall not extend to the Water-works of Maſter *Thomas Morris*, at or near *London* Bridge, which he holdeth and enjoyeth by virtue of a Grant made to *Peter Morris* his late Grandfather, from the Mayor, Commonalty, and Citizens of the City of *London*, for the Term of five hundred Years, by Indenture under their common Seal, dated the four and twentieth Day of *November* in the five and twentieth Year of the Reign of the late Queen *Elizabeth*, nor any of the Profits and Benefits ariſing or accruing thereby, nor to make the ſame liable, or appropriate the ſame, or any Part thereof, to the Payment of the ſaid Intereſt Monies or Fund hereby intended, other than the Rent reſerved upon the ſaid Leaſe.

S. Hutchinſon paying a Share in the Lights, to have the ſame Benefits as others.

XXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That if *Samuel Hutchinſon* Gentleman, or his Aſſigns, ſhall pay to the Partners in the Convex Lights, before the four and twentieth Day of *June* one thouſand ſix hundred ninety-five, his and their full Proportion of Money for Stock for his and their Shares, as the other Partners have paid, and do within the ſame Time agree and covenant, under his and their Hands and Seals, to ſtand to and perform all ſuch Contracts and Agreements, as are or ſhall be made by the ſaid Partners; then he the ſaid *Samuel Hutchinſon*, his Executors, Adminiſtrators, and Aſſigns, ſhall and may have, hold, and enjoy the ſame Intereſt and Benefit in the Premiſſes, as any of the ſaid Partners do or may at any Time hold and enjoy the ſame, according to their reſpective Proportions.

Perſon ſued may plead General Iſſue, &c.

XXIX. And be it further enacted, That if any Action, Plaint, Suit or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for what he or they ſhall do in purſuance or in the Execution of this Act, ſuch Perſon or Perſons ſhall or may plead the general Iſſue thereunto, and upon Trial of any Iſſue joined, may give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become nonſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, the Defendant or Defendants ſhall recover their Coſts, for which he or they ſhall have the like Remedy as in any Caſe where Coſts by Law are given to Defendants.

Publick Act.

XXX. Provided always, and be it enacted by the Authority aforeſaid, That this preſent Act ſhall be accepted, taken, and reputed to be a general Act of Parliament, of which all and every the Judge and Judges of this Kingdom, in all Courts, ſhall take Notice on all Occaſions whatſoever, as if it were a publick Act of Parliament relating to the whole Kingdom; any Thing herein contained to the contrary hereof in any wiſe notwithſtanding.

Money retained for City Charges for 7 Years.

'XXXI. And whereas the Reſidue of the Revenue belonging to the ſaid Mayor, and Commonalty, and Citizens, over and above what is hereby appointed to and for the Uſe of the ſaid Orphans and Creditors, will not be ſufficient, until further Improvements can be made, to anſwer and defray the Expences neceſſary for ſupporting the Government and publick Charges of the ſaid City;' Be it further enacted by the Authority aforeſaid, That for the Space of ſeven Years, commencing from the nine and twentieth Day of *September* laſt paſt, it ſhall be lawful for the Mayor and Court of Aldermen to retain and apply, and for the Chamberlain to iſſue and pay, towards the neceſſary Expences or Charges, any Sum or Sums, not exceeding in the whole the Sum of two thouſand Pounds yearly, out of the Monies hereby appointed to and for the Uſe of the ſaid Orphans and Creditors as aforeſaid; any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

Money retained to be repaid.

XXXII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That if after the Deduction and Allowance of the ſaid two thouſand Pounds *per Annum*, for the Uſe and Support of the Government of the ſaid City of *London*, during the ſaid Term of ſeven Years, there ſhall not be raiſed and paid to the Orphans and Creditors by this Act intended to be provided for, out of the Reſidue of the Rents, Iſſues and Profits of the ſeveral Proviſions and Funds above mentioned, ſo much Money as will fully ſatisfy all the ſaid Orphans and Creditors Intereſt for all their ſeveral and reſpective Debts, after the Rate of four Pounds *per Centum per Annum*, during the ſaid whole Term of ſeven Years, that then and in ſuch Caſe the ſaid Mayor, Commonalty and Citizens of the ſaid City of *London* for the Time being, ſhall repay into the Hands of the Chamberlain of *London* for the Time being, within ſeven Years after the Expiration of the ſaid Term, the whole and full Sum of fourteen thouſand Pounds, or ſo much thereof as they ſhall have made uſe of for the Support of the Government, by two thouſand Pounds *per Annum*, or ſuch leſs yearly Sum, as ſhall be proportionable to what they ſhall have ſo made uſe of, until the ſame, or ſo much thereof as ſhall make good the Deficiency that ſhall appear in the Satisfaction of the Intereſt of all the ſaid Monies due to the ſaid Orphans and other Creditors, at the Rate aforeſaid, by reaſon of applying the ſaid two thouſand Pounds *per Annum*, or any Part thereof, to the Uſe of and for the Support of the Government of the ſaid City for the Term aforeſaid, ſhall be ſatisfied; and for ſecuring the Repayment thereof, as aforeſaid, all and every the Eſtate, Rents, Revenues, Intereſt, Perquiſites, Profits, and Emoluments of any Sort (except the Manors, Meſſuages, Lands, Eſtates, Poſſeſſions, and Revenue, of and belonging to the ſaid Hoſpitals, in or belonging to the ſaid City of *London*, or Borough of *Southwark*,

City Lands charged with Repayment.

and such as are chargeable with and for the Repairs of *London* Bridge, which at the Expiration of the said Term of seven Years shall belong unto the said Mayor, Commonalty, and Citizens thereof in their politick or publick Capacity only) shall be and are hereby charged and made subject and liable thereunto.

## CAP. XI.

### An Act to prevent Delays of Proceedings at the Quarter-Sessions of the Peace.

'WHEREAS it is experienced, that notwithstanding the Statutes made in the one and twentieth Year of the Reign of King *James* the First, and in the thirteenth and fourteenth and two and twentieth Years of King *Charles* the Second, concerning the granting of Writs of *Certiorari*, to remove Indictments of Riots, forcible Entry, Assault and Battery, and other Presentments and Indictments out of the Courts of the General or Quarter-Sessions of the Peace, in the Counties or Places wherein such Indictments have been found, and Proceedings thereupon recorded, into their Majesties Court of *King's Bench*, divers turbulent, contentious, lewd, and evil-disposed Persons, fearing to be deservedly punished where they and their Offences are well known, have not only obtained Writs of *Certiorari* for removing such Indictments found against them as aforesaid, but also Indictments for sundry other Trespasses, Frauds, Nusances, Contempts, and Misdemeanors, after Issue joined, and the Prosecutors attending with their Council and Witnesses to try the same before the said Justices of the Peace in their said Sessions, to the great Discouragement of the Prosecutors, and of such Constables and other Officers, as according to their Duty present Persons for those and such like Trespasses, Offences, and Misdemeanors:' For Remedy whereof, and that such Offenders may be brought to condign Punishment,

21 Jac. 1. c. 8. 13 & 14 Car. 2. c. 6. §. 16. 22 Car. 2. c. 12. §. 4.

II. Be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in Term Time no Writ of *Certiorari* whatsoever, at the Prosecution of any Party indicted, be hereafter granted, awarded, or directed out of the said Court of *King's Bench*, to remove any such Indictment or Presentment of Trespass or Misdemeanor, before Trial had, from before the said Justices in the said Courts of General or Quarter Sessions of the Peace, unless such *Certiorari* shall be granted or awarded upon Motion of Council, and by Rule of Court made for the granting thereof, before the Judge or Judges of the said Court of *King's Bench* sitting in open Court, and that all the Parties indicted, prosecuting such *Certiorari*, before the Allowance thereof, shall find two sufficient Manucaptors, who shall enter into a Recognizance before one or more Justices of the Peace of the County or Place, in the Sum of twenty Pounds, with Condition at the Return of such Writ to appear and plead to the said Indictment or Presentment in the said Court of *King's Bench*, and at his and their own Costs and Charges to cause and procure the Issue that shall be joined upon the said Indictment or Presentment, or any Plea relating thereunto, to be tried at the next Assizes to be held for the County wherein the said Indictment or Presentment was found, after such *Certiorari* shall be returnable, if not in the Cities of *London*, *Westminster*, or County of *Middlesex*; and if in the said Cities or County, then to cause or procure it to be tried the next Term after, wherein such *Certiorari* shall be granted, or at the Sitting after the said Term, if the Court of *King's Bench* shall not appoint any other Time for the Trial thereof; and if any other Time shall be appointed by the Court, then at such other Time, and to give due Notice of such Trial to the Prosecutor, or his Clerk in Court; and that the said Recognizance and Recognizances, taken as aforesaid, shall be certified into the said Court of *King's Bench*, with the said *Certiorari* and Indictment, to be there filed, and the Name of the Prosecutor (if he be the Party grieved or injured) or some publick Officer, to be indorsed on the Back of the said Indictment, and if the Person prosecuting such *Certiorari*, being the Defendant, shall not, before Allowance thereof, procure such Manucaptors to be bound in a Recognizance as aforesaid, the Justices of the Peace may and shall proceed to Trial of the said Indictment at the said Sessions, notwithstanding such Writ of *Certiorari* so delivered.

Certiorari in Term Time grantable only upon Motion.

Recognizance to be given for trying the Issue next Assizes, 2 Salk. 564.

except in London and Westminster.

Certiorari granted without Recognizance void.

III. And be it further enacted, That if the Defendant prosecuting such Writ of *Certiorari* be convicted of the Offence for which he was indicted, that then the said Court of *King's Bench* shall give reasonable Costs to the Prosecutor, if he be the Party grieved or injured, or be a Justice of the Peace, Mayor, Bailiff, Constable, Headborough, Tythingman, Churchwarden, or Overseer of the Poor, or any other Civil Officer, who shall prosecute upon the Account of any Fact committed or done, that concerned him or them, as Officer or Officers, to prosecute or present, which Costs shall be taxed according to the Course of the said Court, and that the Prosecutor, for the Recovery of such Costs, shall within ten Days after Demand made of the Defendant, and Refusal of Payment on Oath, have an Attachment granted against the Defendant by the said Court for such his Contempt; and that the said Recognizance shall not be discharged till the Costs so taxed shall be paid.

Officers prosecuting shall have double Costs.

IV. Provided always, and be it enacted by the Authority aforesaid, That in any of the Vacations, Writs of *Certiorari* may be granted by any of the Justices of their Majesties Court of *King's Bench*, whose Names shall be indorsed on the said Writ, and also the Name of such Person at whose Instance the same is granted, and that the Party or Parties indicted, prosecuting such *Certiorari*, shall, before the Allowance of such Writ or Writs of *Certiorari*, find such Sureties, in such Sum, and with such Conditions, as are before mentioned and specified in this present Act.

Certiorari how grantable in Vacation.

Certiorari in Cheſter, &c. how granted.

V. And be it further enacted by the Authority aforeſaid, That upon every *Certiorari* granted or awarded within the Counties Palatine of *Cheſter*, *Lancaſter*, or *Durham*, to remove Indictments or Preſentments for any of the Matters aforementioned, all the Parties indicted, proſecuting ſuch *Certiorari*, ſhall find ſuch Sureties, to be bound in ſuch Sums, and with ſuch reſpective Conditions, and at his or their own Coſts and Charges ſhall cauſe and procure the Iſſue joined upon the ſaid Indictments or Preſentments to be tried at the next Aſſizes or general Gaol Delivery to be held for the ſaid reſpective Counties, and ſhall give like Notice to the Proſecutor, and if convicted, ſhall be liable to like Coſts, to be taxed as is by this Act provided for in Caſes where the ſame are granted or awarded out of the Court of *King's Bench* at *Weſtminſter*.

Certiorari upon repairing Highways, &c.

VI. Provided always, and be it enacted by the Authority aforeſaid, That if any Indictment or Preſentment be againſt any Perſon or Perſons, for not repairing of any Highways, Cauſeways, Pavements, or Bridges, and the Right or Title to repair the ſame may come in Queſtion, upon ſuch Suggeſtion and Affidavit made of the Truth therof, a *Certiorari* may be granted to remove the ſame into the Court of *King's Bench*; any Law or Statute to the contrary in any wiſe notwithſtanding. Provided nevertheleſs, That the Party or Parties proſecuting ſuch *Certiorari* ſhall find two Manucaptors to be bound in a Recognizance with Condition as aforeſaid.

This Act to continue for three Years.

VII. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for three Years, and from thence to the End of the next Seſſion of Parliament, and no longer. [Made perpetual by 8 & 9 W. 3. cap. 33.]

*By 13 Geo. 2. c. 18. ſ. 5. No Certiorari to be granted to remove any Conviction, unleſs moved for within ſix Calendar Months after ſuch Conviction.*

## CAP. XII.

### An Act to take away the Proceſs for the *Capiatur* Fine in the ſeveral Courts at *Weſtminſter*.

'WHEREAS there are divers Suits and Actions of Treſpaſs, Ejectment, Aſſault, and falſe Impriſonment, brought by Party againſt Party in the reſpective Courts of Law at *Weſtminſter*, and upon Judgment entred againſt the Defendant or Defendants in ſuch Suits or Actions, the reſpective Courts aforeſaid do *(ex officio)* iſſue out Proceſs againſt ſuch Defendant and Defendants, for a Fine to the Crown, for a Breach of the Peace thereby committed, which is not aſcertained, but is uſually compounded for a ſmall Sum of Money by ſome Officer in each of the ſaid Courts, but never eſtreated into the *Exchequer*; which Officers, or ſome of them, do very often outlaw the Defendants for the ſame, to their very great Damage:' For Remedy whereof,

*Capias pro fine* taken away. 5 Mod. 285.

II. Be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth no Writ or Writs, commonly called *Capias pro Fine*, in any of the ſaid Suits or Actions in any of the ſaid Courts, ſhall be ſued out or proſecuted againſt any of the ſaid Defendant or Defendants, or any further Proceſs thereupon; but the ſame Fines, and all former Fines yet unpaid, are and ſhall hereby be remitted and diſcharged for ever. Yet nevertheleſs the Plaintiff or Plaintiffs in every ſuch Action ſhall (upon ſigning Judgment therein, over and above the uſual Fees for ſigning thereof) pay to the proper Officer, who ſigneth the ſame, the Sum of ſix Shillings and eight Pence, in full Satisfaction of the ſaid Fine, and all Fees due for or concerning the ſaid Fine, to be diſtributed in ſuch Manner as Fines and Fees of this Kind have uſually been, and not otherwiſe; which ſaid Officer and Officers ſhall make an Increaſe to the Plaintiff or Plaintiffs of ſo much in their Coſts, to be taxed againſt the ſaid Defendant and Defendants.

1 Salk. 54.

Fine turned into Coſts.

CAP.

## CAP. XIII.

An Act to repeal the Statute made in the tenth Year of King *Edward* the Third, for finding Sureties for the good abearing, by him or her that hath a Pardon of Felony.

'WHEREAS by one Act made at the Parliament holden in the tenth Year of the Reign of King *Edward* the Third, it was amongst other Things enacted, That in case the King should grant any Charters of Pardon, of Manslaughter, Robbery, Felonies, and other Trespasses against the Peace, that, within three Months after the making the same, they that should have the said Charters, should come and find (before the Sheriffs and Coroners of the Counties where the Felonies were done) six good and sufficient Mainpernors, for whom the said Sheriffs and Coroners would answer, that they from thenceforth should bear themselves well and lawfully; and that the Mainprizes should be sealed with their Seals, and returned into *Chancery* within three Weeks after the End of the said three Months; and that if they that should have such Charters, would in Time to come aid themselves thereby, and should not find such Mainprizes, or after such Mainprize found, should bear themselves otherwise against the Peace than they ought, their Charters should be holden for none; which Statute hath been found very inconvenient, in relation to divers Persons, who have been esteemed fit objects of Mercy; and therefore the said Statute hath been seldom put in Practice, but for the most Part hath been dispensed withal in the Charters of Pardons that were granted in former Reigns: And forasmuch as by one Act made in the first Year of their now Majesties Reign, intituled, *An Act for declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*, it was enacted, That from and after that Session of Parliament, no Dispensation by *Non obstante* of or to any Statute or any Part thereof should be allowed, but that the same should be held void and of none Effect; whereby divers of their Majesties Subjects are rendred less capable of their Majesties Mercy than before, it being very difficult, if not impossible, to find six substantial Persons, who will adventure to be bound for the good Behaviour of any Person needing a Pardon during his Life:'

10 Ed. 3. stat. 1. c. 3. 14 Ed. 3. st. 1. c. 15.

1 W. & M. st. 2. c. 2.

II. Be it therefore enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the Authority of the same, That the said Act made in the tenth Year of King *Edward* the Third, and every Article and Clause therein, shall be and are repealed and annulled, and are hereby declared to be repealed and annulled, to all Intents and Purposes whatsoever. Provided nevertheless, and be it enacted by the Authority aforesaid, That if any Charter of Pardon be pleaded by any Person, for any Felony, the Justices, before whom such Pardon shall be pleaded, may at their Discretion remand or commit such Person to Prison, there to remain until he or she shall enter into a Recognizance, with two sufficient Sureties, for his or her being of the good Behaviour for any Time not exceeding seven Years. Provided, That if any such Charter of Pardon be pleaded by a feme Covert, or Infant, such feme Covert or Infant may find two sufficient Sureties, who shall enter into a Recognizance for him or her being of the good Behaviour as is aforesaid.

10 Ed. 3. stat. 1. c. 3. repealed.

Persons pardoned, even Feme Coverts and Infants, may be required to give Security for Good Behaviour for 7 Years.

## CAP. XIV.

An Act for raising Money by a Poll, payable quarterly for one Year, for carrying on a vigorous War against *France*. EXP.

## CAP. XV.

An Act for continuing the Act for punishing Officers and Soldiers, who shall mutiny or desert their Majesties Service, and for punishing false Musters, and for the Payment of Quarters, for one Year longer. EXP.

## CAP. XVI.

An Act for the Importation of Salt Petre for one Year. EXP.

CAP.

## CAP. XVII.

### An Act for the Exportation of Iron, Copper, and Mundick Metal.

28 Ed. 3. c. 5. 33 H. 8. c. 7. 2 & 3 Ed. 6. c. 37.

'WHEREAS by several Statutes, the one made in the eight and twentieth Year of the Reign of *Edward* the Third, and the other in the three and thirtieth Year of the Reign of King *Henry* the Eighth, and another in the second Year of the Reign of *Edward* the Sixth, late Kings of *England*, Iron, Copper, and Bell-metal, are prohibited to be exported out of this Realm, under several Penalties in the said Statutes respectively contained:' For the better Encouragement of the working of Copper Mines within their Majesties Dominions,

Iron, &c. to be exported.

II. Be it therefore enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March* one thousand six hundred ninety-four, it shall and may be lawful to and for any Person or Persons whatsoever, Bodies politick or corporate, to ship and export all and all Manner of Iron, Copper, or Mundick Metal out of this Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*; except unto or for the Use of the *French* King, or any of his Subjects residing within his Dominions, or in to or for any Port or Place within his said Dominions, during the present War between their Majesties and the *French* King, paying the Duties and Customs by Law payable for the same; the said recited Statutes, or any other Statute, Law, or Usage, to the contrary thereof in any wise notwithstanding.

'By 7 Annæ, c. 8. §. 8. British Copper may be exported Duty free.'

Pot-metal, &c. excepted.

III. Provided that this Act shall not extend to the Exportation of any Pot-metal, Gun-metal, Shruff-metal, or any old Metal, or any Mixture therewith, or of any Copper or other Metal, than what is made of *English* Ore only.

## CAP. XVIII.

EXP. An Act for enabling their Majesties to make Grants, Leases, and Copies of Offices, Lands, and Hereditaments, Parcel of their Duchy of *Cornwall*, or annexed to the same, and for Confirmation of Leases and Grants already made. Grants by King *Charles* Second, &c. of any Part or Parcel of the Duchy of *Cornwall* good. Grants to be for 31 Years, or determinable upon 3 Lives. Not dispunishable of Waste. Usual Rent. Covenants, &c. to bind Reversioners. Saving to all their Rights, except the King, &c. Tenants compounding for the increased Rent, old Rent only to stand. Fees for Grants of small Value. Penalty upon Officers offending.

## CAP. XIX.

EXP. An Act for raising the Militia of this Kingdom for the Year one thousand six hundred ninety-four, altho' the Month's Pay formerly advanced be not repaid.

## CAP. XX.

### An Act for granting to their Majesties several Rates and Duties upon Tunnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of fifteen hundred thousand Pounds, towards the carrying on the War against *France*.

*Most Gracious Sovereigns,*

WE your Majesties most dutiful and loyal Subjects, the Commons assembled in Parliament, for the further Supply of your Majesties extraordinary Occasions, for and towards the necessary Defence of your Realms, do humbly present your Majesties with the further Gift of the Impositions, Rates, and Duties herein after mentioned; and do beseech your Majesties that it may be enacted,

Tunnage upon Ships given for 4 Years.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for and during the Term of four Years, commencing from the first Day of *June* in the Year of our Lord one thousand six hundred ninety and four, there shall be throughout

out the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto and for the Uſe of their Majeſties, their Heirs and Succeſſors, for and upon the Tunnage of all Ships and Veſſels, wherein at any Time or Times, and for every Time during the ſaid Term of four Years, there ſhall be imported any Goods or Merchandizes into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, from any the Parts, Places, or Countries hereafter mentioned, &c.

'For the Continuance hereof for 5 Years ſee 7 & 8 W. 3. c. 31.'

Several Rates. *Eaſt Indies* Ships, &c. 30s. *Italy, Turkey*, 15s. *Portugal, Spain*, 10s. *Weſt Indies*, 10s. *Holland*, &c. 3s. *Norway*, &c. 15s. *Ireland, Scotland*, 2s. *Streights*, 15s. *Guinea, Africa*, 20s. *Hudſon's Bay*, 20s. *Canaries*, 10s. *Greenland*, 10s. Coaſters, 6d. Tunnage to be paid upon Arrival at a Port. Maſter, &c. of Ship importing Goods, upon Arrival to pay the Tax, or give Security. Rebate for prompt Payment. Ship and Tackle forfeited, and Maſter liable to pay the Duties. Tax upon Importer ſhall be borne, two Thirds by the Merchant, and one Third by the Owner. Owners of Coaſters to pay the whole. Ships from *Greenland* only chargeable for Goods really imported. *Newfoundland* 10s. per Ton for Goods really imported. Ships from *France*, how to be charged in Time of Peace. Sand, &c. from Port to Port ſaved. Ships how to be meaſured. [Altered by 6 & 7 W. 3. c. 12. §. 10.] EXP.

'X. And whereas by an Act of Parliament made in the ſecond Year of their Majeſties Reign, intituled, '*An Act for granting to their Majeſties ſeveral additional Duties upon Beer, Ale, and other Liquors for four Years, from the Time that an Act for doubling the Duty of Exciſe upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire*,' it was enacted, That from and after the ſeventeenth Day of *November* in the Year of our Lord one thouſand ſix hundred ninety and one, there ſhould be throughout their Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid, unto their Majeſties, their Heirs and Succeſſors, during the Space and Term of four Years, and no longer, for Beer, Ale, Cyder, and other Liquors therein mentioned, by way of Exciſe, over and above all other Duties, Charges, and Impoſitions, by any former Act or Acts, which ſhould be then unexpired, ſet, and impoſed, in ſuch Manner as therein is mentioned; which Rates and Duties aforeſaid, by Act of Parliament made in the third and fourth Years of their now Majeſties Reign, are continued until the ſeventeenth Day of *May* one thouſand ſix hundred and ninety-ſeven:' Be it further enacted, That for the further Encouragement of ſuch Perſons who ſhall voluntarily contribute towards the raiſing and paying into their Majeſties *Exchequer* any Sum or Sums, not exceeding in the whole the Sum of fifteen hundred thouſand Pounds, upon the ſeveral Terms and Recompences herein after mentioned, that from and after the ſeventeenth Day of *May* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and ſeven, there ſhall be throughout their Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected and paid unto their Majeſties, their Heirs and Succeſſors, for Beer, Ale, Cyder, and other Liquors, herein after expreſſed, by way of Exciſe, over and above all Duties, Charges, and Impoſitions, by any former Act or Acts then unexpired, ſet, and impoſed, one Moiety or half Part of the ſeveral Rates and Duties of Exciſe granted by the ſaid laſt mentioned Act, in Manner and Form following (that is to ſay) (1) For every Barrel of Beer or Ale, above ſix Shillings the Barrel, excluſive of the Duty of Exciſe, brewed by the common Brewer, or any other Perſon or Perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by ſuch other Perſon or Perſons reſpectively, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for the ſame, nine Pence. (2) For every Barrel of Beer, or Ale, of ſix Shillings the Barrel or under, brewed by the common Brewer, or any other Perſon or Perſons who ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the common Brewer, or by ſuch other Perſon or Perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties payable for the ſame, three Pence. (3) For every Barrel of Vinegar, or Vinegar-beer, brewed or made of any *Engliſh* Materials, by any common Brewer, or any other Perſon for Sale, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, over and above the Duties of Exciſe payable for the ſame, one Shilling ſix Pence. (4) For every Barrel of Vinegar, or Liquor prepared for Vinegar, made here for Sale, that hath run through Rape, or made with or paſſing through any foreign Materials, or any Mixture with foreign Materials, to be paid by the Maker thereof, and ſo proportionably for a greater or leſſer Quantity, four Shillings. (5) For every Barrel of Beer, Ale, or Mum, imported from beyond the Seas, or from the iſlands of *Guernſey* or *Jerſey*, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importers before landing, over and above the Duties payable for the ſame, three Shillings. (6) For every Ton of Cyder or Perry imported from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importers before landing, over and above the Duties payable for the ſame, four Pounds. (7) For every Gallon of Single Brandy, Spirits, or *Aqua Vitæ*, imported from beyond the Seas, to be paid by the Importers before landing, over and above the Duties payable for the ſame, ſix Pence. (8) For every Gallon of Brandy, Spirits, or *Aqua Vitæ*, above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importers before landing, over and above the Duties payable for the ſame, one Shilling. (9) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, over and above the Duties payable for the ſame, and ſo proportionably for a greater or leſſer Meaſure, one Shilling three Pence. (10) For all Metheglin or Mead made for Sale, whether by Retail or otherwiſe, to be paid by the Maker, for every Gallon three Pence.

Exciſe granted upon Beer, &c. 2 W. & M. ſt. 2. c. 10. *Burn, V.* p. 336.

The ſeveral Rates.

Beer, &c. 6s. or above, 9d.

'For the Appropriation of theſe Duties, ſee 1 Geo. 1. ſtat. 2. c. 12. §. 12. and 6 Geo. 1. c. 4.'

Beer, &c. 6s. or under, 3d.

Vinegar Engliſh, 1s. 6d.

Vinegar Foreign, 4s.

'The Duties on Vinegar are altered by 10 & 11 W. 3. c. 21. §. 8. & 15.'

Beer, Mum, &c. imported, 3s.

Cyder, &c. imported per Tun, 4l.

Brandy Single per Gallon, 6d.

Brandy Double, 1s.

Cyder retailed per Hogſhead, 1s. 3d.

Mead, &c. per Gallon, 3d.

XI.

How to be levied.

XI. And be it enacted by the Authority aforesaid, That the said several Rates, Duties, and Impositions, upon Beer, Ale, Cyder, and other Liquors aforesaid, be levied, collected, and paid unto their Majesties, their Heirs and Successors, in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as are mentioned in the Act made in the twelfth Year of the
12 Car. 2. c. 24. Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof:* And also in and by another Act made in the twelfth Year of the Reign of the said late King *Charles*
12 Car. 2. c. 23. the Second, intituled, *A Grant of certain Impositions upon Beer, Ale, and other Liquors for the Increase of his Majesty's Revenue during his Life:* And also in and by another Act made in the fifteenth Year of the
15 Car. 2. c. 11. Reign of the said late King *Charles* the Second, intituled, *An additional Act for the better ordering and collecting the Duty of Excise, and preventing the Abuses therein*, or by any other Law in Force relating to the said Revenue of Excise; and that the aforesaid Acts, and every Article, Rule, and Clause therein mentioned, as for and concerning only the Rates, Duties, and Impositions upon Beer, Ale, and other Liquors by this Act granted, shall be of full Force and Effect to all Intents and Purposes, in like Manner as if the same were at large and particularly recited and set down in the Body of this Act.

Commissioners of Excise and Customs to keep these Duties apart,

XII. And be it further enacted by the Authority aforesaid, That the Commissioners and Governors for Management and Receipt of the Excise, and Commissioners and other Officers of the Customs respectively, at the Head-office in *London*, for the Time being, shall separate and keep apart all and every the Monies arising by the several Rates and Duties by this Act granted, as the same shall from Time to Time arise, or be paid into the said Office of Excise, or unto the Receiver General of the Customs for the Time being respectively, by the Receivers or Collectors of the same, or by any other Person whatsoever; and the Comptroller of the Excise, and the Comptroller of the Customs for the Time being, or their respective Deputies, shall keep a perfect and distinct Account, in Books fairly written, of all the Rates and Duties arising by this Act, to which all Persons shall have free Access, at all seasonable Times, without Fee or Charge: And the said Commissioners and Governors of Excise, and the said Commissioners of the Customs for the Time being, are hereby required and strictly enjoined from Time to Time to pay weekly, *videlicet*, on *Wednesday* in every Week, if it be not a Holiday, and if it be, then the next Day after that is not a Holiday, all and every the Monies arising by the Rates and Duties hereby granted, into the Receipt of their Majesties *Exchequer*, distinct and apart from the other Monies, which the said Commissioners and Governors respectively shall receive for the Use of their Majesties, their Heirs and Successors.

and pay the Money weekly into the Exchequer,

where it is to be registred.

XIII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in their Majesties *Exchequer*, that is to say, in the Office of the Auditor of the Receipt, one Book, in which all the said weekly Monies, which shall be paid into the *Exchequer* as aforesaid, shall be entred apart and distinct from all other Monies paid and payable to their Majesties, their Heirs and Successors, upon any Account whatsoever.

Penalty upon Commissioners offending.

XIV. And be it further enacted, That if the said Commissioners and Governors respectively for the Time being, shall refuse or neglect to pay into the *Exchequer* all or any the said weekly Sums appointed to be paid as aforesaid, in such Manner as they are before by this Act required to do, or shall divert or misapply any Part of the same, or if such Comptroller shall neglect his Duty in keeping such Accounts as aforesaid, then he or they for any such Offence shall forfeit their respective Offices or Places, and be incapable of any Office or Place of Trust whatsoever; and such Commissioner or Commissioners in such Case offending shall be liable to pay the full Value of any Sum or Sums so diverted, or misapplied, to any Person or Persons who will sue for the same by any Action of Debt, Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Imparlance, shall be granted or allowed.

The King may order Officers Salaries, &c. out of the Duties.

XV. Provided always, and be it enacted, That it shall and may be lawful to and for their Majesties, their Heirs, and Successors, out of the said Duties arising by the Tunnage of Ships and Vessels, to cause such Sum and Sums of Money to be expended and paid from Time to Time for Salaries, or other incident Charges, as shall be necessary in and for the receiving, collecting, levying, or managing of the same Duties upon the Tunnage of Ships and Vessels, during the said Term herein by this Act granted; any Thing in this Act contained to the contrary notwithstanding. EXP.

Excise Office to be continued in London.

XVI. And be it further enacted by the Authority aforesaid, That the Head-office of Excise, which is now established within the City of *London*, shall be continued and be within the said City, or ten Miles thereof, for ever, and a sufficient Number of Commissioners therein, from Time to Time, shall be continued or appointed by their Majesties, their Heirs and Successors, to govern and manage the Receipt of Excise, and to perform and execute the several Matters and Things hereby enjoined to be done and executed by such Commissioners; and that in like Manner there shall be continued and be within the said City, or ten Miles thereof, for ever, by the Appointment of their Majesties, their Heirs and Successors, a Comptroller of Excise to keep the Accounts before mentioned.

140,000l. to be a yearly Fund.

XVII. And be it further enacted by the Authority aforesaid, That yearly and every Year, reckoning the first Year to begin from the first Day of *June* which shall be in the Year of our Lord one thousand six hundred ninety and four, the full Sum of one hundred and forty thousand Pounds, by or out of the Monies to arise by the said several Duties upon the Tunnage of Ships and Vessels, and by the said Rates and Duties of Excise hereby granted, or any of them, and to be brought into the Receipt of the *Exchequer*

by weekly Payments as aforesaid (in case the said weekly Payments shall extend thereunto) shall be the whole and entire yearly Fund; and in case the said weekly Payments shall not amount to one hundred and forty thousand Pounds *per Annum*, then the said weekly Monies or Payments, so far as the same will extend, shall be Part of the yearly Fund for and towards the answering and paying off the several and respective Annuities herein after mentioned, and for other the Purposes hereafter in this Act expressed; and in case the said Duties upon the Tunnage of Ships and Vessels, and the said Rates and Duties of Excise by this Act granted, or any of them, shall at any Time or Times appear to be so deficient or low in the Produce of the same, as that within any one Year, to be reckoned as aforesaid, the weekly Payments upon the same Rates or Duties, or any of them, shall not amount to so much as one hundred and forty thousand Pounds, or to so much as shall be sufficient to discharge and satisfy the said several and respective Annuities, and other Benefits or Advantages by this Act appointed or intended to be paid, within or for the same Year respectively, that then and so often, and in every such Case, the Commissioners of their Majesties Treasury, and the Under-treasurer of the *Exchequer* now being, and the Treasurer and Under-treasurer of the *Exchequer*, or Commissioners of the Treasury for the Time being, are hereby straitly enjoined and required by virtue of this Act, and without any further or other Warrant to be sued for, had or obtained from their Majesties, their Heirs or Successors in this Behalf, to cause every such Deficiency to be made good, by applying, issuing, or paying, so much of any Treasure or Revenue, belonging or to belong to their Majesties, their Heirs or Successors (not being appropriated to any particular Use or Uses by any Act or Acts of Parliament) towards the discharging or paying off the said Annuities or other Benefits or Advantages appointed to be paid by this Act, as together with the Monies which shall have been brought into the said Receipt, of or for the said several Rates or Duties hereby granted, shall be sufficient to pay off and discharge, and shall compleatly pay off and discharge, all the Monies which within the same Year respectively shall be grown due, or ought to be paid upon the said Annuities, or other Benefits or Advantages, according to the true Intent and Meaning of this present Act.

The rest of the Revenue charged, if those Duties fall short.

XVIII. And be it further enacted by the Authority aforesaid, That for the better raising and paying into the Receipt of the *Exchequer* the Sum of twelve hundred thousand Pounds, part of the Sum of fifteen hundred thousand Pounds, the yearly Sum of one hundred and forty thousand Pounds, arising by and out of the Duties and Impositions granted by this Act, shall be kept separate and apart in the said Receipt of *Exchequer*, to be paid over from Time to Time unto such Person and Persons, and in such Manner, Proportion, and Form, as is herein after directed.

1,200,000l. to be kept apart in the Exchequer.

XIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for their Majesties, by Commission under the Great Seal of *England*, to authorize and appoint any Number of Persons to take and receive all such voluntary Subscriptions as shall be made on or before the first Day of *August* which shall be in the Year of our Lord one thousand six hundred ninety-four, by any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, for and towards the raising and paying into the Receipt of *Exchequer* the said Sum of twelve hundred thousand Pounds, Part of the Sum of fifteen hundred thousand Pounds, and that the yearly Sum of one hundred thousand Pounds, Part of the said yearly Sum of one hundred and forty thousand Pounds, arising by and out of the said Duties and Impositions before mentioned, shall be applied, issued, and directed, and is hereby appropriated, to the Use and Advantage of such Person and Persons, Bodies Politick and Corporate, as shall make such voluntary Subscriptions and Payments, their Heirs, Successors, or Assigns, in the Proportion hereafter mentioned (that is to say) that each weekly or other Payment arising by and out of the Duties and Impositions granted by this Act shall, by the Auditor of the Receipt of *Exchequer*, from Time to Time, as the same shall be paid in, be separated and divided into five seventh Parts and two seventh Parts, which is according to the Proportion of the said yearly Sum of one hundred thousand Pounds, to the said yearly Sum of one hundred and forty thousand Pounds, which five seventh Parts of the said several Payments arising by and out of the Duties and Impositions granted by this Act, and so set apart, is and are hereby intended and appropriated for and towards the Payment and Satisfaction of the said yearly Sum of one hundred thousand Pounds, and shall from Time to Time be issued and paid, as the same shall come into the said Receipt of *Exchequer*, to the Uses and Advantages of such Subscribers and Contributors, their Heirs, Successors or Assigns, as shall subscribe and contribute for and towards the raising and paying into the Receipt of *Exchequer* the said Sum of twelve hundred thousand Pounds, part of the said Sum of fifteen hundred thousand Pounds.

Their Majesties may make Commissioners to take Subscriptions for 1,200,000l.

100,000l. annually appropriated to the Subscribers.

Auditor of the Exchequer to set apart five seventh Parts of the weekly Payments for the Subscribers.

Surplus applied to the Aggregate Fund. 1 Geo. 1. stat. 2. c. 12. §. 12.

XX. And be it further enacted, That it shall and may be lawful to and for their Majesties, by Letters Patents under the Great Seal of *England*, to limit, direct, and appoint, how and in what Manner and Proportions, and under what Rules and Directions, the said Sum of twelve hundred thousand Pounds, Part of the said Sum of fifteen hundred thousand Pounds, and the said yearly Sum of one hundred thousand Pounds, Part of the said yearly Sum of one hundred and forty thousand Pounds, and every or any Part or Proportion thereof, may be assignable or transferrable, assigned or transferred, to such Person or Persons only, as shall freely and voluntarily accept of the same, and not otherwise; and to incorporate all and every such Subscribers and Contributors, their Heirs, Successors, or Assigns, to be one Body Corporate and Politick, by the Name of 'The Governor and Company of the Bank of *England*,' and by the same Name of 'The Governor and Company of the Bank of *England*,' to have perpetual Succession, and a Common Seal, and that they and their Successors, by the Name aforesaid, shall be able and capable in Law to have, purchase, receive, possess, enjoy, and retain to them and their Successors, Lands, Rents, Tenements, and Hereditaments, of what Kind, Nature, or Quality soever; and also to sell, grant, demise, alien, or dispose

King may appoint Rules for transferring,

and make the Subscribers a Corporation by Name of the Bank, &c.

disposé of the same, and by the same Name to sue and implead, and be sued and impleaded, answer and be answered, in Courts of Record, or any other Place whatsoever, and to do and execute all and singular other Matters and Things by the Name aforesaid, that to them shall or may appertain to do; subject nevertheless to the Proviso and Condition of Redemption herein after mentioned.

Subject to Redemption.

Proportionable Part of the Fund upon Part of the Sum advanced.

XXI. Provided always, and it is hereby further enacted, That in case the whole Sum of twelve hundred thousand Pounds, Part of the said Sum of fifteen hundred thousand Pounds, shall not be advanced and paid into the Receipt of *Exchequer* before the first Day of *January*, which shall be in the Year of our Lord one thousand six hundred ninety-four, that then the Subscribers and Contributors for and towards the raising and paying of the said Sum of twelve hundred thousand Pounds, Part of the said Sum of fifteen hundred thousand Pounds, their Heirs, Successors, and Assigns, shall only have and receive so much, and such Part and Proportion *to** the said Sum and Sums so respectively paid and advanced, as shall be after the Rate of eight Pounds *per Centum per Annum*; and that at any Time upon twelve Months Notice, after the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and five, upon Repayment, by Parliament, of the said Sum of twelve hundred thousand Pounds, Part of the said Sum of fifteen hundred thousand Pounds, or such Part thereof as shall be paid and advanced as aforesaid, unto the respective Subscribers and Contributors of the said Sum of twelve hundred thousand Pounds, Part of the said Sum of fifteen hundred thousand Pounds, or such Part thereof as shall be paid and advanced, their Heirs, Successors, or Assigns, and of all the Arrears of the said yearly Payments of one hundred thousand Pounds, Part of the said yearly Payments of one hundred and forty thousand Pounds, or such proportionable Part thereof according to the Sum which shall be paid and advanced as aforesaid, then and from thenceforward the said yearly Payments, and every of them, of one hundred thousand Pounds, Part of the said yearly Payments of one hundred and forty thousand Pounds, or such proportionable Part as aforesaid, and every Part thereof, and the said Corporation, shall absolutely cease and determine; any Thing herein contained in any wise to the contrary notwithstanding.

* *of* The 1,200,000l. redeemable after 1705. upon a Year's Notice, and Corporation to cease. 7 Annæ, c. 7. §. 5.

Officers of the Exchequer required to pay.

XXII. And for the better and more speedy Payment of the said yearly Sum of one hundred thousand Pounds, Part of the said yearly Sum of one hundred and forty thousand Pounds, in the Proportions herein before mentioned and appointed, the Commissioners of their Majesties Treasury, and the Under Treasurer of the *Exchequer* now being, and the Lord High Treasurer, and Under Treasurer, or Commissioners of the Treasury for the Time being, are hereby strictly enjoined and required by virtue of this Act, and without any further or other Warrant to be sued for, had or obtained from their Majesties, their Heirs or Successors, to direct their Warrants yearly for the Payment of the said yearly Sums of one hundred thousand Pounds, to the Contributors of the said Sum of twelve hundred thousand Pounds, in the Manner and Proportions as is herein before directed and appointed; and the Auditor of the Receipt of *Exchequer*, and all other Officers of the *Exchequer* now and for the Time being, are hereby directed and enjoined to issue the said Monies so set apart for the Uses before mentioned, from Time to Time, without any Fee or Reward, in the Manner and Proportions before mentioned, and under the like Penalties, Forfeitures, and Disabilities, as are hereafter inflicted upon any Officer for diverting any Money appropriated or applied by this Act.

None to subscribe more than 20,000l.

XXIII. Provided always, and be it further enacted by the Authority aforesaid, That no Person or Persons, Bodies politick or corporate, shall by themselves, or any other Person or Persons in Trust for him or them, subscribe or cause to be subscribed, for and towards the raising and paying the said Sum of twelve hundred thousand Pounds, any Sum or Sums of Money, exceeding the Sum of twenty thousand Pounds; and that every such Subscriber shall, at the Time of such Subscription, pay or cause to be paid unto the Commissioners who shall be authorized and appointed for taking and receiving Subscriptions as aforesaid, one full fourth Part of his, her or their respective Subscriptions, and in Default of such Payments as aforesaid, every such Subscription shall be utterly void and null: And that the Residue of the said Subscriptions shall be paid into the Receipt of their Majesties *Exchequer*, as their Majesties shall direct, before the said first Day of *January* next; and in Default of such Payments, that then the fourth Part, first paid as aforesaid, shall be forfeited to and for the Benefit of their Majesties, their Heirs and Successors.

One fourth Part to be paid at the Time of the Subscription. If the Residue be not paid before January, the former Subscription forfeited.

XXIV. Provided also, and be it enacted, That it shall not be lawful to or for any Person or Persons, Natives or Foreigners, Bodies corporate or politick, at any Time or Times before the first Day of *July* next ensuing, to subscribe in his, her or their own Name or Names, or in any other Name or Names in Trust for him, her or them, for and towards the raising and paying into the Receipt of the *Exchequer*, the said Sum of twelve hundred thousand Pounds, Part of the said Sum of fifteen hundred thousand Pounds, any Sum or Sums, exceeding in the whole the Sum of ten thousand Pounds; any Thing in this Act contained to the contrary in any wise notwithstanding.

Not more than 10,000l. to be subscribed by any Person before 1 July.

Not to be a Corporation, except a Moiety be advanced before 1 August. Subscribers may transfer, if Moiety not advanced.

XXV. Provided always, and be it declared and enacted to be the true Intent and Meaning of this Act, That in case the whole Sum of twelve hundred thousand Pounds, or a Moiety thereof, be not subscribed on or before the first Day of *August* one thousand six hundred ninety-four as aforesaid, that then the Powers and Authorities in this Act for erecting a Corporation as aforesaid shall cease and determine; any Thing herein contained to the contrary notwithstanding. And in such Case so much of the said yearly Sum of one hundred thousand Pounds as shall belong to the said Subscribers, according to the Meaning of this Act, shall be transferrable, and may be from Time to Time transferred by the respective Persons so subscribing, advancing and paying any Part of the said twelve hundred thousand Pounds into the *Exchequer* or their respective Heirs, Successors or Assigns, to any Person or Persons whatsoever, by any Writing or

Writings under the Hand and Seal of the Perſon or Perſons transferring the ſame, atteſted by two or more credible Witneſſes, and entred within twenty Days after the ſealing thereof, in a Book or Books to be for that Purpoſe kept in the ſaid *Exchequer* by their Majeſties Remembrancer for the Time being (for the entring whereof nothing ſhall be paid) which Entries the ſaid Remembrancer is from Time to Time upon Requeſt directed to make; and ſuch Part of the ſaid yearly Sum of one hundred thouſand Pounds, as ſhall by this Act be due to the ſaid Subſcribers, ſhall not at any Time or Times hereafter be made uſe of, or be a Fund or Security for, or liable or applied to raiſe, pay or ſecure any more, further or other Sum or Sums of Money whatſoever, ſave only ſuch Money as ſhall in purſuance of, and according to the Intent of this Act, be advanced and paid into their Majeſties *Exchequer* within the Time by this Act limited for the ſame. Proportionable Part for Payment of leſs than Moiety.

XXVI. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Corporation ſo to be made, ſhall not borrow or give Security by Bill, Bond, Covenant or Agreement under their common Seal for any more, further or other Sum or Sums of Money, exceeding in the whole the Sum of twelve hundred thouſand Pounds, ſo that they ſhall not owe at any one Time more than the ſaid Sum, unleſs it be by Act of Parliament upon Funds agreed in Parliament; and in ſuch Caſe only ſuch further Sums as ſhall be ſo directed and allowed to be borrowed by Parliament, and for ſuch Time only, until they ſhall be repaid ſuch further Sums as they ſhall borrow by ſuch Authority: And if any more, or further or other Sum or Sums of Money ſhall be borrowed, taken up, lent, or advanced, under their common Seal, or for Payment of which any Bond, Bill, Covenant, or Agreement, or other Writing ſhall be made, ſealed or given, under the common Seal of the ſaid Corporation ſo to be made; then and in ſuch Caſe, all and every Perſon and Perſons who ſhall be a Member or Members of the ſaid Corporation, his and their reſpective Heirs, Executors and Adminiſtrators, ſhall in his and their reſpective private and perſonal Capacities be chargeable with, and liable in proportion to their ſeveral Shares or Subſcriptions to the Repayment of ſuch Monies which ſhall be ſo borrowed, taken up or lent, with Intereſt for the ſame, in ſuch Manner, as if ſuch Security had been a Security for Payment of ſo much Money, and Intereſt for the ſame, ſealed by ſuch reſpective Member or Members of the ſaid Corporation, and delivered by him or them as their reſpective Acts and Deeds, in proportion to their ſeveral Shares or Subſcriptions as aforeſaid; and that in every ſuch Caſe an Action of Debt ſhall and may be brought, commenced, proſecuted and maintained in any of their Majeſties Courts of Record at *Weſtminſter*, by the reſpective Creditor or Creditors, to whom any ſuch Security under the common Seal of the ſaid Corporation ſhall be made, or his or their reſpective Executors or Adminiſtrators, againſt all and every, or any one or more of the Perſons who ſhall be Members of the ſaid Corporation, or any of their reſpective Heirs, Executors or Adminiſtrators, in proportion to their reſpective Shares or Subſcriptions as aforeſaid, and therein recover and have Judgment for him or them, in ſuch and the like Manner, as if ſuch Security were reſpectively ſealed by the reſpective Perſon or Perſons who ſhall be ſo ſued, or his or their reſpective Anceſtor, or Teſtator, or Inteſtate, and by him and them executed and delivered, as his or their reſpective Acts and Deeds; any Condition, Covenant, or Agreement, to be made to the contrary thereof in any wiſe notwithſtanding: And if any Condition, Covenant, or Agreement ſhall be made to the contrary, the ſame ſhall be, and is hereby declared to be void; any Thing herein contained, or any Law or Uſage to the contrary notwithſtanding; and in ſuch Action or Actions ſo to be brought, no Privilege, Protection, Eſſoin, or Wager of Law, nor any more than one Imparlance ſhall be allowed. Corporation not to borrow above 1,200,000 l. except upon Parliament Funds. See 8 & 9 W. 3. c. 20. §. 30. If Corporation borrow more, particular Members are proportionably charged. Covenants to the contrary void.

XXVII. And to the Intent that their Majeſties Subjects may not be oppreſſed by the ſaid Corporation, by their monopolizing or ingroſſing any Sort of Goods, Wares, or Merchandizes, Be it further declared and enacted by the Authority aforeſaid, That the ſaid Corporation to be made and created by this Act, ſhall not at any Time, during the Continuance thereof, deal or trade, or permit or ſuffer any Perſon or Perſons whatſoever either in Truſt or for the Benefit of the ſame, to deal or trade with any of the Stock, Monies, or Effects, of or any ways belonging to the ſaid Corporation, in the buying or ſelling of any Goods, Wares, or Merchandizes whatſoever; and every Perſon or Perſons, who ſhall ſo deal or trade, or by whoſe Order or Directions ſuch Dealing or Trading ſhall be made, proſecuted, or managed, ſhall forfeit for every ſuch Dealing or Trading, and every ſuch Order and Directions, treble the Value of the Goods and Merchandize ſo traded for, to ſuch Perſon or Perſons who ſhall ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, nor other Privilege whatſoever, nor any Injunction, Order of Reſtraint, nor Wager of Law ſhall be allowed, nor any more than one Imparlance. Corporation not to trade with their Stock. Penalty.

XXVIII. Provided, That nothing herein contained ſhall any ways be conſtrued to hinder the ſaid Corporation from dealing in Bills of Exchange, or in buying or ſelling Bullion, Gold, or Silver, or in ſelling any Goods, Wares, or Merchandize whatſoever, which ſhall really and *bona fide* be left or depoſited with the ſaid Corporation for Money lent and advanced thereon, and which ſhall not be redeemed at the Time agreed on, or within three Months after, or from ſelling ſuch Goods as ſhall or may be the Produce of Lands purchaſed by the ſaid Corporation. In what Things the Corporation may deal.

XXIX. Provided always, and be it enacted by the Authority aforeſaid, That all and every Bill or Bills obligatory and of Credit under the Seal of the ſaid Corporation made or given to any Perſon or Perſons, ſhall and may, by Indorſement thereon under the Hand of ſuch Perſon or Perſons, be aſſignable and aſſigned to any Perſon or Perſons who ſhall voluntarily accept the ſame, and ſo by ſuch Aſſignee, *toties quoties*, by Indorſement thereupon; and that ſuch Aſſignment and Aſſignments, ſo to be made, ſhall abſolutely veſt and Bills of the Corporation aſſignable.

transfer the Right and Property in and unto such Bill or Bills obligatory and of Credit, and the Monies due upon the same; and that the Assignee or Assignees shall or may sue for, and maintain an Action thereupon in his own Name.

Penalty for lending Money upon Funds not having Clause of Credit.

XXX. Provided always, and it is hereby further enacted, That if the Governor, Deputy Governor, the Directors, Managers, Assistants, or other Members of the said Corporation so to be established, shall upon the Account of the said Corporation, at any Time or Times purchase any Lands or Revenues belonging to the Crown, or advance or lend to their Majesties, their Heirs or Successors, any Sum or Sums of Money, by way of Loan or Anticipation, on any Part or Parts, Branch or Branches, Fund or Funds of the Revenues now granted or belonging, or hereafter to be granted or belonging to their Majesties, their Heirs or Successors, other than such Fund or Funds, Part or Parts, Branch or Branches of the said Revenues only, on which a Credit of Loan is or shall be granted by Parliament; that then the said Governor, Deputy Governor, Directors, Managers, or Assistants, or other Members of the said Corporation, who shall consent, agree to, or approve of, the advancing or lending to their Majesties, their Heirs or Successors, such Sum or Sums of Money as aforesaid, and each and every of them so agreeing, consenting, or approving, and being thereof lawfully convicted, shall for every such Offence forfeit treble the Value of every such Sum or Sums of Money so lent, whereof one fifth Part shall be to the Informer, to be recovered in any of their Majesties Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no Protection, Wager of Law, Essoin, Privilege of Parliament, or other Privilege shall be allowed, nor any more than one Imparlance; and the Residue to be disposed of towards publick Uses, as shall be directed by Parliament, and not otherwise.

Fines upon the Corporation detained out of the annual Fund.

XXXI. Provided always, and be it enacted, That all Amerciaments, Fines, and Issues, against the said Corporation, and their Successors, had, charged, or estreated, in or upon Account of any Suits or Actions to be prosecuted or brought against them, shall not be pardoned, acquitted, or discharged by any Letters of Signet, Privy Seal, or Great Seal of their Majesties, their Heirs or Successors, or otherwise howsoever; and in case any such Amerciaments, Fines, or Issues, shall be estreated into their Majesties *Exchequer* against the said Corporation, upon any Process for Non-appearance at the Suit of any Person or Persons, that then it shall and may be lawful to and for the Officers of their Majesties *Exchequer* for the Time being, who are hereby directed to pay the said yearly Sum of one hundred thousand Pounds to the said Corporation, to detain so much Money as the said Amerciaments, Fines, or Issues shall amount unto, out of the said yearly Sum of one hundred thousand Pounds payable to the said Corporation.

Exchequer Officers may pay off Judgments against the Corporation.

XXXII. And be it further enacted, That if at any Time hereafter any Person or Persons shall obtain any Judgment or Judgments in any Court of Law against the said Corporation for any Debt or Sum of Money, and shall bring Execution or Executions thereupon unto the said Officers of their Majesties *Exchequer*, that then it shall and may be lawful to and for the said Officers of the said *Exchequer*, to pay, and they are hereby required to pay, the said Sum or Sums of Money, in the said Executions mentioned, to the Plaintiff or Plaintiffs therein named, or their Assigns, whose Receipt shall be a sufficient Discharge for the same; and that the said Officers of the said *Exchequer* shall and may detain so much of the said yearly Sum of one hundred thousand Pounds as the said Debt or Debts shall amount unto.

Members of Parliament may be concerned in the Corporation. 5 & 6 W. & M. c. 7.

' XXXIII. And whereas by an Act of this present Session of Parliament, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against* France, it is enacted, That no Member of the House of Commons shall at any Time be concerned in the farming, collecting, or managing any Sum or Sums of Money, Duties or other Aids by the said Act or any other Act of Parliament granted or to be granted to their Majesties, except the Persons in the said Act excepted; and whereas some Doubts may arise, whether any Member or Members of Parliament may be concerned in the Corporation to be erected in pursuance of this Act;' Be it therefore declared and enacted by the Authority aforesaid, That it shall and may be lawful to and for any Member or Members of the House of Commons, to be a Member or Members of the said Corporation for the Purposes in this Act mentioned; any Thing in the said recited Act contained to the contrary in any wise notwithstanding.

Any Persons may contribute towards the raising 300,000 l. and receive yearly Sums for 1, 2, or 3 Lives. ' Most of those Annuities were subscribed into South Sea Stock pursuant to 6 Geo. 1. c. 4.'

XXXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Persons, Natives or Foreigners, to contribute towards the advancing of the Sum of three hundred thousand Pounds, other Part of the said Sum of fifteen hundred thousand Pounds, by paying into the Receipt of their Majesties *Exchequer*, at any Time before the nine and twentieth Day of *September* one thousand six hundred ninety and four, any Sum or Sums of Money, not exceeding in the whole the Sum of three hundred thousand Pounds, upon the Terms following (that is to say) That every such Person, his Executors, Administrators or Assigns, out of the Rates and Duties granted by this Act, shall have and receive for every Sum of one hundred Pounds, so by them respectively advanced and paid, such yearly Annuity, Rent or Payment, as herein after is directed (that is to say) That if such Contributor shall advance and pay his Money upon one Life only, then he shall have and receive a yearly Annuity, Rent or Payment of fourteen Pounds of lawful *English* Money, for every hundred Pounds, and so proportionably for a greater Sum, for and during the Life of such Person so advancing and paying the same, or during any other Life to be nominated by the Person advancing or paying any such Sum; and in case any Contributor shall think fit upon Payment of his Money, to have an Annuity for two Lives, then he shall have an yearly Annuity, Rent or Payment of twelve Pounds of lawful *English* Money for every one hundred Pounds, and so

ſo proportionably for a greater Sum advanced, for and during two Lives, and the Life of the Survivor of them, to be nominated as aforeſaid; and in caſe ſuch Contributor ſhall think fit, upon Payment of his Money, to have an Annuity for three Lives, then he ſhall have and receive a yearly Annuity, Rent or Payment of ten Pounds of lawful *Engliſh* Money for every hundred Pounds ſo by him advanced and paid, or after that Rate, for and during the Term of three Lives, and the Life of the Survivor of them, to be nominated by the Perſon or Perſons ſo paying the ſame as aforeſaid; that all and every the ſaid Lives ſhall be named by the ſeveral Contributors, their Executors, or Adminiſtrators, or ſuch as ſhall be imployed by them to pay in the ſaid Sums, within thirty Days after the nine and twentieth Day of *September* one thouſand ſix hundred ninety and four; which yearly Annuities, Rents, or Payments, ſhall commence from the ſaid nine and twentieth Day of *September*, and ſhall be paid and payable quarterly, at the four moſt uſual Feaſts of the Year (that is to ſay) The Feaſt of the Nativity of our Lord Chriſt, the Feaſt of the Annunciation of the Bleſſed Virgin *Mary*, the Feaſt of the Nativity of St. *John* Baptiſt, and the Feaſt of St. *Michael* the Archangel, by even and equal Portions; and every Perſon, on Payment of any ſuch Sum or Sums as aforeſaid, ſhall immediately have one or more Tally or Tallies importing the Receipt of the Conſideration Money, and Orders for the Payment of the ſaid Annuities, bearing the ſame Date with the Tally; the ſaid Tallies to be levied, and the ſaid Orders to be ſigned, in the ſame Manner as in and by an Act of this preſent Parliament, intituled, *An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages, in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds towards carrying on the War againſt* France, is mentioned and directed touching Tallies and Orders to be given to the Contributors for Annuities upon the ſaid Act; and the ſaid Orders not to be determinable, revocable or countermandable, as touching the afore mentioned Orders in the ſaid recited Act is enacted, which ſaid Orders ſhall be aſſignable and transferrable in ſuch and the ſame Manner as is mentioned in the ſaid recited Act touching Orders given to the Contributors in the ſaid Act mentioned; and all the Rates and Duties by this Act granted, or ſo much thereof as are and ſhall be ſufficient for the Purpoſes aforeſaid, are and ſhall be appropriated to and for the Payment of the ſaid Annuities of Inheritance, and Annuities for Lives, after the ſeveral and reſpective Rates aforeſaid, according to the true Intent and Meaning of this Act, and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever, under the like Penalties, Forfeitures, and Diſabilities, in reſpect to all and every the Officers and other Perſons in the recited Act mentioned, as are in the ſaid Act appointed and enacted in caſe of diverting or miſapplying any Part of the Monies which ought to be paid to the Contributors upon the ſaid Act; and the ſaid Penalties and Forfeitures ſhall be ſued for, proſecuted, recovered and paid, in ſuch Manner and Form, as the Penalties in the ſaid recited Act are appointed to be ſued for, proſecuted, recovered, and paid; in which Suit no Protection, Privilege of Parliament, or other Privilege, Wager of Law, or more than one Imparlance ſhall be allowed: And the ſaid Officers are hereby required to keep Books and Regiſters, and make Entries of the Names of all Perſons who ſhall advance any Monies before the ſaid nine and twentieth Day of *September*, as aforeſaid, and of the ſeveral Sums ſo advanced, and the Times of paying in the ſame reſpectively, and the Names of ſuch Perſons for whoſe Lives the ſeveral Annuities or yearly Payments are to be payable, without Fee or Reward, in ſuch Manner as in the ſaid recited Act is mentioned, to which Books all Perſons concerned ſhall have Acceſs, as in the ſaid Act alſo is directed; all which the ſaid Officers are to do and perform, under the like Penalties, and Forfeitures and Diſabilities, as in the ſaid recited Act are mentioned; and every Perſon who ſhall ſo advance and pay any ſuch Sum, as aforeſaid, before the ſaid nine and twentieth Day of *September*, as aforeſaid, ſhall receive, out of the Money granted by this Act, for all Money ſo advanced by him and paid, from the reſpective Days of Payment, unto the ſaid nine and twentieth Day of *September*, as aforeſaid, Intereſt at the Rate of ten Pounds *per Centum per Annum*.

See farther Proviſion relating hereto 9 & 10 W. 3. c. 34. §. 5.

Tallies to be levied. 4 & 5 W. & M. c. 3.

Orders transferrable.

Duties appropriated to the Payment.

Penalty upon Perſon or Officer miſapplying.

Regiſter to be kept of Contributors and Nominees Names.

Penalty.

Intereſt at 10 per Cent. allowed till September.

XXXV. And be it further enacted, That all Monies payable to any Perſon or Perſons, upon or by virtue of this Act, ſhall not be charged or chargeable with any Rates, Duties, or Impoſitions whatſoever.

Annuities on this Act not to be taxed.

XXXVI. And be it further enacted, That it ſhall and may be lawful for any Guardian or Truſtee, having the Diſpoſal of the Money of any Infant under the Age of one and twenty Years, for the Uſe and Benefit of ſuch Infant, to advance and pay the Sum of one hundred Pounds of the Monies of ſuch Infant, either upon an Annuity of Inheritance, or upon Annuity for Life or Lives, upon the reſpective Terms and Recompences herein mentioned, at the Election of ſuch Guardian or Truſtee; and in caſe ſuch Guardian or Truſtee ſhall pay any ſuch Sum upon an Annuity for Life, he ſhall thereupon, within ſuch Time as is herein before appointed for the naming of Lives, name the ſaid Infant to be a Nominee, and ſuch Infant upon Payment of the Sum, ſhall become a Contributor within the Meaning of this Act, and be intitled to have and receive a Proportion as any other Contributor; and the ſaid Guardian and Truſtee, as to the ſaid Sum of one hundred Pounds ſo advanced, is hereby diſcharged.

Guardian may advance Infants Money.

Infant muſt be made Nominee.

XXXVII. And to make the Payment of the Annuities more eaſy to the ſeveral Contributors upon this Act, Be it enacted, That every Contributor upon this Act, upon the Terms of having an Annuity for one, two or three Lives, his or her Executors, Adminiſtrators or Aſſigns, upon their demanding any Payments of his, her, or their reſpective Shares of the ſaid Fund, unleſs the Nominee or Nominees, or one of them, appear in Perſon at the ſaid Receipt, ſhall produce a Certificate of the Life of his, her or their reſpective Nominee or Nominees, or one of them, ſigned by the Miniſter and Churchwardens of the Pariſh where ſuch Nominee ſhall be then living, or otherwiſe it ſhall and may be lawful to and for every Contributor,

Contributor upon Receipt muſt bring Certificate of Nominee's Life from Miniſter, &c.

or from Juſtice of Peace, of Contributor's Oath.

Contributor, his or her Executors, Adminiſtrators or Aſſigns, at his, her, or their Election, to make Oath of the Truth of his, her or their reſpective Nominee's Life, or the Life of one of them, upon the Day when the ſaid Payments ſhall become due, before one or more Juſtices of the Peace of the reſpective County, Riding, City, Town or Place wherein ſuch Perſon at the Time of making the ſaid Oath ſhall reſide (which Oath he or they are hereby impowered to adminiſter) and the ſaid Juſtice or Juſtices ſhall make a Certificate thereof, for which Oath and Certificate no Fee or Reward ſhall be required, and the ſaid Certificate ſhall be filed in the ſaid Office of Receipt in the *Exchequer*; and if any Perſon ſhall be guilty of a falſe Oath, or forging any Certificate, touching the Premiſes, and be thereof lawfully convicted, he ſhall incur the Pains and Penalties to be inflicted upon Perſons who commit wilful Perjury or Forgery; and in caſe any Nominee ſhall at the Time of ſuch Demand be reſident in *Scotland*, or beyond the Seas, and any one or more of the Barons of the *Exchequer* for the Time being ſhall certify, that upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a ſummary Way) it doth ſeem probable to him or them, that the ſaid Nominee is living (which Certificate is to be given, and Examination made, without Fee or Charge) the ſaid Certificate, being filed as aforeſaid, ſhall be a ſufficient Warrant for making the ſaid Payment to the reſpective Contributors or Advancers, their Executors, Adminiſtrators, or Aſſigns; and if any Perſon or Perſons ſhall receive one or more Payments upon his, her, or their Annuity or Annuities, for any Time beyond the Death of his, her, or their Nominee or Nominees, when the ſame ought to ceaſe, ſuch Perſon or Perſons ſhall forfeit treble the Value of the Monies ſo by him, her or them received; the one half thereof to their Majeſties, their Heirs and Succeſſors, and the other half to him or them who will ſue for the ſame by Action, Suit, Bill, or Information, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed.

False Oath Perjury.

If Nominee in Scotland, &c. Certificate from a Baron of the Exchequer.

Puniſhment for receiving after Nominee's Death.

If the whole Sum be not ſubſcribed, the Deficiency may be ſupplied by Annuities.

XXXVIII. And it is hereby further enacted by the Authority aforeſaid, That in caſe the whole Sum of twelve hundred thouſand Pounds ſhall not be ſubſcribed and paid into the *Exchequer*, as aforeſaid, that then ſo much of the ſaid yearly Sum of one hundred thouſand Pounds, hereby intended to anſwer the Recompence for the ſame, as by ſuch Deficiency ſhall by this Act be undiſpoſed, ſhall and may be and is hereby applied and appropriated (ſo far as the ſame will amount) to pay to any Perſon and Perſons who ſhall advance and pay any Sum or Sums of Money into the *Exchequer*, on or before the firſt Day of *February*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and four, on Account to have an Annuity or Annuities for one, two, or three Lives, ſuch reſpective Sum and Sums for ſuch reſpective Life or Lives, according to ſuch Rates and Proportions, and for ſuch Time, and under ſuch Rules and Directions, as are herein before contained, with relation to ſuch as ſhall advance and pay the ſaid three hundred thouſand Pounds.

If 1,500,000 l. be not raiſed before October, on this Act, Deficiency to be ſupplied by Loan.

XXXIX. And be it enacted by the Authority aforeſaid, That if the whole Sum of fifteen hundred thouſand Pounds be not advanced and paid into the *Exchequer*, upon this Act, before the firſt Day of *October* one thouſand ſix hundred ninety-four, that then it ſhall and may be lawful for their Majeſties, or their Officers in the Receipt of their Majeſties *Exchequer* by their Command and Appointment, to borrow and take into the ſaid Receipt for their Majeſties Uſe, by way of Loan, any Sum or Sums of Money, which together with the whole Value or Amount of all the Sums of Money, which ſhall before the ſaid firſt Day of *October* be contributed or advanced, as aforeſaid, ſhall not exceed the Sum or Sums of fifteen hundred thouſand Pounds, which Sum or Sums ſo taken up by way of Loan, ſhall and may be charged upon the Credit of their Majeſties *Exchequer* in general, and Tallies of Loan, and Orders of Repayment of the ſame, ſhall be levied and drawn accordingly, which ſaid Orders ſhall be aſſignable and transferrable from one Perſon to another.

8 per Cent. allowed upon Loans.

XL. And it is hereby enacted, That all and every Sum and Sums of Money, ſo to be borrowed, not exceeding as aforeſaid, together with Intereſt for the ſame not exceeding the Rate of eight Pounds *per Centum per Annum*, to be paid every three Months, until Satisfaction of the Principal, ſhall be payable and ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, out of the Monies which ſhall afterward ariſe and be brought into the *Exchequer* by or for Contributions upon this Act, ſo far as the ſame will extend; and in caſe the Money ſo ariſing by this Act ſhall not be ſufficient for the paying thereof, then the ſaid Loans, which ſhall remain unſatisfied, with the Intereſt for the ſame, ſhall be repaid out of the next Aids or Supplies to be granted to their Majeſties in Parliament, and ſhall be transferred and transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted to their Majeſties; and if no ſuch Aids or Supplies ſhall be granted to their Majeſties before the ſecond Day of *February* one thouſand ſix hundred ninety-four, then the ſaid Sum and Sums of Money, ſo to be borrowed, not exceeding as aforeſaid, and the Intereſt thereof, ſhall be payable and be paid and ſatisfied to the Lender or Lenders, his, her, or their Executors, Adminiſtrators, or Aſſigns reſpectively, by and out of any their Majeſties Treaſure, which from thenceforth ſhall come into, be, or remain in the Receipt of their Majeſties *Exchequer*, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this Time made.

If the Duties fall ſhort, next Subſidy given by Parliament charged. The reſt of the Revenue charged, if Parliament give no Subſidy before 2 February.

1,000,000 l. formerly appropriated to the Navy and Ordnance. 5 & 6 W. & M. c. 3.

' XLI. And whereas by an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting to their Majeſties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War againſt* France, the Sum of ten hundred thouſand Pounds, including therein the Sum of four hundred thouſand Pounds already borrowed for the Uſe of the Navy, is by the ſaid Act appropriated for the Services of the Navy and Ordnance, as Part of the Supplies granted this Seſſion for the Payment of Wages,

' for

'for Services done and to be done, and for the paying for Victuals supplied and to be supplied for the said 'Navy, and for and towards the paying for other necessary Provisions and Stores supplied and to be sup-'plied, and for the Ordnance for the said Navy Royal, and for the Wages of the Yards, and other Ser-'vices of the Ordinary of the said Navy:' Now to the Intent the whole Sum, granted this present Session of Parliament for the Uses aforesaid, may be thereunto appropriated, it is hereby further enacted by the Authority aforesaid, That out of the Money that hath or shall be levied by virtue of this Act, or of another Act of this present Session of Parliament, intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against* France, or of any other Act of this present Session of Parliament, by which any Aids shall be granted to their Majesties towards the carrying on the said War, and which shall be paid into the *Exchequer*, as well upon Loans as otherwise (except only the Money appropriated to pay the Recompences in this and the before recited Act) the Sum of fifteen hundred thousand Pounds, over and above the said Sum of ten hundred thousand Pounds in the first recited Act appropriated, shall be and is hereby appropriated for the Services of the Navy and Ordnance, performed and to be performed; and that all other Money which shall be levied and paid by virtue of this or any other Act of this present Session of Parliament, not appropriated by this or the first recited Act to the Use of the said Navy, or to pay the Recompences in this and the other recited Act into the Receipt of the *Exchequer*, as well upon Loans as otherwise, shall be applied and appropriated to and for the Payment of their Majesties Land Forces and Armies, Ordnance, Ammunition, and other Charges incident to the War, and not otherwise.

1,500,000 l. more to the same Use. 5 & 6 W. & M. c. 7.

All other Money unappropriated to be applied to the Army, &c.

XLII. And for the more effectual doing thereof, Be it enacted by the Authority aforesaid, That the Half of all Money that hath or shall be levied or paid into the Receipt of the *Exchequer*, by virtue of this Act, or any other Act of this present Session of Parliament (except the said first recited Act, and except what is appropriated by this or the other recited Act, to pay the Recompences of those who have or shall voluntarily advance Monies as aforesaid, and except also one other Act, intituled, *An Act to supply the Deficiency of the Monies raised by a former Act, intituled, An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards the carrying on the War against* France,) shall be applied to answer the said Sum of fifteen hundred thousand Pounds, hereby appropriated to the Use of the said Navy, until the same shall be paid and satisfied.

Half of this or any other Tax, except Land Tax, charged with the 1,500,000 l. 5 & 6 W. & M. c. 5.

XLIII. And it is hereby further enacted by the Authority aforesaid, That out of the Sum of fifteen hundred thousand Pounds hereby appropriated, and out of the said Sum of ten hundred thousand Pounds in the before recited Act appropriated for the Use of the Navy, the Sum of eleven hundred fifty-six thousand nine hundred ninety-four Pounds shall be applied to pay the Wages to Officers and Seamen, and other Services belonging, according to the Course of the Navy, to the Head of Wages, performed and to be performed: And also to pay the Officers and Soldiers of the two marine Regiments. And that the Sum of twelve hundred fifty-seven thousand two hundred sixty and six Pounds be applied for and towards the paying for Victuals and necessary Provisions and Stores, and other extraordinary Services of the Navy and Ordnance, supplied and performed, or to be supplied or performed; and that the Sum of eighty-five thousand seven hundred and forty Pounds be applied for and towards paying the Wages of the Yards, and other ordinary Services of the said Navy.

Particular Sums for Wages, &c.

XLIV. And that the Sums by this Act appropriated may not be diverted or applied to any other Purpose than is hereby declared and intended, Be it enacted by the Authority aforesaid, That the Rules and Directions appointed and enacted in one Act made in the first Year of their Majesties Reign, intituled, *An Act for a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year*, for the speedy Payment of Money thereby granted into the Receipt of the *Exchequer*, by the Collectors and Receivers, and for Distribution and Application thereof, and keeping distinct Accounts of the same, and all other Provisoes, Pains, Penalties, and Forfeitures, thereby enacted in case of Diversion of any Money thereby appropriated, are hereby revived and enacted to be in Force, and shall be practised, applied, executed, and put in ure for and concerning the Distribution and Application of the said Sums hereby appropriated, as fully, amply, and effectually, as if the same were here particularly repeated and re-enacted.

Provision for speedy Payment out of the Exchequer. 1 W. & M. ff. 2. c. 1.

'XLV. And whereas there is lately set up in this Kingdom a very profitable Manufacture of Silk Stuffs 'called *Lustrings* and *Alamodes*, never before made in this Realm, for the which great Sums of Money of 'the Nation were heretofore exported into *France*;' and to the Intent that no Discouragement may be given to so useful a Trade, wherein many hundreds of their Majesties Subjects are employed, by preventing all Frauds and Deceits to the Revenue of their Majesties Customs, by fraudulently importing such Silks without paying legal Duties for the same; Be it enacted by the Authority aforesaid, That the Commissioners of their Majesties Customs for the Time being shall and are hereby authorized and required from Time to Time, from and after the End of this Session of Parliament, to mark and seal, or cause to be marked and sealed, all the said Lustrings and Alamodes which now are imported, and in the Hands of any Person or Persons whatsoever, and also of all the said Stuffs so called which shall be hereafter imported, and to keep an Entry and Registry thereof in the Custom-House in a Book to be for that Purpose provided; and that all which are already imported shall be so marked, sealed, and registred within twenty Days of the said Time, for which there shall be no Fee or Reward paid; and all such Lustrings and Alamodes, which shall be hereafter imported from the Time aforesaid, shall be so marked, sealed, and registred without any Fee,

Alamodes, &c. to be marked and sealed by the Custom-House Officers.

*Farther Provisions concerning Silks*, 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 5 *An.* *c.* 20. 6 *An.* *c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* as 17. 23 *Geo.* 2.

6, 9 & 20. *and* 26 *Geo.* 2. *c.* 21. Penalty.

as aforesaid, before they be delivered out of the Custom-House Warehouse where they shall be respectively imported and entred; and all such Lustrings and Alamodes, which shall be at any Time after the fifteenth Day of *May* one thousand six hundred ninety-four, imported, and not so sealed and marked, shall be forfeited, and the Importers or Possessors thereof subject to such and the like Penalties and Forfeitures, as Importers of *French* Goods, by one Act made in the first Year of their Majesties Reign, intituled, *An Act for prohibiting all Trade and Commerce with* France, to be recovered as therein is directed; and if any Person or Persons shall alter or counterfeit the Mark or Seal, Marks or Seals, used and to be used for the Purposes aforesaid, the Offender shall forfeit the Sum of five hundred Pounds to any that will sue for the same by Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, shall be allowed, nor any more than one Imparlance.

1 W. & M. ff. 1. c. 34. Penalty for counterfeiting Mark.

5 & 6 W. & M. c. 1.

A Number of Cruisers appointed by a former Act.

'XLVI. And whereas it is enacted in one Act of this present Session of Parliament, intituled, *An Act for granting to their Majesties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War against* France, That for the better securing the Trade of this Kingdom, over and above the Ships of War for the Line of Battle, and for Convoys to remote Parts, at the least four Ships of the Third Rate, sixteen Ships of the Fourth Rate, thirteen Ships of the Fifth Rate, and ten Ships of the Sixth Rate, shall be from Time to Time directed and appointed by the Lord High Admiral of *England*, or Commissioners for executing the said Office for the Time being, to such proper Stations as they shall deem meet, to cruise, for securing the Merchant Ships in their going out and returning home:' Wherefore, that it may the better appear how the said Service is performed, wherein the Security of Trade, and the Safety of these Realms, is so much concerned; Be it enacted by the Authority aforesaid, That the Lord High Admiral of *England*, or the Commissioners for executing the Office of Lord High Admiral of *England*, for the Time being, shall and are hereby respectively required to exhibit to the Commons assembled in Parliament, at the next Session of this or any other Parliament, which shall happen after the first Day of *August* one thousand six hundred ninety-four, a Certificate in writing under his or their Hands respectively, of the Ships by him or them respectively set out in pursuance of the said recited Clause, expressing therein the Names and Rates of the Ships set out, and the Times when by him or them respectively ordered, as also the Stations to which they were directed, and the Times how long they were continued at Sea in that Service.

Certificate to be given to the Parliament of the Stations of the Cruisers.

One Penny per Pound allowed to the Exchequer Officers.

XLVII. Provided always, and be it enacted by the Authority aforesaid, That the Officers of the Receipt of their Majesties *Exchequer* shall and may receive and take, for their Fees, one Penny in the Pound, and no more, for all or any the Sum or Sums of Money to be issued or paid to any their Majesties Garrisons, or other Land Forces and Armies, and other Charges incident to the same, out of the Money arising by this or any other Act and Grant of this Session, or any other Session of Parliament, during this present War; to be distributed in such Proportion as the Lord Treasurer, or Lords Commissioners of the Treasury for the Time being, shall appoint.

Officers in the Excise not to persuade in Choice of Members.

XLVIII. And to the End the great Duties of Excise, and the Powers given for the collecting and levying the same, may not be employed for the influencing of Elections of Members to serve in Parliament, which Elections, by the Constitution of this Government, ought to be free and uncorrupt; Be it enacted by the Authority aforesaid, That from and after the first Day of *May* in the Year of our Lord one thousand six hundred ninety-four, no Collector, Supervisor, Gauger, or other Officer or Person whatsoever, concerned or employed in the charging, collecting, levying, or managing the Duties of Excise, or any Branch or Part thereof, shall by Word, Message, or Writing, or in any other Manner whatsoever, endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for the Choice of any Person to be a Knight of the Shire, Citizen, Burgess or Baron of any County, City, Borough or Cinque Port to serve in Parliament; and every Officer or other Person offending therein, shall forfeit the Sum of one hundred Pounds, one Moiety thereof to the Informer, the other Moiety to the Poor of the Parish where such Offence shall be committed, to be recovered by any Person that shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, shall be allowed; and every Person convict on any such Suit of the said Offence shall thereby become disabled and incapable ever bearing or executing any Office or Place concerning or relating to the Duty of Excise, or any other Office or Place of Trust whatsoever under their Majesties, their Heirs or Successors.

Penalty.

Note of Gauge to be delivered to the Brewer, &c. upon 5 l. Penalty. Altered and explained by 7 & 8 W. 3. c. 30. §. 25.

XLIX. And it is hereby declared and enacted, That true Notes in Writing of the last Gauges, made or taken by the Gaugers, shall be left by them with all Brewers, Makers, or Retailers of Beer, Ale, or other exciseable Liquors respectively, or some of their Servants, at the Times of taking their said Gauges, containing the Quantity and Quality of the Liquors so gauged, upon the Penalty of five Pounds for every Offence or Neglect of the said Gauger or Gaugers, to be recovered by any Person that shall sue for the same by Action of Debt, Bill, Plaint, or Information, in any of their Majesties Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege, or Wager of Law, nor more than one Imparlance, shall be allowed.

CAP.

## CAP. XXI.

### An Act for granting to their Majeſties ſeveral Duties upon Vellum, Parchment, and Paper, for four Years, towards carrying on the War againſt *France*.

*Moſt Gracious Sovereigns,*

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, having entred into a due and ſerious Conſideration of the extraordinary Occaſions which oblige your Majeſties to a great and preſent Expence in the neceſſary Defence of your Realms, and being deſirous to raiſe ſuch Aids and Supplies as may be proportionable to theſe Occaſions, do humbly preſent your Majeſties with the free Gift of the Rates and Duties herein after mentioned; and do beſeech your Majeſties that it may be enacted,

II. And be it enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by Authority of the ſame, That from and after the eight and twentieth Day of *June* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-four, there ſhall be throughout their Majeſties Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, collected, and paid unto their Majeſties, their Heirs and Succeſſors, during the Term of four Years, and no longer, for the ſeveral and reſpective Things herein after mentioned, which ſhall be writtten or ingroſſed, during the Term aforeſaid, over and above the Rates, Duties, and Sums of Money, now due and payable to their Majeſties, or to any Perſon or Perſons, Bodies Politick or Corporate whatſoever, for the ſame, the ſeveral and reſpective Rates, Impoſitions, Duties, Charges, and Sums of Money herein after expreſſed, in Manner and Form following (that is to ſay)

Duty upon Things written and ingroſſed for 4 Years. For the Increaſe and Continuance of theſe Duties ſee 8 & 9 W. 3. c. 20. 9 & 10 W. 3. c. 25. 1 Ann. ſtat. 1. c. 13.

III. For every Skin or Piece of Vellum or Parchment, on which any Grants or Letters Patents under the Great Seal of *England*, or the Seal of the Duchy or County Palatine of *Lancaſter*, or of any Honour, Dignity, Promotion, Franchiſe, Liberty, or Privilege, to any Perſon or Perſons, Bodies Politick or Corporate, or Exemplifications of the ſame, ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin or Piece of Vellum, Parchment, or Sheet of Paper, on which any Pardon of or for any Crime or Offence, or of any Sum of Money or Forfeiture whatſoever, or on which any Warrant of Reprieve or Relaxation from any Fines, corporal Puniſhments, or other Forfeiture, ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin of Vellum or Parchment, or Sheet of Paper, upon which any Grant from their Majeſties of any Sum of Money exceeding one hundred Pounds, which ſhall paſs the Great Seal, or Privy Seal (not directed to the Great Seal) ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin of Vellum or Parchment, or for every Sheet of Paper upon which any Grant of any Office or Employment, which ſhall be above the Value of fifty Pounds *per Annum*, ſhall be written, or ingroſſed, the Sum of forty Shillings. For every Skin of Vellum or Parchment, on which any Grant of Lands in Fee, Leaſe for Years, or other Grant of Profit, not herein particularly charged, that ſhall paſs the Great Seal of *England*, the Seal of the *Exchequer*, the Seal of the Duchy or County Palatine of *Lancaſter*, or the Privy Seal (not directed to the Great Seal) ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Preſentation or Donation which ſhall paſs the Great Seal of *England*, or upon which any Collation to be made by any Archbiſhop, or other Biſhop, or any Preſentation or Donation to be made by any Patron whatſoever, of or to any Benefice, Dignity, or Spiritual or Eccleſiaſtical Promotion whatſoever, ſhall be ingroſſed or written, the Sum of forty Shillings; provided ſuch Benefice, Dignity, or Promotion, be of the yearly Value of ten Pounds or above in the King's Books. For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Regiſter, Entry, Teſtimonial, or Certificate of any Degree taken in either of the two Univerſities, or four Inns of Court, ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper on which any Diſpenſation to hold two Eccleſiaſtical Dignities or Benefices, or both a Dignity and a Benefice, or any other Diſpenſation or Faculty, from the Lord Archbiſhop of *Canterbury*, or the Maſter of the Faculties, for the Time being, ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin or Piece of Vellum or Parchment, Sheet or Piece of Paper, upon which any Admittance of any Fellow of the College of Phyſicians or of any Attorney, Clerk, Advocate, Proctor, Notary, or other Officer or Officers, in any Court whatſoever, ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Appeal from the Court of Admiralty, Arches of the Prerogative Courts of *Canterbury* or *York*, ſhall be ingroſſed or written, the Sum of forty Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Conveyance, Surrender of Grants, or Offices, Releaſe, or other Deed whatſoever, which ſhall be enrolled of Record, in any of the Courts at *Weſtminſter*, or in any other Court of Record whatſoever, or by any *Cuſtos Rotulorum*, or Clerk of the Peace, ſhall be ingroſſed or written, the Sum of five Shillings. For every Piece of Vellum or Parchment upon which any Writ of Covenant for levying of Fines ſhall be ingroſſed or written, the Sum of five Shillings. For every Piece of Vellum or Parchment, upon which any Writ of Entry for ſuffering a

5 Ann. c. 19. 9 Ann. c. 11. §. 4. & c. 23. 10 Ann. c. 19. §. 100, & c. 26. § 3. 12 Ann. ſtat. 2. c. 9. 1 Geo. 1. ſtat. 2. c. 12. §. 8. 3 Geo. 1. c. 7. 6 Geo. 1. c. 4. Particular Rates.

*Burn, V.* 2. 454.

common Recovery ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin of Vellum or Parchment, upon which any Exemplification, of what Nature ſoever, that ſhall paſs the Seal of any Court whatſoever, ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin of Vellum or Parchment, or Sheet of Paper, upon which any Decree or Diſmiſſion, made by or in the Court of *Chancery*, *Exchequer*, Court of the County Palatine or Duchy of *Lancaſter*, Courts of the Counties Palatine of *Cheſter*, *Durham*, or other Court of Equity whatſoever, ſhall be ingroſſed or written, the Sum of ſix Pence. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Inſtitution, or Licence that ſhall paſs the Seal of any Archbiſhop or Biſhop, Chancellor, or other Ordinary, or any Eccleſiaſtical Court whatſoevr, ſhall be engroſſed or written, the Sum of five Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Writ of Error, *Certiorari*, *Habeas Corpus*, or Appeal (except to the Delegates) ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any *Significavit pro Corpore deliberatione* ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Sentence that ſhall be given in the Court of Lord Admiral of *England*, or the Cinque Ports exerciſing Admiralty Juriſdiction, or upon any Attachment that ſhall be made out of any of the ſaid Courts of Admiralty, or any Relaxation of any ſuch Attachment, ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Licence for or Certificate of Marriage, or any Letters of Mart, ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin or Piece of Vellum or Parchment, Sheet or Piece of Paper upon which any Probate of a Will, or Letters of Adminiſtration, for any Eſtate above the Value of twenty Pounds, ſhall be ingroſſed or written, the Sum of five Shillings. For every Skin or Fice of Vellum or Parchment, Sheet or Piece of Paper, upon which any Recognizance, Statute-ſtaple or Statute-merchant, ſhall be ingroſſed or written, and entred of Record in any Court or Office, the Sum of five Shillings. For every Skin or Piece of Vellum or Parchment, upon which any Record of *Niſi prius* or *Poſtea* ſhall be ingroſſed or written, the Sum of two Shillings and ſix Pence. For every Skin or Piece of Vellum or Parchment, or Paper, upon which ſhall be ingroſſed or written any Judgment whatſoever, which ſhall be ſigned by the Maſter of any Office, or his Deputy or Secondary, or by any Prothonotary or his Secondary, Deputy or Clerk, or any other Officer belonging to any of the Courts at *Weſtminſter*, who have Power, or uſually doth or ſhall ſign Judgments, the Sum of two Shillings and ſix Pence. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Commiſſion iſſuing out of any eccleſiaſtical Court, not herein otherwiſe particularly charged, ſhall be ingroſſed or written, the Sum of two Shillings and ſix Pence. For every Skin or Piece of Vellum or Parchment or Sheet of Paper, upon which any Warrant, Monition, or Perſonal Decree, in any Court of Admiralty, or the Cinque-ports, ſhall be ingroſſed or written, or upon which any beneficial Warrant or Order under their Majeſties Sign Manual (except Warrants or Orders for the Service of their Majeſties Navy, Army, and Ordnance) ſhall be ingroſſed or written, the Sum of two Shillings and ſix Pence. For every Piece of Vellum, Parchment or Paper, upon which any ſpecial Bail to be taken in any of the Courts at *Weſtminſter*, or before any of the Judges of the ſaid Courts, or in any other Court whatſoever, that ſhall be filed in any of the ſaid Courts, ſhall be ingroſſed or written, and for every Piece of Vellum, Parchment, or Paper, upon which ſhall be ingroſſed or written any Appearance upon ſuch ſpecial Bail, the Sum of one Shilling. For every Skin or Piece of Vellum or Parchment, upon which ſhall be ingroſſed or written any Bill, Anſwer, Replication, Rejoinder, Interrogatories, Depoſitions taken by Commiſſion, or any other Pleadings whatſoever, in the Courts of *Chancery*, *Exchequer*, Duchy Court, and County Palatine Courts, or other Courts of Equity, the Sum of one Shilling. For every Skin or Piece of Vellum or Parchment, and for every Sheet or Piece of Paper, upon which any Admiſſion into any Corporation or Company, or any Matriculation in either of the two Univerſities, or any Admiſſion into any of the Inns of Court or Inns of Chancery, ſhall be ingroſſed or written, the Sum of one Shilling. For every Piece of Parchment or Paper, upon which any Affidavit ſhall be ingroſſed or written (except Affidavits taken purſuant to the ſeveral Acts made in the thirtieth and two and thirtieth Years of the Reign of King *Charles* the Second, for burying in Woollen, and except ſuch Affidavits as ſhall be taken before the Officers of their Majeſties Cuſtoms, or any Juſtice or Juſtices of the Peace, or before any Commiſſioners appointed or to be appointed by any Act of Parliament for the aſſeſſing or levying any Aids or Duties granted or to be granted to their Majeſties, and which Affidavits ſhall be taken by the ſaid Officers of the Cuſtoms, Juſtices or Commiſſioners, by virtue of their Authority as Juſtices of the Peace, or Commiſſioners reſpectively, and not otherwiſe) the Sum of ſix Pence. And for every Piece of Parchment or Paper, upon which any Copy of ſuch Affidavit, as is herein before charged, that ſhall be filed or read in any Court whatſoever, ſhall be ingroſſed or written, the Sum of ſix Pence. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which ſhall be ingroſſed or written any Indenture, Leaſe, or Deed Poll, not hereby otherwiſe charged, the Sum of ſix Pence. For every Piece of Vellum or Parchment, or Piece of Paper, upon which any Original Writ (except ſuch Original on which a Writ of *Capias* iſſues) *Subpœna*, Bill of *Middleſex*, *Latitat*, Writ of *Capias*, *Quo Minus*, Writ of *Dedimus Poteſtatem* to take Anſwers, examine Witneſſes, or appoint Guardians, and any other Writ whatſoever, or any other Proceſs or Mandate that ſhall iſſue out of or paſs the Seals of any of the Courts at *Weſtminſter*, Courts of the Great Seſſions in *Wales*, Courts in Counties Palatine, or any other Court whatſoever holding Plea, where the Debt or Damage doth amount to forty Shillings or above, or the Thing in Demand is of that Value, ſhall be ingroſſed or written, the Sum of ſix Pence. For every Piece

* This Act is altered and explained by 6 & 7 W. 3. c. 12. as to Recognizances, and Warrants, &c. Certificates of Marriage, &c. Proceedings in Courts Martial, Orders, &c. of Commiſſioners of Sewers, or in the Stannary, Batchelors Degrees in the Univerſities, Commiſſions of Rebellion, Admittances of Officers in Corporations or inferior Courts and Officers at Sea.

30 Car. 2. ſtat. 1. c. 3.

32 Car. 2. c. 1.

† Theſe Duties are enlarged by 9 & 10 W. 3. c. 25. and farther provided for by 1 Ann. ſtat. 2. c. 22.

‡ New Duties laid on Copies of Court Roll in England, and like Inſtruments in Scotland, and Pamphlets, &c. by 10 Ann. c. 19. §. 100 & 101.

Piece of Vellum, Parchment, or Paper, upon which any Entry of any Action in the Mayors and Sheriffs Courts of *London*, and in Courts in all Corporations, and other Courts whatſoever, out of which no Writs, Proceſs, or Mandates iſſue, holding Plea, where the Debt or Damage doth amount to forty Shillings or above, ſhall be ingroſſed or written, the Sum of ſix Pence. For every Piece of Vellum, Parchment, or Paper, upon which any common Bail to be filed in any Court whatſoever, and upon which any Appearance that ſhall be made upon ſuch Bail, ſhall be ingroſſed or written, the Sum of ſix Pence: Which Appearance or common Bail the Defendant ſhall cauſe to be entred or filed within eight Days after the Return of the Proceſs on which the Defendant was arreſted, upon Penalty of five Pounds to be paid to the Plaintiff, for which the Court ſhall immediately award Judgment, whereupon the Plaintiff may take out Execution. For every Piece of Vellum, Parchment, or Paper, upon which any Rule or Order made or given in any of the Courts at *Weſtminſter*, either Courts of Law or Equity, ſhall be ingroſſed or written, the Sum of ſix Pence. For every Piece of Vellum, Parchment, or Paper, upon which any Copy of ſuch Rules or Orders entred, or the Copies of any other Records or Proceedings in any of the ſaid Courts at *Weſtminſter*, not hereby otherwiſe charged, ſhall be ingroſſed or written, the Sum of ſix Pence. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which ſhall be ingroſſed or written any Citation or Monition made in any eccleſiaſtical Court, or any Libel or Allegation, Depoſition, Anſwer, Sentence, or final Decree, or any Inventory exhibited in any eccleſiaſtical Court, the Courts of Admiralty, or Cinque Ports, or whereupon any Copies of them reſpectively ſhall be ingroſſed or written, the Sum of ſix Pence. For every Skin or Piece of Vellum, Parchment, or Sheet of Paper, upon which any Charter-party, Policy of Aſſurance, Paſſport, Bond, Releaſe, Contract, or other obligatory Inſtrument, or any Proteſt, Procuration, Letter of Attorney, or any other Notarial Act whatſoever ſhall be ingroſſed or written, the Sum of ſix Pence. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Declaration, Plea, Replication, Rejoinder, Demurrer, or other Pleadings whatſoever, in any Court of Law, ſhall be ingroſſed or written, the Sum of one Penny. And for every Skin or Piece of Vellum or Parchment, upon which any Copy thereof ſhall be written or engroſſed, the Sum of one Penny. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Depoſitions taken in the Court of *Chancery*, or other Court of Equity (except the Paper Draughts of Depoſitions taken by virtue of any Commiſſion before they are ingroſſed) which are not herein before charged, or upon which any Copy of any Bill, Anſwer, Plea, Demurrer, Replication, Rejoinder, Interrogatories, Depoſitions, or other Proceedings whatſoever, in any Court of Equity, ſhall be engroſſed or written, the Sum of one Penny. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which a Copy of any Will ſhall be ingroſſed or written, the Sum of one Penny.

‘ Theſe Duties are continued by 5 Ann. c. 19. and made perpetual by 1 Geo. 1. c. 12. and Part of the Aggregate Fund.’

IV. And for preventing Abuſes committed by arreſting Perſons without any Writ or legal Proceſs to juſtify the ſame, by means whereof the Duty hereby given to the Crown upon ſuch Proceſs will be loſt; Be it enacted by the Authority aforeſaid, That from and after the ſaid eight and twentieth Day of *June*, every Officer or Clerk belonging to the Court of *King's Bench*, *Common Pleas*, or *Exchequer*, who ſhall ſign any Writ or Proceſs before Judgment to arreſt any Perſon or Perſons thereupon, ſhall at the ſigning thereof ſet down upon ſuch Writ or Proceeſs the Day and Year of his ſigning the ſame, which ſhall be entred upon the Remembrance, or in the Book where the Abſtract of ſuch Writ or Proceſs ſhall be entred, upon pain to forfeit the Sum of ten Pounds for every Offence or Neglect of ſuch Officer or Clerk aforeſaid; to be recovered by any Perſon who ſhall ſue for the ſame, in any of their Majeſties Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Wager of Law, Protection or Eſſoin, or more than one Imparlance, ſhall be allowed.

Clerk to ſet down upon the Writ the Day and Year, and enter it upon the R membrance.

‘ The Day and Year to be likewiſe entred on the Warrants, by 6 Geo. 1. c. 21. §. 54.’

Penalty.

V. Provided always, That this Act, or any Thing therein contained, ſhall not extend to charge any Bills of Exchange, Accounts, Bills of Parcels, Bills of Fees, or any Bills or Notes (not ſealed) for Payment of Money at Sight, or upon Demand, or at the End of certain Days of Payment.

Bills of Exchange, &c. ſaved.

VI. Provided, That nothing in this Act contained ſhall extend to charge the Probate of any Will, or Letters of Adminiſtration, of any common Seaman or Soldier, who ſhall be ſlain or die in their Majeſties Service, a Certificate being produced from the Captain of the Ship or Veſſel, or Captain of the Troop or Company, under whom ſuch Seaman or Soldier ſerved at the Time of his Death, and Oath made of the Truth thereof, before the proper Judge or Officer by whom ſuch Probate or Adminiſtration ought to be granted; which Oath ſuch Judge or Officer is hereby authorized and required to adminiſter, and for which no Fee or Reward ſhall be taken.

Probate of Will, &c. of Soldier and Seaman ſaved.

VII. And be it further enacted by the Authority aforeſaid, That for the better and more effectual levying, collecting, and paying unto their Majeſties, their Heirs and Succeſſors, the ſeveral and reſpective Duties hereby granted, it ſhall and may be lawful for their Majeſties, their Heirs and Succeſſors, under the Great Seal of *England*, from Time to Time, to nominate and appoint ſuch Perſons as they ſhall think fit, to be Commiſſioners or Officers for the ſeveral Purpoſes herein after mentioned; and that the Commiſſioners, ſo to be appointed, ſhall keep their Head-office in ſome convenient Place within the Cities of *London* or *Weſtminſter*; and the ſaid Commiſſioners, or the major Part of them, are hereby impowered, under their Hands and Seals, to appoint ſuch other inferior Officers, for the marking or ſtamping of Vellum, Parchment, and Paper, or for the better collecting and leying the Duties hereby granted to their Majeſties, as they in their Diſcretions ſhall think fit; and the ſaid Commiſſioners ſhall, by the Space of thirty Days before the ſaid eight and twentieth Day of *June* which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-four, provide ſix ſeveral Marks or Stamps, differing from each other, for the ſeveral

King may appoint Commiſſioners.

Place of the Office.

Commiſſioners may appoint Officers.

Six ſeveral Marks to be provided.

and reſpective Duties hereby granted, with which ſeveral Marks or Stamps all Vellum, Paper, and Parchment, upon which any of the ſeveral and reſpective Things herein before charged ſhall be ingroſſed or written, ſhall be ſtamped and impreſſed, that is to ſay; one Stamp or Mark, with which all Vellum, Paper and Parchment, herein before charged with the Payment of forty Shillings for every Skin, Piece, or Sheet ſhall be ſtamped or marked: And one other Stamp or Mark, with which all Vellum, Parchment, and Paper, herein before charged with the Payment of five Shillings for every Skin, Sheet, or Piece, as aforeſaid, ſhall be marked and ſtamped: One other Mark or Stamp, with which all Vellum, Parchment, and Paper, charged as aforeſaid with the Payment of two Shillings and ſix Pence, for every Skin, Sheet, or Piece, ſhall be marked and ſtamped, and ſo reſpectively a different Mark or Stamp, with which all Vellum, Paper, and Parchment, herein before charged with the Payment of the ſeveral Duties of twelve Pence, ſix Pence, and one Penny, ſhall be ſeverally and differently marked and ſtamped; which ſaid ſeveral Marks and Stamps ſhall be publiſhed by Proclamation, to be iſſued under the Great Seal of *England*, a convenient Time before the ſaid eight and twentieth Day of *June*, to the End that all Perſons may have due Notice thereof; and that the ſaid Marks and Stamps, or any of them, ſhall or may be altered or renewed from Time to Time, as their Majeſties, their Heirs, or Succeſſors ſhall think fit, ſo as publick Notification thereof be given by Proclamation, as aforeſaid.

The Proclamation is to be judicially taken Notice of by 10 Annæ, c. 19 §. 180. the Old Stamps are to be uſed till New ones are proclaimed by 12 Annæ, ſtat. 2. c. 9. §. 30.

The Marks may be changed.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, in providing the ſaid Marks or Stamps, ſhall take care they be ſo contrived, that the Impreſſion thereof may be durable, and ſo as the ſame may be leaſt liable to be forged or counterfeited.

Impreſſion to be durable.

Parchment, &c. to be marked before written.

IX. And be it further enacted, That all Vellum, Parchment, and Paper hereby intended to be charged with the ſeveral and reſpective Duties aforeſaid, ſhall, before any of the Matters or Things herein before mentioned ſhall be thereupon ingroſſed or written, be brought to the Head Office aforeſaid, or ſome other Sub-Commiſſioner or Officer to be appointed by the Commiſſioners, as herein is directed for that Purpoſe, to be ſtamped and marked; and the ſaid Commiſſioners, Sub-Commiſſioners, and Officers aforeſaid, are hereby impowered and required forthwith, upon Demand to them made by any Perſon or Perſons, to ſtamp or mark any Quantities or Parcels of Vellum, Parchment, or Paper, he or they paying to ſuch Officer or Officers as ſhall be appointed in that Behalf, the reſpective Duties hereby directed to be paid for the ſame, to ſtamp and mark the ſame accordingly, without any other Fee or Reward, which Stamp or Mark ſhall be a ſufficient Diſcharge for the ſeveral and reſpective Duties hereby granted upon the ſaid Vellum, Parchment, or Paper, which ſhall be ſo ſtamped or marked.

Penalty upon Officer ſtamping before Duty paid.

X. And be it further enacted, That if any Commiſſioner or other Officer to be appointed as aforeſaid ſhall fix any ſuch Mark or Stamp to any Vellum, Parchment, or Paper, before the ſeveral and reſpective Duties thereupon charged by this Act ſhall be duly anſwered and paid, or be ſecured to be paid to their Majeſties Uſe, he ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds; one Moiety thereof to their Majeſties, and the other Moiety to him or them that ſhall inform or ſue for the ſame in any of their Majeſties Courts of Record, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed.

Penalty upon Perſon writing upon Paper before ſtamped, &c.

XI. And be it further enacted, That if any Perſon or Perſons ſhall ingroſs or write, or cauſe to be ingroſſed or written, upon any Vellum, Parchment, or Paper, any of the Matters or Things for which the ſaid Vellum, Parchment, or Paper is hereby charged to pay any Duty, before ſuch Time as the ſaid Vellum, Parchment or Paper ſhall be marked or ſtamped as aforeſaid, or upon which there ſhall not be ſome Stamp or Mark reſembling the ſame, or ſhall ingroſs or write, or cauſe to be ingroſſed or written, any Matter or Thing, upon any Vellum, Parchment, or Paper, that ſhall be marked or ſtamped, for any lower Duty than the Duty by this Act payable for what ſhall be ſo ingroſſed or written, ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit the Sum of five hundred Pounds; one Moiety thereof to their Majeſties, and the other Moiety to him or them that will inform or ſue for the ſame, as aforeſaid; and in caſe, any Clerk, Officer, or Perſon, who in reſpect of any publick Office or Employment is or ſhall be intitled or intruſted to make, ingroſs, or write, any Records, Deeds, Inſtruments, or Writings by this Act charged to pay a Duty, as aforeſaid, ſhall be guilty of any Fraud or Practice to deceive their Majeſties of any Duty by this Act payable, by making, ingroſſing, or writing any ſuch Record, Deed, Inſtrument, or Writing, or cauſing the ſame to be made, ingroſſed, or written, upon Vellum, Parchment, or Paper, not marked or ſtamped according to this Act, or upon which there ſhall not be ſome Stamp or Mark reſembling the ſame, or upon Vellum, Parchment, or Paper, marked or ſtamped with any Mark or Stamp which he ſhall know to be counterfeited, or by ingroſſing or writing any ſuch Deed, Inſtrument, or other Writing upon Vellum, Parchment, or Paper, that ſhall be marked or ſtamped for a lower Duty, as aforeſaid, that then every ſuch Clerk, Officer, or Perſon ſo guilty of any ſuch Fraud or Practice, and being thereof lawfully convicted, ſhall (over and above the Penalty aforeſaid) forfeit his Office, Place, or Employment reſpectively, and be diſabled to hold or enjoy the ſame for the future. And if any Attorney belonging to any Court whatſoever ſhall be guilty of any ſuch Fraud or Practice as aforeſaid, and be convicted thereof, he ſhall be diſabled for the future to practiſe as an Attorney. And if any Deed, Inſtrument, or Writing whatſoever, by this Act charged with the Payment of a Duty as aforeſaid, ſhall contrary to the true Intent and Meaning thereof be written or ingroſſed by any Perſon or Perſons whatſoever (not being a known Clerk or Officer, who, in reſpect of any publick Office or Employment, is or ſhall be intitled to the making, writing, or engroſſing the ſame) upon Vellum,

Reduced to 5l. by 6 & 7 W. 3. c. 12. §. 7.

Penalty upon Officer, &c. offending.

Penalty upon Attorney.

No Inſtrument, &c. written before Paper ſtampt good, till 5l. paid to the King,

Vellum, Parchment, or Paper, not marked or ſtamped according to this Act, or upon Vellum, Parchment, or Paper, marked or ſtamped for a lower Duty, as aforeſaid; that then, and in every ſuch Caſe, there ſhall be due, anſwered, and paid to their Majeſties (over and above the Duty aforeſaid) for every ſuch Deed, Inſtrument, or Writing, the Sum of five Pounds; and no ſuch Record, Deed, Inſtrument, or Writing, ſhall be pleaded or given in Evidence in any Court, or admitted in any Court to be good, uſeful, or available, in Law or Equity, until as well the ſaid Duty, as the ſaid Sum of five Pounds, ſhall be firſt paid to their Majeſties Uſe, and a Receipt produced for the ſame, under the Hand or Hands of ſome of their Majeſties Officers, which ſhall be appointed to receive the Duties above mentioned, and until the Vellum, Parchment, or Paper, on which ſuch Deed, Inſtrument, or Writing, ſhall be written or made, ſhall be marked or ſtamped with a lawful Mark or Stamp; and their Majeſties Officer or Officers laſt mentioned are hereby enjoined and required, upon Payment or Tender of the ſaid Duty and Sum of five Pounds unto him or them, to give a Receipt for the ſame, and to mark or ſtamp the ſaid Vellum, Parchment, or Paper, with the Mark or Stamp that ſhall be proper for ſuch Deed, Inſtrument, or Writing reſpectively; and if any Perſon or Perſons whatſoever ſhall at any Time or Times hereafter counterfeit or forge any Stamp or Mark to reſemble any Stamp or Mark which ſhall be provided or made in purſuance of this Act, or ſhall counterfeit or reſemble the Impreſſion of the ſame upon any Vellum, Parchment, or Paper, thereby to defraud their Majeſties, their Heirs and Succeſſors, of any the Duties hereby granted, or ſhall utter, vend, or ſell any Vellum, Parchment, or Paper, with ſuch counterfeit Mark, or Impreſſion thereupon, knowing ſuch Mark or Impreſſion to be counterfeited, then every ſuch Perſon ſo offending, being thereof convicted in due Form of Law, ſhall be judged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without the Benefit of Clergy.

and Money for the Stamp.

Mod. Caſes in Law 365.

Counterfeit or Sale of counterfeit Paper, Felony.

XII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners to be conſtituted by their Majeſties, their Heirs or Succeſſors, under the Great Seal of *England*, as aforeſaid, ſhall and may appoint a fit Perſon to attend in any Court or Office, to take Notice of the Vellum, Parchment, or Paper, upon which any the Matters or Things aforeſaid ſhall be ingroſſed, written, or put, and of the Marks or Stamps thereupon, and of all other Matters and Things tending to ſecure their Majeſties Duties ariſing by this Act, and that the Judges in the ſeveral Courts, and ſuch others to whom it may appertain, at the Requeſt or Requeſts of the ſaid Commiſſioners, to be appointed by their Majeſties as aforeſaid, or of any two or more of them, ſhall make ſuch Orders in the reſpective Courts, and do ſuch other Matters and Things, for the better ſecuring of the ſaid Duties, as ſhall be lawfully and reaſonably deſired in that Behalf: And that every Perſon, who ſhall be commiſſionated by their Majeſties, and every Perſon to be employed by or under thoſe commiſſionated by their Majeſties, for the marking or ſtamping of Vellum, Parchment, or Paper, as aforeſaid, before his acting in the marking or ſtamping of the ſaid Vellum, Parchment, or Paper, ſhall take the Oath following; that is to ſay,

Commiſſioners may appoint Obſervers in every Court, &c.

Judges ſhall make Orders.

Officers to take the following Oath.

'I *A. B.* do ſwear, That I will faithfully execute the Truſt repoſed in me, purſuant to an Act of Parliament, intituled, *An Act for granting to their Majeſties ſeveral Duties upon Vellum, Parchment, and Paper, for four Years, towards carrying on the War againſt* France, without Fraud or Concealment; and ſhall from Time to Time true Account make of my doing therein, and deliver the ſame to ſuch Perſon or Perſons as their Majeſties, their Heirs or Succeſſors, ſhall appoint to receive ſuch Account, and ſhall take no Fee, Reward or Profit, for the Execution or Performance of the ſaid Truſt, or the Buſineſs relating thereunto, from any Perſons, other than ſuch as ſhall be paid or allowed by their Majeſties, their Heirs or Succeſſors, or by the Commiſſioners of their Majeſties Treaſury, or three of them now being, or by the Treaſurer of the *Exchequer*, or three or more of the Commiſſioners of the Treaſury for the Time being.'

Which Oath ſhall and may be adminiſtred to any ſuch Commiſſioner or Commiſſioners by any two or more of the ſame Commiſſioners which ſhall be appointed under the Great Seal, as aforeſaid; and any of the ſaid Commiſſioners ſhall and may adminiſter the like Oath *(mutatis mutandis)* to the Sub-Commiſſioners, or other Perſons which ſhall be employed under them in the ſaid Buſineſs of marking or ſtamping.

By whom adminiſtred.

XIII. And be it enacted, That the ſaid Commiſſioners or Officers, to be appointed by their Majeſties as aforeſaid, and all Sub-Commiſſioners, and Officers, to be employed or intruſted by or under them, as aforeſaid, ſhall, from Time to Time, in and for the better Execution of their ſeveral Places and Truſts, obſerve and perform ſuch Rules, Methods, and Orders, as they reſpectively ſhall from Time to Time receive from the ſaid Commiſſioners of the Treaſury now being, or from the Treaſurer of the *Exchequer*, or Commiſſioners of the Treaſury for the Time being; and that the ſaid Commiſſioners, to be appointed by their Majeſties as aforeſaid, ſhall take eſpecial Care that the ſeveral Parts of this Kingdom, and the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall, from Time to Time, be ſufficiently furniſhed with Vellum, Parchment, and Paper, ſtamped or marked as aforeſaid, ſo as their Majeſties Subjects may have it in their Election to buy the ſame of the Officers or Perſons to be employed by the ſaid Commiſſioners, at the uſual or moſt common Rates above the ſaid Duty, or to bring their own Vellum, Parchment, or Paper, to be ſtamped as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

Commiſſioners to obſerve the Orders of the Treaſury,

and take care that the Country be furniſhed with Parchment, &c.

XIV.

Paupers excepted.

XIV. Provided always, and it is hereby further enacted, That none of the Rates, Impositions, or Sums of Money, before in this Act expressed, shall be raised, levied, collected, or paid, or to be payable unto their Majesties, by virtue of this Act, by any Person or Persons that shall be admitted to sue or defend *in forma pauperis*.

Records, &c. to be writ as usual.

XV. And to the End their Majesties may not be defrauded of any the Duties hereby granted, Be it enacted, That all Records, Writs, Pleadings, and other Proceedings in Courts of Law and Equity, and all Deeds, Instruments, and Writings whatsoever, hereby charged, shall be ingrossed and written in such Manner as they have been usually accustomed to be written, or are now written.

Upon Renewal of Marks those that have Paper marked by them shall have it changed within sixty Days.

XVI. Provided always, and be it further enacted, That as often as their Majesties, their Heirs or Successors, shall think fit to alter or renew the said Marks or Stamps, or any of them, it shall be lawful for all Persons who shall at that Time have in their Custody or Possession any Vellum, Parchment, or Paper, marked with the Mark or Stamp which shall be so altered or renewed, and upon which none of the Matters or Things hereby charged shall be ingrossed or written, at any Time within the Space of sixty Days after such Intention of renewing or altering shall be published by Proclamation, as aforesaid, to bring or send such Vellum, Parchment, or Paper, unto the said Commissioners, to the Head Office in *London* or *Westminster*, or to such other Officers as shall be appointed, as aforesaid. And the said Commissioners and Officers respectively are hereby required to deliver, or cause to be delivered, unto the several Persons who shall so bring and deliver any Quantity of Vellum, Paper, or Parchment, the like Quantity of Vellum, Parchment, or Paper, and as good in Quality, stamped with such new Stamp or Mark, without demanding or taking, directly or indirectly for the same, any Sum of Money, or other Consideration whatsoever, under the Penalty of forfeiting for every Offence one hundred Pounds, to be sued for, recovered, and divided in such Manner as other Penalties in this Act are directed to be sued for, recovered, and divided. And in case any Person shall neglect or refuse, within the Time aforesaid, to bring, or cause to be brought and delivered, unto the said Commissioners or Officers, as aforesaid, any such Vellum, Parchment or Paper, the same is hereby declared to be of no other Effect or Use, than if it had never been stamped, and that all Matters or Things, which shall after that Time be ingrossed or written thereon, shall be of no other Effect than if they had been ingrossed or written on Vellum, Parchment, or Paper, not marked or stamped at all; and all Persons who shall ingross or write any the Matters or Things hereby charged on such Vellum, Parchment, or Paper, after the said Time, shall forfeit and suffer as herein before is enacted for Persons writing or ingrossing on Vellum, Parchment, or Paper, not marked or stamped.

Penalty upon Officer.

Paper not brought in within that Time of no Use.

Credit of Loan for 330,000*l.* at 8*l.* per Cent.

XVII. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to their Majesties into the Receipt of their *Exchequer*, upon the Credit of this Act, any Sum or Sums of Money not exceeding the Sum of three hundred and thirty thousand Pounds in the whole; and to have and receive, for the Forbearance of all such Monies as shall be lent, Interest not exceeding the Rate of eight Pounds *per Centum per Annum*.

Distinct Account and weekly Payment.

XVIII. And be it further enacted and ordained by the Authority aforesaid, That all and every the Officer and Officers, who shall be concerned in the levying, collecting, and receiving the Duties arising by this Act, do keep a separate and distinct Account thereof, and pay the same *in specie* into the Receipt of their Majesties *Exchequer* weekly on *Wednesday* in every Week, unless it be an Holiday, and then the next Day after which shall not be an Holiday, and upon Neglect or Refusal of the same, shall incur the Penalties, Forfeitures, Damages, and Costs, as other the Officers of the *Exchequer*, herein after mentioned shall be liable to; which Monies so paid in shall be applied to the Uses hereafter mentioned in this Act, and no otherwise.

Penalty.

Distinct Books of Receipts in the Exchequer.

XIX. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in their Majesties *Exchequer* (that is to say) in the Office of the Auditor of the Receipts, one Book, in which all Monies, that shall be paid into the *Exchequer* by virtue of this Act, shall be entred and registred, apart and distinct from all other Monies paid or payable to their Majesties, upon any Account whatsoever; and that all and every Person and Persons, Natives or Foreigners, Bodies Politick or Corporate, who shall lend any Money to their Majesties upon the Credit of this Act, and pay the same into the Receipt of the *Exchequer*, shall immediately have a Talley of Loan struck for the same, and an Order for his or their Repayment, bearing the same Date with the Talley; in which Order shall be also contained a Warrant for Payment of Interest for Forbearance, not exceeding the Rates aforesaid, for his or their Consideration, to be paid every three Months, until the Repayment of his or their Principal; and that all Orders for Repayment of Money shall be registred in Course, according to the Date of the Talley respectively, without Preference of one before another; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Book, so as that the Person, Native or Foreigner, his, or their Executors, Administrators, and Assigns, who shall have his, her, or their Order or Orders first entred in the said Book, shall be taken and accounted as the first Person to be paid upon the Monies to come in by virtue of this Act; and he or they, who shall have his or their Order or Orders next entred shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in by this Act shall be in the same Order liable to the Satisfaction of the said respective Parties, their Executors, Administrators, or Assigns, successively, without Preference of one before another, and not otherwise, and not to be divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any of their Majesties

Talley and Order to the Lender.

Orders to be registred, and Persons paid in Course.

Majeſties Subjects for providing or making any ſuch Books, Regiſters, Entries, View, or Search as aforeſaid, or in or for the Payment of Money lent, or the Intereſt as aforeſaid, by any of their Majeſties Officer or Officers, their Clerks or Deputies, on pain of Payment of treble Damages to the Party grieved by the Party offending, with Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo. And if any undue Preference of one before another ſhall be made, either in Point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt, Damages, and Coſts, to the Party grieved, and ſhall be forejudged from his Place or Office; and if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after uncapable of his Place or Office: And in caſe the Auditor ſhall not direct, nor the Clerk of the Pells record, or the Teller make Payment, according to each Perſon's due Place and Order, as aforedirected, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid. All which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any of the Officers aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed.

Penalties upon Officer taking Fee, or paying out of Courſe.

Penalty upon Auditor, &c. offending.

XX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference which of thoſe he enters firſt, ſo he enters them all the ſame Day. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Teller do pay ſubſequent Orders of the Perſons that come and demand their Money, and bring their Order, before other Perſons that did not come and demand their Money, and bring their Order, in their Courſe, ſo as there may be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

What ſhall not be undue Preference.

XXI. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons, to whom any Monies ſhall be due by virtue of this Act, after Order entred in the Book of Regiſter aforeſaid for Payment thereof, his Executors, Adminiſtrators, or Aſſigns, by Indorſement of his Order may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officer ſhall, upon Requeſt, without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his Executors, Adminiſtrators, or Aſſigns to the Benefit thereof, and Payment thereon: And ſuch Aſſignee may in like manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons, who have or hath made ſuch Aſſignments, to make void, releaſe, or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Orders aſſignable.

XXII. Provided always, and be it enacted, That it ſhall and may be lawful to and for their Majeſties, their Heirs and Succeſſors, out of the Duties ariſing by this Act, to cauſe ſuch Sum and Sums of Money to be expended and paid, from Time to Time, for Salaries and other incident Charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing of the ſame Duties, during the ſaid Term therein by this Act granted; any thing in this Act contained to the contrary notwithſtanding.

Proviſion for Salaries.

XXIII. Provided always, and be it further enacted, That as often as their Majeſties, their Heirs or Succeſſors, ſhall think fit to alter the ſaid Stamps, or any of them, that the Proclamation which is hereby directed to be made, for giving to all Perſons due Notice thereof, ſhall within twenty Days after the Date thereof be ſent to the Mayor, Chief Magiſtrate, or other Head Officer of every City, Corporation, Borough and Market Town, throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, which Officers reſpectively ſhall cauſe the ſame to be publiſhed to the Inhabitants of ſuch City, Corporation, or Town, either on the next Market Day, or next *Sunday*, in the Church immediately after the Time of divine Service, upon Pain of forfeiting the Sum of two hundred Pounds, to be ſued for by Action of Debt, Bill, Plaint or Information, in any of their Majeſties Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege, or more than one Imparlance, ſhall be granted or allowed; the one Moiety of which Forfeiture to be to their Majeſties, the other Moiety to ſuch Perſon who ſhall ſue for the ſame.

Proclamation of Renewal to be publiſhed within 20 Days.

Penalty upon Officers not publiſhing it.

XXIV. And be it enacted, That the Commiſſioners, Receiver or Receivers General, or other Perſon or Perſons who are or ſhall be reſpectively employed in the directing, receiving, collecting, or paying the ſeveral Impoſitions upon Paper and Parchment, and other Duties, by this Act granted, ſhall and are hereby required, between the eight and twentieth Day of *June* one thouſand ſix hundred ninety-five and the nine and twentieth Day of *September* following, and ſo from Year to Year yearly, at thoſe Times, during the Continuance of this Act, to exhibit their reſpective Accounts thereof to their Majeſties Auditors of the Impreſt for the Time being, or one of them, who ſhall and are hereby from Time to Time reſpectively authorized to examine upon Oath the ſaid Commiſſioners, Receiver or Receivers General, or other Perſon or Perſons Accountants, who ſhall be employed in raiſing, receiving or collecting the ſaid Impoſitions.

The Auditor of the Impreſt to take the Accounts of the Commiſſioners, &c. annually upon Oath.

sitions and Duties, of what Sum or Sums of Money was or were by them, or any of them, respectively raised, collected, or received, within the Time of such their Accounts, and likewise what Part thereof was by them, or any of them, paid into their Majesties Receipt of the *Exchequer*, or by Virtue of any Warrant of Privy Seal, or Warrant of the Lord High Treasurer, or Commissioners of their Majesty's Treasury for the Time being, otherwise paid, and to whom, and for what Service or Services; and in making the said Accounts to and before the said Auditors, or one of them, they are to produce proper Vouchers for every Sum or Sums of Money so by them, or any of them, raised, received and paid, according to the ancient Methods of the *Exchequer*: And to the End that it may appear upon Record what the Sums amounted to in the Year, for which such Account or Accounts are or shall be respectively made, and what thereof was paid, and to whom and for what Use and Service, Uses and Services as aforesaid, and what remains unpaid and rests *insuper* upon each respective Receiver and Collector, the Account or Accounts, so to be taken by every of the said Auditors respectively, is and are to be declared before the Lord Treasurer, or Lords Commissioners of the Treasury, and Chancellor of the *Exchequer*, now and for the Time being, according to the Course of the *Exchequer* in such Cases.

The Accounts to be declared before the Treasurer, &c.

*See farther* 1 *Ann. stat.* 2. *c.* 22. *against Frauds in Stamp Duties.* 4 & 5 *Ann. c.* 12. *extending Stamp Duties to Appearances in Actions without Bail.* 12 *Ann. stat.* 1. *c.* 2. *exempting Custom Right Estates, &c.* 5 *Geo.* 1. *c.* 19. *concerning Cards and Dice.* 6 *Geo.* 1. *c.* 21. *Penalty for taking off Stamp on Cards. And for further additional Duties, see* 11 *Geo.* 1. *c.* 8. 12 *Geo.* 1. *c.* 33. 9 *Geo.* 2. *c.* 32. 16 *Geo.* 2. *c.* 26. 29 *Geo.* 2. *c.* 12 & 13. 30 *Geo.* 2. *c.* 19. *and* 32 *Geo.* 2. *c.* 35.

## CAP. XXII.

EXP. An Act for the licensing and regulating Hackney Coaches and Stage Coaches. Further Provisions concerning Hackney Coaches by 9 Annæ, c. 23. 10 Annæ, c. 19. §. 158. 1 Geo. 1. stat. 2. c. 57. 3 Geo. 1. c. 7. 12 Geo. 1. c. 12. 2 Salk. 612. The King may appoint Commissioners. Hackney Coaches in *London*, &c. not to exceed 700. Charge of Licence. Stage Coaches to be licenced for a Year. Rate to the King. Explained by 6 & 7 W. 3. c. 18. §. 31. Licences may be devised. Assignment to be entred in the Commissioners Book. 5 l. Penalty upon Persons driving Coach without Licence. Coach Horses to be 14 Hands high. No Person to have more than two Hackney Coaches, which are to be figured. Penalty on altering the Figure. Ancient Coachmen, &c. to be first licenced. Penalty upon Commissioners licencing above 700. Rates of Hackney Coaches. Penalty upon exacting more. Commissioners may appoint Under Officers, who are to take no Fee except 2*s.* 6*d.* for the Licence. What Oaths the Commissioners, &c. are to take. Commissioners to pay the Money, and give Account of Licences, annually. Penalties how to be levied. Offences to be determined by the Commissioners. Persons sued for executing this Act may plead General Issue, and have double Costs. No *Certiorari* allowed. Commissioners may make By-laws to bind the Coachmen. Acquittance to be *gratis*. By-laws to be approved by Lord Chancellor, &c. and executed by Justices of the Peace, &c. 175 Coaches by Turns to drive upon the Lord's Days. 5 l. Penalty on any others driving on the Lord's Day. Printed List of the *Sunday* Coaches. Annual Account before the Auditors.

2 *Salk.* 612.

1 W. & M. st. 1. c. 8.

29 Car. 2. c. 7.

## CAP. XXIII.

EXP. An Act for appointing and enabling Commissioners to examine, take, and state the publick Accounts of the Kingdom.

## CAP. XXIV.

EXP. An Act for building good and defensible Ships. Builders of 3 decked Ships within 10 Years to have a Tenth Part of Customs of Goods they export or import for the 3 first Voyages. Ships made less after 3 Voyages forfeited.

## CAP. XXV.

An Act for the better Discipline of their Majesties Navy Royal.

From page 972 of this Vol. an error in binding occurs, by transposition—

(3) And in Case such Office shall not be so kept and attended in each Market-Town respectively, the Commissioners, Farmers, Sub-Commissioners, or other Person or Persons so neglecting or refusing to do the same, shall for every Market-Day forfeit ten Pounds, the one Half to the King's Majesty, his Heirs and Successors, and the other Half to him or them that will inform and sue for the same in any of his Majesty's Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed; (4) and such Person as shall come to such Market-Town to make such Entry or Payment of the Duties, and shall tender the same according to the said Acts, and be able to prove such Tender by the Oath of one or more sufficient Witnesses, shall not be liable to any Penalty or Forfeiture imposed by the said Acts, for such weekly or monthly Entries or Payments as should have been made or paid on such Market-Day; any Article, Clause or Thing in any or either of the said Acts, or this present Act, to the contrary notwithstanding. The Penalty.

XI. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *September*, no common Brewer of Beer or Ale, shall sell, deliver or carry out any Beer or Ale to any his Customers, either in whole Cask or by the Gallon, in any City, Town Corporate or Market-Town, before Notice given to an Officer of Excise, but between the Hours of the Day hereafter mentioned, (that is to say) from the twenty-fifth Day of *March* to the twenty ninth Day of *September* yearly, between the Hours of three of the Clock in the Morning and nine of the Clock in the Evening, and from the nine and twentieth Day of *September* to the five and twentieth Day of *March* yearly, between the Hours of five of the Clock in the Morning and seven of the Clock in the Evening; (2) upon Pain that every Brewer doing contrary hereunto, shall for every such Offence forfeit and lose the Sum of twenty Shillings for every Barrel of Beer or Ale that shall be so carried out contrary to the true Meaning of this Act, to be levied and recovered as in and by this present Act is hereafter enacted and appointed. At what Time only Brewers may carry out their Beer.

XII. And be it further enacted by the Authority aforesaid, That if any common Brewer, Innkeeper, Victualler or other Retailer of Beer or Ale, shall at any Time after the first Day of *September*, after an Account hath been taken by the said Gager or Gagers of the Quantity and Quality of the Beer, Ale or Worts, found in his Tun and other Brewing Vessels, convert any Part of his small Beer, or small Worts, so taken Account of, into strong Beer or Ale, by mingling, letting down, or striking over any such strong Ale or strong Worts into which or amongst any such small Beer or small Worts, and shall sell, deliver out or retail the same, or any Part thereof, without giving Notice to the same Gager or Gagers of the Quantity so mingled and converted as aforesaid; or if any such Brewer or Retailer as aforesaid shall after the said Time hide, conceal or convey any Beer, Ale or Worts not gaged, from the Sight or View of the Gager or Gagers appointed to take Account of the same, whereby the King's Majesty, or his Commissioners or Farmers shall or may be defrauded in any manner of wise of the Duties due for the same, or any Part thereof, every such common Brewer, Victualler and Retailer, for every Barrel of Beer or Ale by him or them so mingled, converted, sold, delivered, hid, concealed or conveyed away, contrary to the true Intent and Meaning hereof, shall forfeit and lose the Sum of twenty Shillings, to be levied and recovered in Manner and Form as in and by this present Act is hereafter ordained and appointed. Mingling of strong and small Worts.

XIII. And be it further declared and enacted, That all and every the Brewing Vessels and Utensils for Brewing, into whose Hands soever the same shall come, and by what Conveyance or Title soever the same be claimed, shall be liable and subject unto, and are hereby charged with, all and singular the Debts and Duties of Excise in Arrear and owing by any Person or Persons for any Beer or Ale made within the said Brew-house, and shall also be subject to all Penalties and Forfeitures incurred by such Person or Persons so using the said Brew-house for any Offence against the Laws and Statutes for Excise; (2) and that it shall be lawful in all Cases to levy Debts and Penalties, and use such Proceedings against the Utensils therein contained, as it may be lawful to do in Case the Debtor or Offender using the said Utensils had been truly and really Owner and Proprietor of the same. Brewing Vessels and Utensils subject to the Debts and Penalties of Excise.

XIV. And be it further enacted by Authority aforesaid, That after the first Day of *September*, no common Brewer of Beer or Ale, nor any other Person whatsoever, who hath or shall compound for the Duties of Excise for Beer or Ale by him brewed or to be brewed, shall during the Term of such Composition, brew or make, or suffer or permit any Beer or Ale to be brewed or made, within his Brewhouse, for any other common Brewer whatsoever, without first giving Notice, as well of every particular Brewing, as of the Quantity and Quality of the Beer and Ale at every such Brewing intended to be brewed and made, unto the respective Commissioners, Farmers or Sub-Commissioners of Excise, within the Districts of whose Office such common Brewer doth or shall inhabit, and forthwith paying down unto the said respective Commissioners, Farmers or Sub-Commissioners, the full Excise of all the said Beer and Ale; (2) upon Pain that as well the Brewer who shall brew the same, as the Brewer for whom the said Beer or Ale shall be brewed, shall forfeit and lose for every Barrel the Sum of five Pounds; the one Moiety to the King's Majesty, and the other Moiety to the Informer that shall sue for the same in any Court of Record. Brewers that brew for other Brewers.

XV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *September*, no Person or Persons shall be permitted to sell or retail any Coffee, Chocolate, Sherbet or Tea, without Licence first obtained and had by Order of the General Sessions of the Peace in the several and respective Counties, Certificate being first shewed, that they have given good Security for the due Payment of their Dues to the King, or the Chief Magistrate of the Place in whose Jurisdiction he or they do or shall inhabit or dwell, for the Selling or Retailing of the same; (2) nor shall any Licence be granted to any Retailer, until Security first given by Recognizance, or otherwise, for which Licence, Recognizance and Security, twelve Pence shall be given, and no more, for the Payment of the Excise: And every Person or Persons selling or retailing any of the said Liquors without Licence had, and Security given as aforesaid, shall forfeit and lose the Sum of five Pounds for every Month he or they shall continue Selling or Retailing the same. Coffee, Chocolate, Sherbet, Tea.

Gaugers may take no Bribes nor Rewards to make falſe Returns.

XVI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *September*, no Brewer or other Perſon whatſoever ſhall bribe or corrupt, or give any Money, Fee, or other Reward whatſoever, to any Gauger or Gaugers, or other Officer whatſoever, to make any falſe Return or Report into the Office of Exciſe, of any Beer, Ale or other Liquors exciſeable, made or brewed, or to be made or brewed, within his or their Charge, Diviſion or Walk, or to forbear or omit the doing or executing of his or their Places or Imployments, upon Penalty of ten Pounds for every ſuch Offence; (2) and that no ſworn Gauger or Gaugers, or other Officer whatſoever, ſhall directly or indirectly take and receive any Bribe, Money, Fee, Gift or other Reward, of any Brewer or other Perſon whatſoever, for any Cauſe or Matter relating to the Exciſe; upon Penalty that every ſuch ſworn Gauger or other Officer ſo offending, ſhall for every ſuch Offence forfeit and loſe the Sum of ten Pounds: (3) All and every of which ſaid reſpective Offences ſhall be proved by the Oaths of two lawful and credible Witneſſes before two Juſtices of the Peace or Chief Magiſtrate of the Place where ſuch Offence ſhall be committed; which ſaid Juſtices or Magiſtrates reſpectively have hereby Power to adminiſter the ſaid Oaths, and alſo to examine, adjudge and determine the ſame, and to cauſe ſuch Penalties by Warrant under their Hands and Seals to be levied by Diſtreſs and Sale of the Offender's Goods, rendring to the Party the Overplus; and for Want of ſuch Diſtreſs to commit every ſuch Offender to the common Gaol of ſuch County or Place, there to remain by the Space of three Months without Bail or Mainpriſe.

Foreign Liquors imported to be duly entered. 1 Vent. 62.

XVII. And for the better Levying and Collecting the Duties of Exciſe upon all foreign or imported Liquors; (2) Be it enacted by Authority aforeſaid, That no ſuch foreign or imported Liquors ſhall be landed or put on Shore out of any Ship or Veſſel from beyond the Seas, before due Entry be firſt made thereof with the Officer or Collector appointed for the Exciſe in the Port or Place where the ſame ſhall be imported, or before the Duty of Exciſe due and payable for the ſame be fully ſatisfied and paid; (3) and that every Warrant for the Landing or Delivering of any ſuch foreign Liquors ſhall be ſigned by the Hand of the ſaid Officer or Collector of the Exciſe in the ſaid Port or Place reſpectively; (4) upon Pain that all ſuch foreign Liquors as ſhall be landed, put on Shore or delivered contrary to the true Intent and Meaning hereof, or without the Preſence of an Officer or Waiter for the Exciſe, or the Value thereof, ſhall be forfeited and loſt, the one Moiety to the King's Majeſty, and the other Moiety to him or them who ſhall or will ſeiſe, inform or ſue for the ſame, to be recovered of the Importer or Proprietor thereof.

XVIII. And that no Perſon or Perſons whatſoever bringing any exciſeable Liquors (except Beer, Ale, Cyder, Perry and Metheglin) into any Part or Place of this Realm, by Coaſt Cockquet, Tranſire or Certificate, nor any Perſon or Perſons to whom the ſame or any of them ſhall be conſigned, ſhall land or cauſe any ſuch exciſeable Liquors (except before excepted) to be landed or put on Shore, without making or cauſing due Entry to be made of the ſame, with the Officer or Officers of the Exciſe for the Time being appointed to receive and take ſuch Entries within the Port or Place where the ſame ſhall be landed; upon Pain in every ſuch Caſe as aforeſaid, to forfeit double the Value of the ſaid Liquors landed or put on Shore contrary to the true Intent and Meaning hereof.

Appeals in Cauſes of Exciſe.

XIX. Provided alſo, and be it further enacted and ordained by Authority aforeſaid, That no Appeal in any Cauſe of Exciſe whatſoever ſhall be admitted, until the Party Appellant ſhall have firſt depoſited and laid down the ſingle Duty of Exciſe in the Hands of the Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe, within whoſe Juriſdiction or Diviſion the ſaid Cauſe was originally heard and determined, and have given Security to the Commiſſioners of Appeal, or Juſtice of the Peace reſpectively where ſuch Cauſe is to be finally adjudged, for all ſuch Fine, Forfeiture and Penalty as upon ſuch Hearing and Determination was adjudged againſt him; (2) and that if upon the Hearing and Determining of any ſuch Appeal, the ſaid original Judgment ſhall happen to be reverſed and made null, then and in every ſuch Caſe, the ſaid Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe in whoſe Hands the ſaid ſingle Duty of Exciſe was depoſited, ſhall reſtore and deliver back the ſame, or as much thereof as ſhall be adjudged by the Commiſſioners of Appeals or Juſtices of the Peace reſpectively, to the ſaid Appellant, and the Party originally proſecuting ſhall pay him the double Coſts: (3) But in Caſe the firſt Judgment ſhall be affirmed, the Party appealing ſhall pay the like Coſts unto the Commiſſioner or Commiſſioners complained of; any Thing in this Act or in any other Act or Statute whatſoever to the contrary thereof contained in any wiſe notwithſtanding.

Exciſe upon Vinegar Beer. Explained 8 Annæ, c. 7. §. 4.

XX. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons whatſoever, Brewing or Making any Beer, whether in a common Brew-houſe or otherwiſe, for Sale, or to convert into Vinegar for Sale, ſhall pay for every Barrel of ſuch Vinegar-Beer ſo made and brewed, the ſeveral and reſpective Sums already impoſed and ſet by any the Acts of Exciſe above-mentioned upon Vinegar-Beer brewed by any common Brewer in any common Brew-houſe; any Thing in the ſaid Acts or either of them to the contrary notwithſtanding.

Colleges and Halls in the Univerſities.

XXI. And it is hereby further declared, That every College and Hall in either of the Univerſities, which before the Duty of Exciſe was impoſed did brew their own Beer and Ale within their own Precincts, and ſize it out to their reſpective Members within their own Precincts only, are not liable to the Payment of any Duty of Exciſe for the ſame, either by this or any the fore-mentioned Acts.

Complaints to be determined in the proper Counties.

XXII. Provided alſo, and be it enacted, That all Differences, Appeals and Complaints, that ſhall happen and ariſe between Party and Party, in order to the Payment of the Duty of Exciſe, ſhall be heard and determined in the proper County or in the ſeveral Ridings and Diviſions of *Yorkſhire* and *Lincolnſhire*, where they ſhall ariſe, and not elſewhere.

Commiſſioners or Farmers may take no Fees.

XXIII. And be it further enacted by the Authority aforeſaid, That no Farmer, Commiſſioner, Sub Commiſſioner or other Officer of Exciſe, ſhall directly or indirectly take or receive any Money, Fee or Reward, for or concerning the taking of any Bond, or giving any Receipt or Note in Writing, relating to the Exciſe, to or from any Perſon or Perſons whatſoever; upon Pain that every ſuch Perſon ſo offending ſhall forfeit every ſuch Offence forfeit the Sum of ten Shillings.



XXIV. An

XXIV. And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace or any two or more of them, or Chief Magiſtrates, in the ſeveral Counties, Cities, Diviſions and Places within *England* and *Wales* reſpectively, ſhall meet once in every Month in their reſpective Diviſions, or oftner if there ſhall be Occaſion, to hear, determine and to adjudge all Matters and Offences againſt this or the aforeſaid Acts. Who may hear and determine Matters upon this Act.

XXV. And be it further enacted by the Authority aforeſaid, That one third Part of all Fines, Penalties and Forfeitures not herein otherwiſe diſpoſed, ſhall be to the King's Majeſty, His Heirs and Succeſſors, and one other third Part to the Poor of the Pariſh where the Offence ſhall be committed, and the other third Part to him that ſhall inform and ſue for the ſame; (2) and that all Fines, Penalties and Forfeitures, for which no Remedy is ordained for Recovery thereof by this Act, ſhall be recovered by Action of Debt, Bill, Plaint or Information, in any Court of Record within ſuch County, City or Corporation, where the Offence ſhall be committed, or by ſuch other Ways and Means, and in ſuch Manner, as by the ſaid former Acts is directed and appointed: How the Penalties upon this Act ſhall be diſpoſed and recovered.

XXVI. Provided always, That after the ſaid third Day of *September*, no Appeal in any Matter or Cauſe of Exciſe within the immediate Limits of the Chief Office in *London* nor within the Limits of the preſent Farm of *London*, during the Continuance of ſuch Farm, ſhall be admitted, unleſs the ſame be brought within two Months next after the firſt Judgment, and Notice thereof given or left at the Dwelling-houſe of the Party or Parties concerned therein; (2) nor ſhall any Appeal in any Matter or Cauſe of Exciſe in any other County, City, Town or Place, be admitted, unleſs the ſame be brought within four Months after the firſt Judgment and Notice given as aforeſaid; any Thing in this Act to the contrary notwithſtanding. Appeals for Matters in London, and the Limits thereof.

XXVII. Provided nevertheleſs, and it is hereby enacted, That no Commiſſioner, Farmer, Sub-Commiſſioner, or other Perſon imployed or to be imployed in the Farming, collecting or taking Accounts for the Duty of Exciſe, do after the firſt Day of *September* next take upon him or them any ſuch Office, or proceed in Execution of any ſuch Imployment, until he or they have firſt taken the Oaths appointed to be taken by the Act of Parliament, intituled, *A Grant of certain Impoſitions on Beer, Ale and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life*, before the reſpective Perſons appointed in the ſaid Act of Parliament, and have entred his Certificate for taking the ſaid Oaths, with the Auditor for Exciſe, under the Penalty of fifty Pounds for every Month he or they ſhall ſo neglect to take the ſame. No Commiſſioner or other may act until he have taken the Oaths in the Act of 12 Car. 2. c. 23. *Farther Proviſions concerning Exciſe, ſee* 16 & 17 Car. 2. c. 4.

22 & 23 Car. 2. c. 5. 1 *W. & M. ſtat.* 1. c. 24. 4 *W. & M.* c. 3. 5 *W. & M.* c. 20. 7 *W.* 3. c. 30. 8 *W.* 3. c. 19. 10 *W.* 3. c. 21. 12 *W.* 3. c. 11 & 12. 1 *Ann. ſtat.* 2. c. 3. 4 *Ann.* c. 6. 8 *Ann.* c. 7. 10 *Ann.* c. 19. 12 *Ann. ſtat.* 2. c. 9. 6 *Geo.* 1. c. 21. 11 *Geo.* 1. c. 30. 12 *Geo.* 1. c. 28. 1 *Geo.* 2. c. 16. 23 *Geo.* 2. c. 26. 32 *Geo.* 2. c. 17. 33 *Geo.* 2. c. 9. *and* 1 *Geo.* 3. c. 7.

## CAP. XII.

An explanatory Act for Recovery of the Arrears of Exciſe. Where any Officers of Exciſe are charged with any Duties of Exciſe received, and not pardoned by the Act of Indemnity, the Sureties of ſuch Perſons ſhall be deemed anſwerable. Where the Commiſſioners have iſſued out any Summons which hath been left at the Houſe of any the aforeſaid Perſons, the ſame ſhall be deemed good Notice. EXP.

## CAP. XIII.

An additional Act for the better Ordering and Collecting the Revenue ariſing by Hearth-Money. [Repealed by 1 W. & M. Seſſ. 1. c. 10.] 13 & 14 Car. 2. c. 10.

## CAP. XIV.

An Act for ſettling the Profits of the Poſt Office, and Power of granting Wine Licences, on his Royal Highneſs the Duke of *York* and the Heirs Males of his Body. EXP. 12 Car. 2. c. 25. 12 Car. 2. c. 34.

## CAP. XV.

### An Act for encouraging the Manufactures of making Linen Cloth and Tapiſtry.

'WHEREAS vaſt Quantities of Linen Cloth, and other Manufactures of Hemp and Flax, and of Tapiſtry-Hangings, are daily imported into this Kingdom from foreign Parts, to the great Detriment and Impoveriſhment thereof, the Monies and Quick-ſtock of this Kingdom being thereby daily greatly exhauſted and diminiſhed, and the Poor thereof unimployed, while the Materials for the making of ſuch Hangings are here more plentiful, and better and cheaper than in thoſe Places from whence they are imported; and Flax and Hemp might be had here in great Abundance, and very good, if by ſetting up the Manufactures of ſuch Commodities as are made thereof, it would be taken off the Hands of ſuch as ſow and plant the ſame:' The Inconvenience by importing foreign Materials of Linen and Tapiſtry-Hangings. 28 *H.* 8. c. 4.

II. For the Encouragement therefore of thoſe Manufactures, Be it enacted, and it is hereby enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority thereof, That from and after the firſt Day of *October* next enſuing, it ſhall and may be lawful for any Perſon or Perſons whatſoever, Native or Foreigner, freely and without paying any Acknowledgment, Fee or other Gratuity for the ſame, in any Place of *England* or *Wales*, Privileged or Unprivileged, Corporate or not Corporate, to ſet up and exerciſe the Trade, Occupation or Myſtery of breaking, hickling or dreſſing of Hemp or Flax; as alſo for making and whitening of Thread; as alſo of ſpinning, weaving, making, whitening or bleaching of any Sort of Cloth whatſoever made of Hemp or Flax only: As alſo the Trade, Occupation or Myſtery of making Encouragement of Engliſh Manufactures. In the Occupation of dreſſing and uſing of Hemp and Flax.

Making of Tapiſtry Hangings.

making of Twine or Nets for Fiſhery, or of ſtoving of Cordage: As alſo the Trade, Occupation or Myſtery of making any Sort of Tapiſtry-Hangings; any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Foreigners may uſe thoſe Trades, and enjoy all Privileges as natural-born Subjects.

III. And all Foreigners that ſhall really and *bona fide* ſet up and uſe any of the Trades and Manufactures aforeſaid, by the Space of three Years in this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall from thenceforth, taking the Oaths of Allegiance and Supremacy before two Juſtices of the Peace near unto their Dwellings, who are hereby authorized to adminiſter the ſame, enjoy all Privileges whatſoever as the Natural-born Subjects of this Kingdom.

Oath of Allegiance and Supremacy.

IV. And it is hereby enacted and declared, That ſuch Foreigners as ſhall exerciſe any of the Trades aforeſaid by Virtue of this Act, ſhall not at any Time be liable to any other or greater Taxes, Payments or Impoſitions, than ſuch as are or ſhall be paid by his Majeſty's Natural-born Subjects, unleſs in Caſe they ſhall uſe and exerciſe Merchandize into and from Foreign Parts, in which Caſe they ſhall be liable to pay ſuch Cuſtoms as have uſually been paid by Aliens during the Space of five Years next enſuing, and no longer.

*Farther Proviſions concerning Linen Cloth*, 1 *Ann. ſtat.* 2. *c.* 8. 3 *Ann. c.* 8. 7 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. ſtat.* 2. *c.* 9, 19, & 21. 1 *Geo.* 1. *c.* 36. 3 *Geo.* 1. *c.* 7, & 21. 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 27, & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. *and* 32 *Geo.* 2. *c.* 32. *See likewiſe* 4 *W. & M. c.* 5. *to what Duties Tapiſtry is liable.*

## CAP. XVI.

### An Act for regulating the Herring and other Fiſheries, and for Repeal of the Act concerning Madder.

13 *Ed.* 1. *c.* 47. 31 *Ed.* 3. *ſtat.* 2. *c.* 1, 2, & 3. 31 *Ed.* 3. *ſtat.* 3. *c.* 1 & 2. 13 *R.* 3. *c.* 19. 17 *R.* 2. *c.* 9. 2 *H.* 6. *c.* 15. 22 *Ed.* 4. *c.* 2. 31 *H.* 8. *c.* 2. 1 *El. c.* 17.

FOR the preventing of Abuſes in the packing and ordering of Herrings, and bringing that Commodity into Credit in Foreign Parts beyond the Seas; (2) Be it enacted, and it is hereby enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt* one thouſand ſix hundred ſixty-four, no White or Red Herrings of *Engliſh* catching ſhall be put to Sale in *England*, *Wales*, or in the Town of *Berwick* upon *Tweed*, but what ſhall be packed in lawful Barrels or Veſſels, and which ſhall be well, truly and juſtly laid and packed; and ſhall be of one Time of Taking, Salting, Saving or Drying, and equally well packed in the Midſt and every Part of the Barrel or Veſſel, and by a Sworn Packer; and the Veſſel or Barrel marked or branded by ſuch Sworn Packer, with a Mark or Brand denoting the Gage of the Barrel or Veſſel, and the Quantity, Quality and Condition of the Herrings packed therein, and the Town or Place where they were packed; (3) and the Bailiffs of *Great Yarmouth* for the Time being, and the Mayor, Bailiffs, or other Head Officer for the Time being of every Port, Haven or Creek, out of which any Veſſels or Ships do proceed to fiſh for Herrings, are hereby authorized and required before the firſt Day of *July* in the Year one thouſand ſix hundred ſixty-four, and before the firſt Day of *July* in every Year after, to appoint for their reſpective Haven, Port or Creek, a competent Number of able and experienced Packers, to view and pack all ſuch White or Red Herrings of *Engliſh* catching, as ſhall be brought into their Port, Haven or Creek, and well and truly to mark and brand the Barrels or Veſſels in which they ſhall be packed, with ſuch Mark or Brand as is above directed, and to adminiſter to them yearly an Oath, (which Oath they are hereby authorized and appointed to give to them) for the well and true doing thereof according to this Act: (4) And in caſe the ſaid Bailiffs of *Great Yarmouth*, or the Mayor, Bailiffs, or other Head Officer for the Time being of any ſuch Port, Haven or Creek, ſhall not appoint and ſwear ſuch Packers before ſuch Time in every Year, as is by this Act required, they ſhall for every Default forfeit the Sum of one hundred Pounds of lawful Money of *England*; one Moiety to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall inform or ſue for the ſame in any Court of Record, by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed: (5) And for the better regulating of the *Iſland* and *Weſtmony* Fiſheries, and Preſervation of the Spawn of Fiſh there, be it enacted, and it is hereby enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *December* one thouſand ſix hundred ſixty-three, no Ship or Veſſel ſhall proceed upon a Fiſhing Voyage for *Iſland* and *Weſtmony* out of any Port, Haven or Creek in *England* or *Wales*, or out of the Port of *Berwick* upon *Tweed*, until the tenth Day of *March* in any Year, upon the Pain of the Forfeiture of every ſuch Ship or Veſſel, with all her Furniture, Tackle and Apparel, and of all the Fiſh caught in ſuch Ship or Veſſel: (6) And it is hereby further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever do collect, levy or take, or cauſe to be collected, levied or taken, in *Newfoundland*, any Toll or other Duty of or for any Cod or Poor-John, or other Fiſh of *Engliſh* catching; under the Pain of the Loſs of double the Value of what ſhall be by them levied, collected or taken, or cauſed to be collected, levied or taken: (7) And that no Planter or other Perſon or Perſons whatſoever, do caſt or lay any Seine or other Net in or near any Harbour in *Newfoundland*, whereby to take the Spawn or young Fry of the Poor-John, or for any other Uſe or Uſes, except for the taking of Bait only; (8) upon Pain of the Loſs of all ſuch Seines or Nets, and of the Fiſh taken in them, or of the Value thereof, to be recovered in any of his Majeſty's Courts in *Newfoundland*, or in any Court of Record in *England* or *Wales*, by Bill, Plaint or other Action; wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

How Herrings ſhall be packed.

Able Packers to be appointed and ſworn.

Penalty for not appointing and ſwearing Packers.

Weſtmony, Iſland.

Newfoundland.

None may deſtroy Houſes or ſpoil Nets, &c. for fiſhing in Newfoundland.

II. And it is hereby further enacted by the Authority aforeſaid, That no Planter or other Perſon or Perſons whatſoever ſhall burn, deſtroy or ſteal any Boat, Caſk, Salt, Nets, or other Utenſils for Fiſhing or making of Oil, or other Goods or Merchandize, left in any Harbour in *Newfoundland* or *Greenland*, by *Engliſh*; or burn, pull down or deſtroy any Houſe built by *Engliſh* in *Newfoundland* or *Greenland*, to live in during the Fiſhing-Seaſon, or Stage built by them in either of the ſaid Places for the ſaving or ordering of

of Fiſh, or making of Oil; (2) upon Pain of the Loſs of double the Value of what ſhall be by them ſtolen, burnt or deſtroyed, to be recovered in any of his Majeſty's Courts in *Newfoundland* or *Greenland* reſpectively, or in any Court of Record in *England*, by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed. The Penalty.

'III. And whereas upon the humble Petition and Complaint of the Merchants and Salters of the City 'of *London*, it doth appear, That ſome Sorts of Madder very uſeful for Dying cannot be imported ſo pure 'and clean, as by one Act paſſed the laſt Seſſion of this preſent Parliament, (intituled, *An Act for the Im-* 'portation of Madder pure and unmixed) is directed and appointed;' (2) Be it enacted, and it is hereby enacted by the Authority aforeſaid, That the ſaid Act, and every Clauſe and Thing therein contained, be from henceforth utterly void and repealed to all Intents, Purpoſes and Conſtructions whatſoever. A Repeal of the Statute concerning Madder. 13 & 14 Car. 2. c. 30.

*Farther Proviſions relating to Fiſhery*, 30 *Car.* 2. *ſtat.* 1. *c.* 9. 4 & 5 *W.* & *M. c.* 23. 4 *Ann. c.* 15, & 21. 9 *Ann. c.* 26. 1 *Geo.* 1. *ſtat.* 2. *c.* 18. 5 *Geo.* 1. *c.* 18. 23 *Geo.* 2. *c.* 26. *ſect.* 7. 26 *Geo.* 2. *c.* 9. 30 *Geo.* 2. *c.* 21, & 30. *and* 33 *Geo.* 2. *c.* 27.

## CAP. XVII.

### An Act for ſettling the Draining of the Great Level of the Fens, called *Bedford-Level*.

'WHEREAS certain Moors, Marſhes, Fenny and low ſurrounded Grounds, within the Counties 'of *Northampton*, *Norfolk*, *Suffolk*, *Lincoln*, *Cambridge* and *Huntington*, and the Iſle of *Ely*, were 'called the *Great Level of the Fens*; and after ſeveral fruitleſs Undertakings for draining the ſame, were 'upon the Deſires of many Perſons of Worth, and intereſſed in the ſame, declared to be a great and noble 'Work, and of much Concernment to the whole Country, and at their earneſt Deſire undertaken to be 'drained by *Francis* late Earl of *Bedford*, according to a Law of Sewers made at *Kings-Lynn* in the ſixth 'Year of the Reign of the late King *Charles* of glorious Memory; (2) which ſaid Level is bounded, as 'followeth, (*viz.*) Eaſtward from the Bridge and Cawſey of *Stoake* unto *Brandon-Bridge* upon the Uplands 'of *Northold*, *Method*, *Feltwell*, *Hockwold* and *Wilton* in the County of *Norfolk*; and from *Brandon-Bridge* 'unto the End of *Worlington-Load* upon *Mildenhall* River, upon the Uplands of *Brandon*, the low Grounds 'of *Wainsford*, excluding the ſame; the Uplands of *Lakingheath*, the low Grounds of *Earſewell*, excluding the ſame; and the Uplands of *Mildenhall* in the County of *Suffolk*: Southward from *Worlington-Load* unto *Burwell-Block* upon the Uplands of *Freckingham*, *Iſlham*, *Fordham*, *Soham* and *Wickin*, in the 'County of *Cambridge*, and excluding the Low Grounds of *Burwell*, *Landward*, and other Places lying 'Eaſtward from *Burwell-Block* aforeſaid, and from thence unto the Mill near *Angliſey-Abbey* upon the Uplands of *Burwell-Reach*, *Swaffham-Pryor*, *Swaffham-Bulbeck* and *Botſham*, in the County of *Cambridge*; 'and from thence unto the Ferry-place of *Clayhith* upon the Uplands called *Quyhall*, the Low Ground 'called *Low-Fenn*, and the Uplands of *Horminſey* and *Clayhith* in the ſaid County, excluding the Low 'Grounds called *Low-Fenn*, and *Offenne*; and from the ſaid Ferry-place unto *Over-Load* upon the Uplands of *Water-Beach*, *Cottenham*, *Rampton*, *Wiſelingham* and *Over*, in the ſaid County of *Cambridge*, 'and upon the Low Grounds of *Swacy* in the ſaid County, excluding the ſame: Weſtward from *Erith* 'unto the Dam lately made upon the River *Neane* near *Strandground*, upon the Uplands of *Somerſham* and 'the Soake thereof, *Warbois*, *Wiſlow*, *Berry*, *Ramſey*, *Upwood*, *Ravely*, *Wood-Walton*, *Sawtrey*, *Connington*, *Glatten* and *Holme Caldecot*, *Denton*, *Stilton*, *Yaxley*, *Faſſet* and *Standground* in the County of *Huntington*, excluding the Low Grounds lying on the North-ſide of the River of *Owſe* above *Erith*; and from 'the ſaid Dam unto *Peterborough-Bridge* upon the ſaid River of *Neane*; and from thence unto the Ferry-'place near *Waldran-Hall* upon the Uplands of *Peterborough* and the Soak thereof in the County of *Northampton*: And Northward from the ſaid Ferry-place near *Waldron-Hall* unto *Crowland-Bridge* upon the 'River of *Welland*; and from thence to *Dowſedale* upon the Bank of *Great Porſand*; and from thence unto *Guyhurne* upon the South-Eaſt Bank; and from thence unto *Tilneburne* upon the Bank of the Fenne-'Ground called *Walderſea*; and from thence unto *Elme Leame* at *Grangers* Houſe upon the Bank of the 'Fenne-Ground called *Coldham*; and from thence unto the River of *Neane* near *Thurlings* in *Upwell* upon 'the Bank of *Needham*, called *Biſhops Dike*; and from thence unto *Well-Creek*, at the North-Weſt Corner 'of *Weſſingham-Fenne* upon the Bank of the Grounds in *Upwell* and *Outwell* called *Playfield* and *Churchfield*, 'excluding the aforeſaid Fenns and Grounds called *Walderſea*, *Coldham*, *Needham*, *Playfield* and *Churchfield*; 'and from thence unto *Salters-Load* upon the *New-Podyke* Bank; and from thence unto the Mouth of the 'River *Wiſſey* upon the River *Owſe*, and from thence unto *Helgey-Bridge* upon the River *Wiſſey*, and from 'thence unto the Uplands at the End of the Bank of the Grounds late of *Edmond Skipwith* Eſquire de-'ceaſed, upon the ſaid Bank, and from thence unto *Stoake-Bridge* upon the Uplands of *Roxham*, *Deerham*, *Weereham*, *Wretton* and *Stoake*, in the ſaid County of *Norfolk*; except the Imbanked Grounds late of 'Edmond Skipwith Eſquire, lying on the North-ſide of the River *Owſe*: (3) And whereas the ſaid *Fran-'cis* late Earl of *Bedford* was to have for his Recompence for effecting that difficult Work, only ninety-'five thouſand Acres of the ſaid Grounds, with convenient Highways and Paſſages to the ſame; and the 'new River, Cutts and Drains to be made by the ſaid Earl and his Aſſigns, and the Banks of the ſame, 'and the Forelands in the inſide of the ſaid Banks not to exceed ſixty Foot in Breadth; which was a Work 'of ſo great and publick Concernment, that his ſaid late Majeſty gave great Encouragement to the ſaid 'Francis late Earl of *Bedford* and others whom he had taken in to be Adventurers and Participants with 'him therein, upon the Covenants, Conditions and Agreements contained and ſpecified in and by a certain 'Indenture of fourteen Parts, bearing Date the ſeven and twentieth Day of *February* in the ſeventh Year 'of the Reign of his ſaid late Majeſty, and his Royal Aſſurance to further it by his Concurrence to an Act 'of Parliament for eſtabliſhing thereof, and did by Letters Patents under the Great Seal of *England* incor-'porate the ſaid late Earl, his Adventurers and Participants, to have Succeſſion for ever; (4) and in order 'to the effecting thereof, the ſaid late Earl and his Adventurers and Participants beſtowed great Sums of The great Level of the Fens, how bounded.

'Money

'Money for perfecting the ſame; and after his Death and ſome Interruptions, *William* now Earl of *Bedford*, Son and Heir to the ſaid Earl *Francis*, with divers of his Adventurers and Participants, by Colour of a pretended Act of Parliament of the nine and twentieth Day of *May* in the Year of our Lord one thouſand ſix hundred forty and nine, proceeded in the compleating and finiſhing the ſaid Works; and the Commiſſioners appointed by that pretended Act did adjudge the ſame drained; but the ſame cannot be preſerved without a perpetual conſtant Care, great Charge and orderly Government, which being repreſented to the King's moſt Excellent Majeſty that now is, He hath been graciouſly pleaſed to declare more than an ordinary Willingneſs to promote and countenance a Work of ſo publick Concernment, and many Ways advantageous to this his Kingdom: To the End therefore that a Work of this Nature may receive a publick Support and Encouragement;'

The Earl of Bedford and Adventurers made a Corporation for the Fens.

II. Be it enacted by the King's moſt Excellent Majeſty, with the Advice and Aſſent of the Lords Spiritual and Temporal, and Commons, in this Parliament aſſembled, and by the Authority of the ſame, That the ſaid *William* Earl of *Bedford*, Son and Heir of the ſaid *Francis* Earl of *Bedford*, and the Adventurers and Participants of the ſaid Earl *Francis* and Earl *William*, or either of them, their Heirs and Aſſigns, in ſuch Manner as is herein contained, ſhall be a Body Politick and Corporate in Deed and Name, and have Succeſſion for ever, by the Name of the Governor, Bailiffs and Commonalty of the Company of Conſervators of the Great Level of the Fens; (2) which Corporation ſhall conſiſt of one Governor, ſix Bailiffs, twenty Conſervators, and Commonalty, and ſhall have and uſe a Common Seal to be appointed by themſelves, and aſſemble and meet together when, where, and as oft as they pleaſe, and appoint a Regiſter, Receiver, one or more Serjeants at Mace and other Officers, and allow them Salaries, and remove them, and make new at their Pleaſure: (3) And the ſaid *William* Earl of *Bedford* is to be the firſt Governor; *Richard* Lord *Gorges*, Sir *Richard Onſlow* Knt. Sir *William Terringham* Knight of the Bath, *Samuel Sandys*, *Thomas Chichely* and *Samuel Fortrey*, Eſquires, the ſix firſt Bailiffs; Sir *Gilbert Gerhard*, junior, Knt. *William Denton*, *William Crane*, *Edmond-Berry Godfrey*, *Arthur Evelin*, *Samuel Smith*, *Roger Jenings*, *Robert Caſtle*, *Robert Hampſon*, *Joſeph Ayloffe*, Eſquires, *Thomas* Lord *Culpepper*, Sir *John Hewett* Baronet, *Arthur Onſlow*, *Robert Philips*, *Anthony St. John*, Eſquires, Sir *Oliver St. John*, Sir *Charles Harbord*, Knights, *Francis Hoblyn*, *Samuel Sandys*, junior, and *Robert Terringham*, Eſquires, the firſt Conſervators: (4) And the ſaid Governor, Bailiffs and Conſervators to continue until *Wedneſday* in *Whitſun* Week in the Year of our Lord one thouſand ſix hundred ſixty and four, and from thenceforth until new Elections by the ſaid Corporation, or the major Part which ſhall be then preſent; and ſhall be capable to ſue and be ſued, and without Licence of *Mortmain* to purchaſe Manors, Lands, Tenements and Hereditaments, not exceeding two hundred Pounds *per Annum*, and Goods and Chattels, and to diſpoſe thereof in the Name and to the Uſe of the ſaid Corporation; (5) and the ſaid Governor, Bailiffs and Conſervators, or any five or more of them, whereof the ſaid Governor or Bailiffs, or any of them, to be two, ſhall and may lay Taxes from Time to Time upon all the ſaid ninety-five thouſand Acres only, for Support, Maintenance and Preſervation of the ſaid Great Level, and levy the ſame, with Penalties for Nonpayment, not exceeding a third Part of the Tax, and all other Things do in Order to the Support, Maintenance and Preſervation of the ſaid Great Level, and Works made and to be made.

The Earl of Bedford Governor.

The Bailiffs.

Conſervators.

Their Power and Authority.

'III. And whereas by the ſaid Law of Sewers, twelve thouſand Acres, Parcel of the ſaid ninety-five thouſand Acres, was deſigned and intended to his ſaid late Majeſty, and were ſet forth and allotted by Bounds in Severalty, and his ſaid late Majeſty was in Poſſeſſion thereof, and granted, aſſigned, allotted and ſet out by Bounds two thouſand Acres, Parcel of the ſaid twelve thouſand Acres, by Letters Patents unto *Jerome* Earl of *Portland*, his Heirs and Aſſigns; of which ſaid two thouſand Acres, the ſaid Earl of *Portland* hath ſold away about one thouſand five hundred Acres in ſeveral Parcels to ſeveral Perſons, their Heirs and Aſſigns, for valuable Conſiderations, and the Reſidue thereof being about five hundred Acres, hath granted and conveyed unto his Brother *Benjamin Weſton*, Eſq; and his Heirs, upon ſeveral Truſts agreed upon between the ſaid Earl of *Portland* and *Benjamin Weſton* by writing for that Purpoſe:'

Earl of Portland 2000 Acres.

IV. Be it therefore enacted by the Authority aforeſaid, That the ſaid two thouſand Acres, or ſuch other Lands of equal Value as ſhall be ſet forth in Exchange of the ſame, in Caſe the aforementioned two thouſand Acres, or any Part thereof, ſhall hereafter be adjudged to have been unduly ſet out, ſhall be and hereby are veſted, ſettled and eſtabliſhed in the ſaid ſeveral and reſpective Perſons, to whom the ſaid Earl of *Portland* hath ſo conveyed or mentioned to convey the ſame, their Heirs and Aſſigns reſpectively, to each Perſon, his Heirs and Aſſigns, his and their ſeveral and reſpective Share and Shares that was ſo reſpectively to each of them conveyed, or mentioned to be conveyed, by the ſaid Earl of *Portland*, to be held and enjoyed by them and each of them, his Heirs and Aſſigns, his and their own Share and Part only in Severalty, according to the Intent of the ſaid Conveyances thereof to them reſpectively made by the ſaid Earl of *Portland*, upon the ſame Truſts nevertheleſs for and concerning the ſaid five hundred Acres granted or mentioned to be granted to the ſaid *Benjamin Weſton*, which the ſaid Earl of *Portland* and *Benjamin Weſton* had declared and agreed upon between them as aforeſaid; which ſaid two thouſand Acres ſhall be holden of the King's Majeſty, his Heirs and Succeſſors, of the Manor of *Eaſt-Greenwich* by Fealty only in free and common Socage and not otherwiſe, and ſubject nevertheleſs with the Reſidue of the ninety-five thouſand Acres in equal Proportion to all Taxes and Charges neceſſary and conducing to the Preſervation of the ſaid Great Level from drowning.

The 83000 Acres ſettled and veſted in the Governor, &c.

In Truſt.

V. And be it further enacted by the Authority aforeſaid, That the eighty-three thouſand Acres Remainder of the ſaid ninety-five thouſand Acres, with the ſaid Ways, Paſſages, new Rivers, Cuts, Dreins, Banks and Forelands, over and above the ſaid ten thouſand Acres, Reſidue of the ſaid twelve thouſand Acres which were allotted in Severalty, and of which his ſaid late Majeſty was in Poſſeſſion, as aforeſaid, are hereby veſted and ſettled in the ſaid Governor, Bailiffs and Commonalty of the Company of Conſervators of the ſaid Great Level of the Fens, and their Succeſſors: In Truſt nevertheleſs for the ſaid *William* Earl of *Bedford*, and the Adventurers and Participants of the ſaid Earl *Francis* and Earl *William*, or either of them,

them, their Heirs and Aſſigns, in ſuch Manner and Wiſe as is herein after more particularly and eſpecially limited and provided; and according to ſuch Parts and Proportions as they reſpectively now hold and enjoy, or by Virtue and Proviſion of this Act ought to hold and enjoy, ſubject and liable likewiſe to the Payment of all Taxes and Charges as aforeſaid, to be holden of the King's Majeſty, his Heirs and Succeſſors, of the Manor of *Eaſt-Greenwich*, by Fealty only in free and common Socage, and not otherwiſe: (2) And the ſaid ten thouſand Acres, Reſidue of the ſaid twelve thouſand Acres (whereof his ſaid late Majeſty was in Poſſeſſion as aforeſaid) are hereby veſted and ſettled in his Majeſty that now is, and his Aſſigns, ſubject and liable with the Reſidue of the ſaid ninety-five thouſand Acres to the ſame Taxes and Charges before ſpecified: '(3) And becauſe the ſaid Great Level of the Fens extends into the ſaid ſix Counties be-'ſides the Iſle of *Ely*, and foraſmuch as Commiſſioners of Sewers cannot legally proceed in Execution of 'their Commiſſion, but by a ſeveral Jury of every County to enquire of the Matters within their Com-'miſſion in that County, which hath heretofore inforced the ſaid Earl, his Participants and Adventurers, 'Commiſſioners and Counties, to very great Trouble, Loſs and Expence both of Money and Time: (4) 'For avoiding which Inconveniencies,' It is hereby further enacted by the Authority aforeſaid, That the ſaid Governor, Bailiffs and Conſervators of the ſaid Corporation for the Time being, or any five or more of them, whereof the ſaid Governor or Bailiffs for the Time being, or their Succeſſors, or any of them, to be two, for Maintenance and Preſervation of the ſaid Great Level by convenient Outfals to the Sea, ſhall for ever hereafter be and are hereby made and conſtituted Commiſſioners of Sewers, for and of the ſaid Great Level of the Fens: (5) And the ſaid Governor, Bailiffs and Conſervators, or any five or more of them, whereof the ſaid Governor or Bailiffs, and their Succeſſors, or any of them, to be two, are hereby enabled and impowered from henceforth to uſe and exerciſe the Power and Authority of Commiſſioners of Sewers within the ſaid Great Level of the Fens, and of the Works made or to be made without the ſaid Great Level for conveying of the Waters of the ſaid Great Level by convenient Outfals to the Sea, touching all Matters and Things whatſoever happening to be executed or done within the ſaid Great Level, or the ſaid Works without the ſaid Great Level, enquirable, puniſhable, or to be done, by Commiſſioners of Sewers, and therein to act and proceed by one or more Juries of good and lawful Men, inhabiting within any Part or Place within the Boundaries of the ſaid Great Level of the Fens, though in ſeveral Counties, as if the ſaid Great Level of the Fens lay within one of the ſaid Counties only; (6) and ſhall have Power to imploy the ſaid Serjeants, or any of them for the Time being, by Warrant or Precept from the ſaid Governor, Bailiffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governor or Bailiffs, or any of them, to be two, under the Common Seal of the ſaid Corporation to ſummon and return Juries within the Boundaries of any Part of the ſaid Great Level, and execute all Precepts and Proceſs from them, from Time to Time, and all other Things do, as fully as any Sheriff within his reſpective County may or can do by Warrant or Precept from Commiſſioners of Sewers; (7) which Juries are to appear at the Times and Places ſet or appointed for them to appear before the ſaid Governor, Bailiffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governor and Bailiffs, and their Succeſſors, or any of them, to be two; and are hereby impowered to enquire of, preſent and try all Matters within the ſaid Great Level, and of and concerning the ſaid Works made or to be made without the ſaid Great Level, for conveying of the Waters of the ſaid Great Level by convenient Outfals to the Sea, within the Power of Commiſſioners of Sewers, as if the ſame lay within any one of the ſaid Counties, or as if the ſaid Great Level were one diſtinct County of itſelf: (8) And the ſaid Governor, Bailiffs and Conſervators, or any five or more of them, whereof the ſaid Governor or Bailiffs, or any of them to be two, ſhall have further Power, as well for the Maintenance of the ſaid Great Level, as for laying and levying of Taxes upon the ſaid ninety-five thouſand Acres, to uſe and exerciſe within the ſaid Great Level ſuch and the like Laws and Cuſtoms, and conſtitute and appoint ſuch and the like Officers from Time to Time, as are or lawfully may be uſed in *Rumny*-Marſh in the County of *Kent*; they who exerciſe the ſaid Power of Commiſſioners of Sewers, firſt taking the Oath which Commiſſioners of Sewers are by the Law to take; the which Oath the ſaid Governor and Bailiffs, or any of them, are hereby impowered to adminiſter from Time to Time, without any further Commiſſion.

The 10000 Acres belonging to the King.

The Authority of the ſaid Corporation as Commiſſioners of Sewers.

By 20 Car. 2. c. 8. §. 2. the Aſſeſſment is to be by a gradual Acre-Tax.

'VI. And becauſe the Metes and Boundaries of the ſaid Grounds within the ſaid Great Level, as to the 'Counties and Pariſhes, are very uncertain and hard to be diſtinguiſhed,' (2) Be it therefore further enacted, That every Writ, Bill, Plaint, Count, Declaration, Information, Preſentment and Indictment, of, for or concerning the ſaid Grounds within the ſaid Great Level of the Fens, or any Part or Parcel of the ſame, or any Treſpaſs, Offence or Wrong done, acted or committed within the ſaid Great Level, and Proceedings thereupon, ſhall be good and ſufficient in Law, though the County, Pariſh, Town or Place, or any of them, in ſuch Writ, Bill, Plaint, Count, Declaration, Information, Preſentment or Indictment, be not rightly named, ſo as there be ſuch other Certainty or Deſcription of the Place whereby the ſame is or may be commonly known.

The Metes and Boundaries of Grounds.

VII. And be it further enacted, That no other Commiſſioners of Sewers ſhall intermeddle within the ſaid Great Level, or with any the Works made or to be made for Support, Maintenance or Preſervation of the ſaid Great Level, within or without the ſaid Great Level as aforeſaid, otherwiſe than hereafter in this Act ſhall be provided.

No other Commiſſioners of Sewers to meddle in the ſaid Level.

VIII. And be it further enacted, That all Conveyances by Indenture of the ſaid ninety-five thouſand Acres, or any Part thereof, entred with the ſaid Regiſter, in a Book to be kept for that Purpoſe, ſhall be of equal Force to convey the Freehold and Inheritance of the ſaid ninety-five thouſand Acres, or any Part thereof, as if the ſame Conveyances by Indenture were for valuable Conſiderations of Money, inrolled within ſix Months in one of the King's Courts of Record at *Weſtminſter*: (2) And no Leaſe, Grant or Conveyance of or Charge out of or upon the ſaid ninety-five thouſand Acres, or any Part thereof, except Leaſes for ſeven Years or under in Poſſeſſion, ſhall be of Force but from the Time it ſhall be entred with the ſaid Regiſter as aforeſaid; (3) the Entry whereof being indorſed by the ſaid Regiſter upon ſuch Leaſe,

Conveyances by Indenture entred with the Regiſter.

Grant,

Grant, Conveyance or Charge, shall be as good and effectual in the Law, as if the Original Book of Entries were produced at any Trial at Law or otherwise.

IX. And be it further enacted, That the said Governor, Bailiffs and Commonalty, shall execute Estates according to the aforesaid Trust under their Common Seal, the Taxes and Penalties then in Arrear being first paid, which for Non-payment are by Virtue of this Act to be levied by Sale of the Lands.

Levying of Taxes and Penalties.

X. And be it further enacted, That for the Levying such Taxes and Penalties as are now in Arrear, or any Time since the thirtieth Day of *September* in the Year of our Lord one thousand six hundred fifty and eight (other than such as are hereby otherwise directed to be levied) or which shall be set and imposed upon the said ninety-five thousand Acres by Virtue of this Act, and shall be in Arrear upon the respective Parts and Proportions of the said ninety-five thousand Acres; (2) the said Governor, Bailiffs and Conservators of the said Corporation, and their Successors for the Time being, or any five or more of them, whereof the said Governor and Bailiffs for the Time being, and their Successors, or any of them, to be two, for levying such Taxes and Penalties which now are or shall be so in Arrear, upon the respective Parts and Proportions of the said ninety-five thousand Acres, shall on *Wednesday* and *Thursday* in *Whitsun-week*, or either of them, every Year at the Shire-house in *Ely* aforesaid, in the said Isle of *Ely*, have Power only to sell so much of such Parts and Proportions of the said ninety-five thousand Acres, upon which any Tax shall be in Arrear, or Penalties, in such Proportion as the said Governor, Bailiffs and Conservators of the said Corporation, or their Successors, or any five or more of them, whereof the said Governor and Bailiffs, or any of them, to be two, shall judge to be sufficient to raise such Taxes and Penalties, by any Writing under the Seal of the said Corporation; and the Person or Persons to whom such Sales shall be made shall be a lawful Purchaser and Assignee of so much as shall be sold, to all Intents and Purposes whatsoever.

Proviso for Tenants at Will or by Leases.

XI. Provided, That by any Colour of any Sale for Nonpayment of Taxes, any Tenant or Tenants at Will, or by Lease indented, upon improved Rent of any Part of the said ninety-five thousand Acres, shall not be removed from his or their Possession, until he or they shall have taken his or their Crop from off the Premisses so sold, paying reasonable Rent proportionable to the Time that such Possession shall from and after such Sales be continued; and such Tenant or Tenants as shall hold any Part of the said ninety-five thousand Acres by Lease as aforesaid, shall and may, if he or they shall think meet, continue out their respective Terms, paying their Rent to such Purchaser in Proportion to the Quantity of Acres so purchased; any Thing herein contained to the contrary in any wise notwithstanding: (2) Provided, That the said Corporation, nor their Successors, shall not sell any Part or Proportion of the said ninety-five thousand Acres for any Tax or Penalty in Arrear, which Tax or Penalties shall not be in Arrear by the Space of four Months next before the Sale, nor any more Lands than only for the Raising of such Taxes and Penalties.

Publick Notice to be given of Lands charged with Arrears of Taxes or Penalties.

XII. Provided also, That the said Corporation shall give publick Notice from Time to Time of the Parts and Proportions of the said ninety-five thousand Acres for which any Tax or Penalties is or shall be in Arrear, by affixing openly at the Shire-house or Market-place in *Ely* aforesaid, a Schedule in Parchment under the Seal of the said Corporation, containing such Parts and Proportions of the said ninety-five thousand Acres for which any Tax or Penalty is or shall be in Arrear, with the Name and Names of the respective Owner or Owners, entred upon the Tax-Roll with the said Corporation, of the said Parts and Proportions of the said ninety-five thousand Acres so in Arrear.

New Works may be made.

XIII. And be it further enacted, That the said Corporation shall and may from Time to Time, erect any new Works within the said Great Level, or without the said Great Level, for conveying the Waters of the said Great Level by convenient Outfals to the Sea; so always, that if they cut any several Grounds, they give full Recompence and Satisfaction for the same, in such Manner as shall be hereafter in this Act provided:' (2) And if any Person or Persons shall cut, throw down or destroy any of the said Works, made or to be made as aforesaid, the Parties offending shall answer treble Damages to the said Corporation, and Costs of Suit, to be recovered in an Action of Trespass, to be brought by the said Corporation, in any of his Majesty's Courts of Record: (3) And if such cutting, throwing down or destroying, shall be maliciously done, the same shall be punished as for the Cutting the *Powdyke* in *Marsh-Land*.

The Penalty for throwing down any Works.

The Oath to be taken by the Governor, Bailiffs and Conservators.

XIV. And be it further enacted, That the said *William* Earl of *Bedford*, nominated to be Governor, and every other from Time to Time into that Office chosen, shall (before he take upon him or them the Exercise of that Office) take an Oath, That he will well and truly execute that Office in all Things; the which Oath shall and may be administred by the said Bailiffs, or any one of them: (2) And the said Bailiffs, Conservators, Register, Receiver or other Officer nominated as aforesaid, and every other from Time to Time into any of the respective Offices to be chosen, shall (before he or they take upon him or them the Exercise of the said respective Offices) take the like Oath for the true executing their respective Offices; the which Oath shall be administred by the said Governor, Bailiffs and Conservators, or any two or more of them, without any Commission or further Warrant.

The Governor, Bailiffs and Conservators to be elected yearly.

XV. And for the Continuance of the said Corporation in Succession for ever, Be it further enacted, That the said Governor, Bailiffs, Conservators and Commonalty, upon *Wednesday* in *Whitsun-week* yearly, shall at a publick Meeting to be holden for the said Corporation, by the greater Number then present (whereof the said Governor, or one of the Bailiffs, to be one) elect a new Governor, Bailiffs and Conservators respectively: (2) Provided, That none be capable to be or continue Governor or Bailiffs, that hath not four hundred Acres or more of the said ninety-five thousand Acres, nor to be a Conservator that hath not two hundred Acres or more of the said ninety-five thousand Acres, nor any of the Commonalty to have a Voice in Elections that hath not one hundred Acres or more of the said ninety-five thousand Acres: (3) And that the said Governor, Bailiffs and Conservators, or any of them, shall and may be removed by the said Governor, Bailiffs and Conservators, and Commonalty, or the greater Number of them present at their publick Meetings, whereof the said Governor, or one of the Bailiffs, to be one, and new chosen

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in the Place of him or them ſo dead or removed: (4) And the ſaid Governor, Bailiffs and Commonalty alſo ſhall have further Power to have, demand and receive an Account from all and every the Officers, Agents and Servants, their Executors and Adminiſtrators, heretofore imployed, or hereafter to be imployed, for the Receiving and Paying of Money, for or in relation to the carrying on of the Works of the Dreining of the ſaid Great Level, and ſhall and may ſue for and recover the ſame; (5) and that all Arrears of Rent already incurred upon or out of any Part of the ſaid ninety-five thouſand Acres upon any Contract or Leaſe of the ſaid Premiſſes, or any Part or Parcel thereof, ſhall be received and recovered, as if the ſaid pretended Act had been a good and effectual Act: (6) and if any Suit be commenced againſt the ſaid Corporation, or any Perſon, for any Matter or Thing done in Purſuance of this Act; then he or they ſhall or may plead the General Iſſue, and give the ſpecial Matter in Evidence upon any Trial to be had touching the ſame, which ſhall be as good and effectual in Law, as if the ſame had been ſpecially pleaded, and the Jury upon the Trial to give a Verdict accordingly.

Accounts to be made by all Officers and Agents imployed.

In Suits againſt any imployed by this Act, the Defendant may plead the General Iſſue.

XVI. Provided always, and be it further enacted by the Authority aforeſaid, That as touching and concerning ſuch Part and Parcel of the ſaid eighty-three thouſand Acres, whereof any Perſon or Perſons attainted, or that ſhall be attainted, was or were in Poſſeſſion at any Time ſince the nine and twentieth Day of *May* in the Year of our Lord one thouſand ſix hundred forty and nine, under pretended Sales thereof reſpectively made by Colour of the ſaid pretended Act, or under any other Title or pretended Title whatſoever; the King's moſt Excellent Majeſty, His Heirs, Succeſſors and Aſſigns, ſhall have the ſame and like Benefit, Advantage and Intereſt, in all and every the ſaid Parts and Parcels of the ſaid eighty-three thouſand Acres, and no other than as the ſaid Perſons ſo attainted, or which ſhall be attainted, could or ought to have by Virtue of this Act, in Caſe they had not been been ſo attainted, or ſhall not be attainted.

Lands of Perſons attainted, and Titles under them veſted in the King.

' (7) And whereas the Shares, Lots, Parts and Proportions of and in the ſaid ninety-five thouſand Acres, ' which in Purſuance of the ſaid Indenture of fourteen Parts, and by Virtue or Intention of the ſaid Act ' and Law of Sewers made at *Lyn*, do belong and appertain to the ſaid *Samuel Sandys* the Elder, or his ' Truſtees, Sir *William Terringham*, Sir *Richard Onſlow*, and other the Aſſignees and Truſtees of *Henry* ' late Earl of *Arundel* and *Surrey* deceaſed, *Arthur* Earl of *Angleſey*, *Thomas* Lord *Culpepper*, *Robert Phillips*, ' *Robert Scawen*, and to divers other Perſons the Participants of the ſaid Earl *Francis*, and Parties to the ' ſaid Indenture, or their reſpective Heirs, Executors, Adminiſtrators or Aſſigns, are now poſſeſſed and ' enjoyed by divers Perſons, who took, contracted for, or accepted of, or by ſuch who claim and derive ' their Intereſt and Title from and under ſuch Perſons as did take, contract for, or accept of pretended ' Eſtates or Conveyances of the ſame, made or pretended to be made by certain Perſons mentioned in and ' by the ſaid pretended Act of the nine and twentieth Day of *May* one thouſand ſix hundred forty-nine, ' to have Authority to ſell the Shares, Lots, Parts and Proportions of ſuch of the Adventurers and Par- ' ticipants of the ſaid Earl *Francis*, and of their reſpective Heirs and Aſſigns, as ſhould refuſe or make De- ' fault of Payment of ſuch Taxes as ſhould by Colour and in Purſuance of the ſaid pretended Act be ' impoſed upon them reſpectively, in reſpect of their Shares and Lots, in or out of the ſaid ninety-five ' thouſand Acres;'

XVII. Be it therefore enacted by the Authority aforeſaid, That the ſaid Governor, Bailiffs and Commonalty of the ſaid Company of Conſervators of the ſaid Great Level of the Fens, and their Succeſſors, ſhall actually ſtand ſeiſed and poſſeſſed of all and every the Shares, Lots, Parts and Proportions laſt mentioned, in Truſt nevertheleſs to and for the Uſe and Behoof of the ſaid *Samuel Sandys* the Elder, or his Truſtees in Truſt for him, Sir *William Terringham*, Sir *Richard Onſlow* and others of the ſaid Aſſignees and Truſtees of *Henry* late Earl of *Arundel* and *Surrey* deceaſed, *Arthur* Earl of *Angleſey*, *Thomas* Lord *Culpepper*, *Robert Philips*, *Robert Scawen*, and of their reſpective Heirs and Aſſigns, and to and for the reſpective Uſes and Behoofs of the ſaid other Perſons, the Participants of the ſaid Earl *Francis*, and Parties to the ſaid Indenture of fourteen Parts, and of their reſpective Heirs and Aſſigns, now out of Poſſeſſion of their reſpective Shares, Lots, Parts and Proportions of the ſaid ninety-five thouſand Acres, as heretofore in or about the Month of *October* in the thirteenth Year of the Reign of the late King *Charles* of ever Bleſſed Memory, were reſpectively allotted, ſevered, ſet forth or divided for or as the reſpective Shares, Lots, Parts and Proportions of ſuch of the Adventurers, the Participants of the ſaid Earl *Francis*, and the Parties to the ſaid Indenture of fourteen Parts, their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, from and under whom the ſaid *Samuel Sandys* the Elder or his Truſtees, Sir *William Terringham*, Sir *Richard Onſlow* and others the Aſſignees and Truſtees of *Henry* late Earl of *Arundel* and *Surrey* deceaſed, *Arthur* Earl of *Angleſey*, *Thomas* Lord *Culpepper*, *Robert Philips*, *Robert Scawen*, and the ſaid other Perſons the Participants of the ſaid Earl *Francis*, and their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, now out of Poſſeſſion of their reſpective Shares, Lots, Parts and Proportions, do reſpectively claim and derive their ſaid Shares, Lots, Parts, Proportions; and the ſaid Governor, Bailiffs and Commonalty of the Company of Conſervators are hereby authorized and required to execute reſpective Eſtates of the ſaid Shares, Lots, Parts and Proportions accordingly, ſubject and liable nevertheleſs with the Reſidue of the ſaid ninety five thouſand Acres, in equal Proportion to all Taxes and Charges to be laid and impoſed by Virtue of this Act for Preſervation of the ſaid Great Level from Drowning: ' (8) And whereas the Per- ' ſons now in Poſſeſſion of the ſaid laſt mentioned Shares, Lots, Parts and Proportions of the ſaid ninety- ' five thouſand Acres, whereof pretended Eſtates and Conveyances were taken, contracted for or accepted ' of as aforeſaid, do pretend that they or thoſe under whom they do reſpectively claim and derive their ' Right, Title or Pretenſions to the ſaid Shares, Lots, Parts and Proportions reſpectively, have laid out ' and diſburſed for Taxes for and towards the Maintenance, Preſervation and Repair of the Works of the ' ſaid Great Level heretofore erected by the ſaid Earl *Francis* and his Participants, and for and towards their ' E ection of new and neceſſary Works for the better and more effectual Dreining of the ſaid Great Level, ' and for Building upon the ſaid Shares, Lots, Parts and Proportions, more Monies than the clear Rents, ' Iſſues and Profits of the ſaid Shares, Lots, Parts and Proportions have amounted to ſince the ſaid reſpec- ' tive pretended Eſtates and Conveyances were firſt taken, contracted for or accepted as aforeſaid:'

The Chief Justice of the King's Bench and others made a Judicature to hear and determine Differences.

XVIII. Be it therefore enacted by the Authority aforesaid, and it is hereby enacted, That the Chief Justice of the Court of King's Bench, the Chief Justice of the Court of Common Pleas, the Chief Baron of the Court of Exchequer, and the Justices of the said Court of Common Pleas for the Time being, or any two or more of them, are hereby constituted, appointed and erected a Judicature or Commissioners to hear, order, judge, decree and determine upon Bills and Answers to be exhibited, or otherwise as they shall think fit, between the said Persons who are now in the Possession of the said respective Shares, Lots, Parts and Proportions, and the respective Heirs and Assigns of the said Persons now in Possession as aforesaid; and the said Sir *Richard Onslow* and other the said Assignees and Trustees of the said *Henry* late Earl of *Arundel* and *Surrey* deceased, *Arthur* Earl of *Angleſey*, *Thomas* Lord *Culpepper*, the said *Samuel Sandys* the Elder, or his Trustees, Sir *William Terringham*, *Robert Philips*, *Robert Scawen*, and the said other Persons Participants of the said Earl *Francis*, and their respective Heirs and Assigns, who are now out of the Possession of the said Shares, Lots, Parts and Proportions respectively, and to whom respective Estates are by Virtue of this Act to be executed of the same as aforesaid: (2) And the said Judicature or Commissioners, or any two or more of them, are hereby authorized out of the said Shares, Lots, Parts and Proportions, to order, adjudge, decree and determine to either of the said Parties respectively, such Recompence and Allowance as they the said Judicature or Commissioners, or any two or more of them shall see Cause: (3) And for the better enabling the said Judicature or Commissioners to proceed to the Hearing, Ordering, Adjudging, Decreeing and Determining, and for putting in due and speedy Execution such Order, Judgment, Decree and Determination, as they or any two or more of them shall make between the said Parties;

The Power and Authority of the said Judicature.

XIX. It is hereby further enacted by the Authority aforesaid, That they the said Judicature or Commissioners, or any two or more of them, shall have such and the like Power and Authority as the High Court of Chancery hath in Cases before the said Court depending, and for putting in Execution the Decrees of the said Court: (2) And to the End that the said Judicature may be the better enabled to judge of the Rights and Pretensions of either Party;

Directions for their Decrees and Proceedings.

XX. Be it further enacted by the Authority aforesaid, That in every Decree or Determination which they shall make by Virtue and in Pursuance of this Act, they shall have regard to the Sum and Sums of Money actually disbursed and expended by either Party in the Works of Dreining the said Great Level, and in the Preservation and Reparation of the same; and also to the respective Times of such Disbursements and Expence, Defalking thereout such Sum and Sums of Money as have been received by either Party, their Tenants or Assigns, for the Rents, Issues and Profits of the same, and abating out of the Interest of the Money disbursed by either Party so much as the Interest of the Money received by such Party for the Rents, Issues and Profits of the same, doth amount unto. (2) And to the Intent that the Persons who by the true Intent and Meaning of this Act are to be put into Possession of any Part of the said eighty-three thousand Acres, may not by undue Delays or by any other Means or Pretensions be kept out of the Possession of the same;

XXI. Be it further enacted by the Authority aforesaid, That at any Time or Times after the Expiration of six Months after the Passing of this Act, it shall and may be lawful to and for the said *Samuel Sandys* the Elder, and his Trustees for him, Sir *Richard Onslow* and others the Assignees and Trustees of *Henry* late Ear of *Arundel* and *Surrey* deceased, *Arthur* Earl of *Angleſey*, *Thomas* Lord *Culpepper*, Sir *William Terringham*, *Robert Philips* and *Robert Scawen*, their and every of their respective Heirs and Assigns, and to and for the Participants of the said Earl *Francis*, Parties to the said Indenture of fourteen Parts, their and every of their respective Heirs and Assigns, whose Lands, Shares, Lots, Parts and Proportions of and in the said ninety-five thousand Acres, were sold or pretended to be sold for Non-payment of Taxes by Virtue of the said pretended Act of the nine and twentieth Day of *May* in the Year of our Lord one thousand six hundred forty and nine, to bring their respective Action or Actions of Trespass, or Trespass and Ejectment, in his Majesty's Court of King's Bench or Court of Common Pleas at *Westminster*, against any Person or Persons whatsoever, possessing, with-holding or occupying the same, although the said Governor, Bailiffs and Conservators, or so many and such of them as are thereunto authorized by this present Act, have not or shall not execute Estates pursuant to this present Act, to such Person or Persons hereby enabled to bring such Action or Actions; and such Person or Persons shall recover such Lands, Shares, Lots, Parts and Proportions of the said ninety-five thousand Acres, as they respectively shall make and derive Title and Claim unto, as Participants of the said *Francis* Earl of *Bedford*, Parties to the said Indenture of fourteen Parts, or as the respective Heirs or Assigns of the said respective Participants, Parties to the said Indenture of fourteen Parts, as if the said Governor, Bailiffs and Conservators had duly executed respective Estates of such respective Lands, Shares, Lots, Parts and Proportions of the said ninety-five thousand Acres, according to the true Intent and Meaning of this Act: And such Person or Persons, his and their respective Heirs and Assigns, shall have and hold the same Lands, Shares, Lots, Parts and Proportions, as fully and effectually as if the said Governor, Bailiffs and Conservators had executed respective Estates thereof, subject nevertheless to such Decree as the said Judicature or Commissioners before nominated and appointed shall make touching or concerning the Premisses, and also subject to the Payment of all Taxes to be laid and imposed by Virtue of this Act, and no other. ' (2) And whereas there are several Sums of Money ' amounting to four thousand Pounds or thereabouts, in arrear for Taxes laid and imposed since the nine ' and twentieth Day of *September* in the Year of our Lord one thousand six hundred fifty and eight, upon ' several Parts of the said ninety-five thousand Acres, subjected by this Act to the Judicature aforesaid, and ' for Penalties incurred for Non-payment of the same, by Virtue or Colour of some Act or Authority or ' pretended Act or Authority;'

4000l. in arrear for Taxes, upon whom to be laid.

XXII. Be it therefore enacted by the Authority aforesaid, That the said Commissioners or Judicatory, or any two of them aforesaid, shall have Power and Authority, and are hereby required, in such Adjudication as they shall make touching the Lands subjected to their Judicature as aforesaid, to direct, order and decree,

upon what Persons or Lands the said Sums of Money so in arrear for Taxes and Penalties as aforesaid, shall be charged, and the said Taxes and Penalties shall be accordingly levied upon such Persons or Lands, and in such Manner, and by such Ways and Means, as shall be directed, ordered and decreed by the Judicature aforesaid, or any two of them, and as if such Direction, Order and Decree had been particularly hereby enacted.

Complaints by particular Persons and Parishes.

'XXIII. And whereas particular Persons and Parishes do conceive and alledge, That the Dreining of one 'Place hath drowned and made worse the Lands in other Places: (2) And whereas divers Persons likewise 'do alledge and complain, That the said ninety-five thousand Acres in many Places are not indifferently 'set out or allotted according to the Law made at *Lyn* in the sixth Year of the late King *Charles*, nor ac- 'cording to Agreement made with the Country; but in many Places greater Quantities have been taken 'from the Owners, Commoners and Townships than ought to have been; and that some Lands have 'been taken as belonging to one Parish and County, which in Truth did belong to another; and in many 'Places the Allotments have been taken very inconvenient for the Townships, which ought not to have 'been by the said Agreement: And whereas the Dreining aforesaid and future Maintenance of the said Great 'Level ought to be without Prejudice to Navigation: (3) And because all Complaints which have been 'made, and all Prejudices which have been or shall be done to particular Persons, Parishes and Places, 'cannot by this Act be sufficiently provided for and remedied;'

Commissioners for hearing the said Complaints and Differences.

XXIV. Be it further enacted by the Authority aforesaid, That Sir *John Tracy* Knight, Sir *Charles Mordant*, Sir *Nicholas Lestrange*, Baronets, Sir *William Hovel*, Knight, *Edward Pepis*, *Humphry Bedingfield*, *Nicholas Stileman*, Esquires, for the County of *Norfolk*; (2) Sir *Nicholas Bacon* Knight of the *Bath*, Sir *Lionel Tolimach* Baronet, Sir *John Duncombe* Knight, Sir *Edmond Pooley* Knight, Sir *George Reeve* Knight and Baronet, Sir *George Weneve* Knight, *Thomas Waldegrave* Esquire, for the County of *Suffolk*; (3) Sir *Dudley North*, Sir *Thomas Wendy*, Knights of the *Bath*, *Levinus Bennet* Esquire, *Robert King*, *John Pepis*, Doctors of the Law, *Thomas Crouch*, *Francis North*, Esquires, for the County of *Cambridge*; (4) Sir *Thomas Sclater* Baronet, *Lestrange Colthrop*, *John Millecent*, *Thomas Hall*, *John Sotheby*, Esquires, *John Bing* Esquire, and *William Wrenn* Esquire, for the Isle of *Ely*; (5) Sir *Francis Compton* Knight, *Robert Appreece*, *Sutton Ashfield*, Esquires, *Anthony South* Doctor of the Law, *Robert Payne*, *Richard Nayler*, *Ferrers* of *Gedding*, Esquires, for the County of *Huntington*; (6) Sir *William Dudley* Knight and Baronet, *Maurice Tresham*, *Francis Kirkham*, *Lewis Palmer*, *Christopher Thurshy*, *Francis Lane*, *George Tresham*, Esquires, for the County of *Northampton*; (7) Sir *Charles Hussey*, Sir *John Newton*, Baronets, Sir *Thomas Meers*, Sir *Anthony Ireby*, Knights, Sir *Anthony Oldfield* Baronet, *Richard Brownlow*, *Daniel Rhodes*, Esquires, for the County of *Lincoln*; shall be, and are hereby made and constituted the present Commissioners for the Purposes herein mentioned.

XXV. And for the supplying the Number of the Commissioners of the said respective Counties, in Case of Death or other Avoidance or Incapacity; (2) Be it also enacted, That within three Months after such Death, or Notice of such Avoidance or Incapacity, the remaining Commissioners of each respective County, of which such Commissioners who died, or became incapable, were, or the major Part of them, shall from Time to Time nominate and appoint by Deed under their Hands and Seals to be enrolled in Chancery, some other Person or Persons residing within the said County, of which the said Commissioners who died, or became incapable were, to be Commissioners in the Place and Stead of him or them so dying or becoming incapable; (3) which said Commissioners hereby constituted, or hereafter to be constituted in Manner aforesaid, or any seven or more of them be, are and shall be hereby authorized and impowered from Time to Time to hear and determine such Complaints, Controversies, Differences and Grievances as are in this Act expressed (relating to, or concerning, or occasioned by, the Draining and Maintaining the said Great Level) of any Parish or Townshp, or of any Person or Persons, as well within or without the said Level, in such Manner as is herein after expressed: (4) And that the said Commissioners hereby constituted, or hereafter to be constituted in Manner aforesaid, or any seven or more of them, shall from Time to Time have Power and Authority, and are hereby required, at or before the eight and twentieth Day of *September* which shall be in the Year of our Lord one thousand six hundred sixty and six, to give or make Satisfaction out of the said ninety-five thousand Acres, to such Parish or Townshp, Person or Persons, whose Lands or Interest therein, either within or without the said Level, shall after the first Day of *May* one thousand six hundred sixty and three, be made worse in Quality or Condition by the aforesaid Dreining or Works, than they were before the Undertaking the Draining of the said Level in the sixth Year of the Reign of our late King *Charles* of Blessed Memory, and proportionable to the Losses the Owners of, or Persons interested in such Lands, shall hereafter receive by Reason of their Lands being made worse in Quality or Condition by any such Works and Dreining as aforesaid; (5) and shall also have Power at any Time within four Years from the four and twentieth Day of *June* in the Year of our Lord one thousand six hundred sixty and three, to alter, change and restore such Parts and Parcels of the said ninety-five thousand Acres, as shall upon Complaint be found and adjudged by the said Commissioners, or any seven or more of them, to be unequally, unduly or inconveniently set forth, by Reason of any Allotting, either of greater Quantities, or as belonging to other Counties, Parishes or Manors, or in more inconvenient Places, than they were formerly allotted and set out by a Law of Sewers made at *Saint Ives* the twelfth Day of *October* in the thirteenth Year of King *Charles* the First, notwithstanding any Vesting of the said ninety-five thousand Acres, or any Part thereof, in the King's Majesty, or in the said Governor, Bailiffs and Commonalty, or in any other Persons before mentioned, or any Estates executed by them or any of them.

The Power and Authority of the said Commissioners.

Ravely, Upwood, Sothery, Wicken, Cowfenn, Beezling.

XXVI. Provided, and be it enacted, That ninety-three Acres in *Ravely* and *Upwood*, seventy-six Acres in *Sothery*, forty-four Acres and one Rood in *Wicken*, eighty-eight Acres in *Cowfenn*, two hundred eigty-two Acres in *Beezling*, and thirty-seven Acres in *Upwell*, set out to be enjoyed as Part of the said ninety-five thousand Acres since the making the said Law of *Saint Ives*, in Lieu of like Proportions altered and restored to the Country, shall be held and enjoyed by the said Corporation, subject nevertheless to the Trust in and by this

Act declared, as to the ſaid eighty-three thouſand Acres Reſidue of the ſaid ninety-five thouſand Acres; and ſhall ſet forth to the ſaid Corporation in Truſt for the Participants or Adventurers, whoſe Proportion ſhall be ſo altered or exchanged, in Lieu of ſuch Part as ſhall be ſo altered, exchanged or reſtored, ſuch other Proportions in ſuch other Places within the ſaid Level, as to the ſaid Commiſſioners, or any ſeven or more of them, ſhall ſeem juſt and reaſonable, according to the Proportions and Places which ought and might have been by *Lynne* and *Saint Ives* Law aforeſaid, to be held and enjoyed of the Manor of *Eaſt Greenwich*, to the End there may be no Diminution of the ſaid ninety-five thouſand Acres; (2) and where it ſhall appear upon Complaint of the ſaid Corporation before the ſaid Commiſſioners, or any ſeven or more of them, that any of the Proportions of the ſaid ninety-five thouſand Acres heretofore ſet forth to *Francis* Earl of *Bedford*, his then Participants and Aſſigns, do fall ſhort in the Quantity of Acres for which the ſame were ſet forth and allotted, according to the ſaid Laws of *Lynne* and *St. Ives*, the ſaid Commiſſioners, or any ſeven or more of them, ſhall within the ſaid Term of four Years aforeſaid appoint the ſame to be ſupplied and made up out of the Grounds where the ſame was ſo allotted to be ſet forth, to make up the ſaid Proportion of ninety-five thouſand Acres. (3) And in Caſe the ſaid Earl of *Bedford*, and his Participants, or the ſaid Corporation, ſhall through or by Reaſon of their Undertaking or Dreining aforeſaid, in the ſixth Year of his late Majeſty's Reign, of ever bleſſed Memory, have done or hereafter ſhall do any Act or Acts to the Prejudice of Navigation, and whereby Navigation in the ſaid Rivers of *Owſe* and *Grant*, and all other Rivers now navigable paſſing through the ſaid Level, and the River of *Weſtwater*, being a Branch of the River of *Owſe*, if it be conſiſtent with the Dreining, or in any of them, or ſuch Drove-ways or Bridges within and without the ſaid Level, as have been made or cauſed to be made by the Adventurers, and have been by them maintained, unleſs there be ſome Agreement to the contrary, be or hereafter ſhall be interrupted, obſtructed and made worſe; that then the ſaid Commiſſioners, or any ſeven or more of them, whereof the Vice-Chancellor for the Univerſity of *Cambridge*, the Mayor of the Town of *Cambridge*, and the Mayor of the Town of *Kings-Lynne* for the Time being, to be three, if they upon Notice left at their reſpective Habitations ſhall think fit to be preſent, from Time to Time ſhall and may decree the ſame to be made good and amended, at the proper Coſts and Charges of the ſaid Corporation, within a convenient Time, as to their Judgments ſhall ſeem meet: (4) And in Caſe it ſhall happen and ſo fall out, that the ſaid Corporation ſhall neglect or refuſe to repair and make good the ſame, according to the Order and Decree of the ſaid Commiſſioners, and within the Time limited by them; that then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, by Warrant under their Hands and Seals atteſted, to Tax the ſaid ninety-five thouſand Acres in ſuch Sum and Sums of Money as in their Judgments ſhall ſeem meet, for the making, preſerving and keeping the Navigation in any of the aforeſaid Rivers, as the ſame was in the ſaid ſixth Year of the ſaid King *Charles* the Firſt; which ſaid Sum or Sums of Money ſo to be aſſeſſed or taxed by the Commiſſioners aforeſaid, ſhall within twenty Days next after Notice thereof given to the Governor or Treaſurer of the ſaid Corporation, be paid unto ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall nominate and appoint to receive the ſame. (5) And in Caſe the ſaid Governor or Treaſurer of the ſaid Corporation, after Notice ſo given as aforeſaid, ſhall refuſe or neglect to pay the ſaid Sum or Sums of Money as aforeſaid, That then the ſaid Commiſſioners, or any ſeven or more of them, ſhall have full Power and Authority to impower the ſaid Perſon or Perſons to levy the ſaid Sum or Sums of Money by Diſtreſs or Diſtreſſes to be taken upon the ſaid ninety-five thouſand Acres, or any Part thereof, and to make Sale of the ſaid Diſtreſs or Diſtreſſes ſo taken, and ſell the ſame, and render the Overplus unto the ſaid Governor or Treaſurer, deducting the reaſonable Charges for their Labour and Pains therein: (6) All which ſaid Sum or Sums of Money ſo to be taxed and levied by the Authority aforeſaid, ſhall be expended and laid out in preſerving and keeping the ſaid Navigation as aforeſaid, and maintaining the ſame, according to the true Intent and Meaning of this Statute, and not otherwiſe. (7) And the ſaid Commiſſioners, or any ſeven or more of them, are alſo hereby impowered and authorized within the Space of four Years from the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred ſixty and three, to aſcertain and divide the Precincts and Boundaries of ſuch Parts of the ſaid reſpective Counties, Lordſhips, Manors and Pariſhes within the ſaid Level, as have been by and ſince the Undertaking, defaced and made obſcure, or by ſome other Means remain uncertain and hard to be found out, and ſhall ſet down ſuch Bounds and Diviſions in Writing, by ſuch Marks, Boundaries and Deſcriptions as to them ſhall ſeem meet, and ſhall certify the ſame under their Hands and Seals in the High Court of Chancery; (8) according to which Diviſion of the ſaid Commiſſioners, or any ſeven or more of them, the Extent of the ſaid reſpective Counties, Lordſhips, Manors and Pariſhes in ſuch Places ſo bounded and divided, ſhall for ever after the ſaid Certificate be deemed to be, and none other: (9) And in Caſe the Quantity of eight thouſand Acres lying together or near together, or any greater Quantity of Ground lying together or near together within the ſaid Level, ſhall become drowned, and ſo continue for the Space of twelve Months together: That then it ſhall be lawful for the ſaid Commiſſioners for the Time being, or any ſeven or more of them, from Time to Time, and at all Times, to aſſeſs Taxes or Sums of Money upon the ſaid ninety-five thouſand Acres, for the raiſing the Money for Dreining the ſame again, in ſuch Proportion as they, or any ſeven or more of them, ſhall think fit, together with a Penalty for not paying the ſaid Taxes, the ſaid Penalty not exceeding a third Part of ſuch Tax.

How Lands may be ſold for Non-payment of Taxes or Penalties.

XXVII. And for Default of Payment of the ſaid Taxes or Sums of Money and Penalties, Be it enacted, That the Lot and Share of ſuch Participant or Adventurer of and within the ſaid ninety-five thouſand Acres, as ſhall be in Arrear for the ſaid Tax, Sum of Money or Penalty, and unpaid by the Space of two Months next after the Day appointed for Payment by the ſaid Commiſſioners, or any ſeven or more of them, or ſo much thereof as they ſhall think fit, ſhall be ſequeſtred by the ſaid Commiſſioners, or any ſeven or more of them, for or towards the Payment of ſuch Tax, Sum of Money, or Penalty ſo in Arrear, reſtoring the Overplus of the Money for which ſuch Lot or Share, or any Part thereof, ſhall be ſequeſtred,

if

if any be: Which Sequeſtration ſhall be made in Writing under the Hands and Seals of the ſaid Commiſſioners for the Time being, or any ſeven or more of them.

XXVIII. Provided always, and be it enacted by the Authority aforeſaid, That in Caſe the ſaid Governor, Bailiffs and Corporation conſtituted by this Act, ſhall neglect or refuſe to pay ſuch Tax or Taxes and Penalties, Sum or Sums of Money, as ſhall from Time to Time hereafter be taxed and impoſed by the ſaid Commiſſioners before-named, or to be named by Virtue of this Act, or any ſeven or more of them, purſuant to the Powers given them by this Act, whereupon the Goods and Chattels of any Perſon or Perſons, his or their Tenant or Tenants, of and in the ſaid ninety-five thouſand Acres, or any Part thereof, ſhall be diſtrained or ſold, or his or their Lands ſequeſtred for the Payment thereof, or that ſuch Perſon or Perſons, his or their Tenant or Tenants, ſhall thereupon pay the ſaid Tax and Taxes, and Penalties ſo aſſeſſed and impoſed as aforeſaid; that then the ſaid Governor, Bailiffs and Corporation, immediately from and after Notice to him or them given thereof, ſhall aſſeſs and tax the whole ninety-five thouſand Acres for the Satisfaction and Payment of the Tax, Taxes and Penalties, Sum and Sums of Money, and all Damages that ſuch Perſon or Perſons, his or their Tenant or Tenants, hath or have paid, born or ſuſtained, as aforeſaid.

XXIX. And be it further enacted by the Authority aforeſaid, That if the ſaid Governor, Bailiffs and Corporation ſhall not within ſix Months after Demand made by ſuch Perſon or Perſons, his and their Heirs, Executors and Adminiſtrators, whoſe own or Tenant or Tenants Goods and Chattels ſhall be diſtrained or ſold, or Lands ſequeſtred as aforeſaid, pay and ſatisfy unto him or them ſuch Sum and Sums of Money and Damages as he or they, his and their reſpective Tenant or Tenants have reſpectively paid, born and ſuſtained; That then and from thenceforth ſuch Perſon and Perſons, his and their Heirs and Aſſigns, ſhall and may bring his and their Action or Actions of Debt in any of the King's Majeſty's Courts at *Weſtminſter*, againſt the ſaid Governor, Bailiffs and Corporation, for the Recovery thereof, and by Virtue of this Act ſhall recover the ſame, and be allowed Coſts of Suit expended therein.

XXX. And be it further enacted by the Authority aforeſaid, That the Commiſſioners ſo conſtituted or to be hereafter conſtituted as aforeſaid, or any ſeven or more of them, for the better Execution of the Powers hereby given, ſhall and may inform themſelves by examining Witneſſes upon Oath, which hereby they, or any ſeven or more of them, ſhall have Power to adminiſter, due Execution of all, every or any the Powers or Authorities hereby given them, and for the doing Juſtice therein accordingly.

XXXI. Provided always, That the ſaid Commiſſioners and every of them, before he or they take upon him or them the Execution of any the Powers or Authorities hereby given them, other than the adminiſtring the Oath following to one another, which they ſhall have Authority by this preſent Act to adminiſter to one another, ſhall take the Oath following, *(viz.)* The Commiſſioners to take an Oath.

'(2) I *A. B.* ſhall and will without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Knowledge, execute and perform all and every the Powers and Authorities eſtabliſhed by this Act of Parliament.'

Which Oath any one of the ſaid Commiſſioners are hereby authorized to adminiſter.

XXXII. And be it further enacted by the Authority aforeſaid, That all Judgments, Orders, Decrees, Determinations, Alterations, Changes, Reſtaurations, and other Acts done by the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted, as aforeſaid, or of any ſeven or more of them reſpectively, purſuant to the Powers and Authorities by this Act given, ſhall be final; and that the firſt Time and Place of their Meetings ſhall be at or before the two and twentieth Day of *September* in the Year of our Lord one thouſand ſix hundred ſixty and three, at *Ely*.

XXXIII. And that afterwards the uſual Places where the ſaid Commiſſioners ſhall ſit to hear, order and determine the Matters to them referred by this Act, ſhall from the twenty-ninth Day of *September* to the twenty-ſixth Day of *March* in every Year, be at the Town of *Huntington*; and from the twenty-fifth Day of *March* till the thirtieth Day of *September* in every Year, be at *Ely*, unleſs the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted, as aforeſaid, or any ſeven or more of them, ſhall appoint ſome other Place or Places, being a Market-Town or Towns; (2) and the ſaid Commiſſioners, or any ſeven or more of them, ſhall by Warrant under their Hands and Seals declare the Places and Times of their After-meeting; which Warrant ſhall be publiſhed in the open Market of ſuch reſpective Places where they laſt ſat, between the Hours of Twelve and Two upon ſome Market-Day one Month at the leaſt before the ſaid Time or Times of Meeting, to the End all Perſons concerned may have ſufficient Time and Notice to make their Appearance before them upon any Cauſe of Complaint, or other Occaſion; (3) and ſhall have Power and Authority by Warrant under the Hands and Seals of any ſeven or more of them, to ſummon Parties and Witneſſes to appear before them. The Places where the Commiſſioners ſhall ſit.

XXXIV. Provided, That none of the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted, as aforeſaid, ſhall Vote or give his Judgment or Determination in any Matter or Thing which concerns the Diviſion and Bounds of the County of or for which he is appointed Commiſſioner.

XXXV. Provided alſo, That no Perſon who hath any Part, Share or Intereſt in Poſſeſſion or Reverſion of or in any Manors or Lands within the ſaid Level, ſhall be a Commiſſioner.

XXXVI. And in Caſe of Deſcent, Gift, Deviſe or Purchaſe of any ſuch Part, Share or Intereſt, to or by any the ſaid Commiſſioners, it is hereby declared and enacted, That immediately after ſuch Deſcent, Gift, Deviſe or Purchaſe to or by any ſuch Commiſſioner, the ſaid Deſcent, Gift, Deviſe or Purchaſe ſhall be an Avoidance of his being a Commiſſioner, and ſhall make him be incapable of being again nominated or appointed a Commiſſioner whilſt his Intereſt doth remain.

XXXVII. Provided alſo, and the ſaid Commiſſioners for the Time being, or any ſeven or more of them, ſhall from Time to Time, and at all Times have Power and Authority to give and make Satisfaction out of the

the ninety-five thousand Acres, to such Person or Persons whose Lands or Interest therein (by any new Works hereafter to be made by the said Corporation within the said Level, for conveying of the Waters of the said Level by convenient Outfalls to the Sea) shall be made worse in Quality, Condition or Value, than they were before the said Undertaking in the said sixth Year of the said late King *Charles*, proportionable to the Loss and Damage the Parties shall receive thereby.

Owners of Wastes and Commons may improve. 16 & 17 Car. 2. c. 11. in Part repealed by 1 Jac. 2. c. 25. §. 4.

XXXVIII. And to the End that the Owners of the Commons and Wastes in the said Level and other Towns, Parishes and Places, unto which the Works aforesaid, or any of them, do extend, may improve the same by making Divisions and Inclosures; (2) Be it provided and enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, Body Politick or Corporate whatsoever, their Heirs and Successors, that are or shall be Lords of Manors, or have or shall have Rights of Common in the said Waste, to improve, set out, inclose, divide and sever such Proportion or Proportions as to them shall or may severally or respectively belong or appertain, or be adjudged and allotted out of the said Commons and Wastes within the said Level, or within any Town, Parish or Place, into which the Works aforesaid, or any of them, do extend, and to hold such Proportion in Severalty at all Times of the Year; (3) and all Differences that shall arise concerning the Boundaries of the Wastes, Rights of Common, Approvements, Allotments, Divisions and Inclosures, shall from Time to Time, and at all Times, be determined, adjudged, and finally ended, by the said Commissioners for the Time being, or any seven or more of them, upon their View, or Examination of Witnesses upon Oath (which they are hereby authorized to administer) or upon both, and hearing of the Parties concerned, by their Adjudication under their Hands and Seals in Writing, which Determination and Judgment being certified into the Petty-Bag, there to be filed, and kept on Record, shall be final and conclusive unto all Parties: (4) And the Allotments, Divisions and Proportions so adjudged or decreed to be held by the said respective Persons to whom they are so set out, shall be held by him or them, and his and their Heirs, Executors and Assigns respectively, according to his or their Tenure or Tenures, Estate, Title or Interest they had in the Manors, Tenements and Lands, for which they claimed the said Proportions of Common, as aforesaid; paying such Fines and Rents, and doing such Services in Proportion for the same, as by Custom or otherwise they are to pay or do, and do for the Manors, Tenements and Lands for which they claim the same Proportion, having such Respect to the yearly Values of the one and the other, as shall (if Need so require) be limited by seven or more of the Commissioners.

Sutton, Meadland.

XXXIX. Provided also, and be it enacted, That it shall and may be lawful to and for such Person and Persons as were heretofore Owners of the one hundred seventy-five Acres in *Sutton*, *North* and *South Meadland*, in the said Isle of *Ely*, set out by the said Law of *St. Ives*, as a Recompence for Dreining the whole *North* and *South Meadlands*, containing about one thousand Acres, their Heirs or Assigns, to sue and implead before the said Commissioners, or any seven or more of them, the Owners and Occupiers of the said *North* and *South Meadlands*, or elsewhere within the said Great Level, to draw them into Contribution for their several and respective Proportions of the said *North* and *South Meadlands*, towards the said one hundred seventy-five Acres. (2) And the said Commissioners, or any seven or more of them, shall thereupon adjudge and decree unto the said Owners of the said one hundred seventy-five Acres, or such of them as they shall think fit, and to their Heirs and Assigns, such Recompence and Satisfaction, either in Ready Money, yearly Rent, or Land, out of the Residue of the *North* and *South Meadlands*, as to the said Commissioners, or any seven or more of them, shall seem meet, to be held and enjoyed by the said Owners of the said one hundred seventy-five Acres, their Heirs and Assigns.

Londoners Fenn.

XL. Provided always, and be it enacted, That it shall and may be lawful to and for Sir *John Watts* Knight, and others, who derive any Interest under the Dreiners of that Fenn called *Londoners-Fenn*, his and their Heirs and Assigns, to sue and implead all and every Person and Persons, their Executors and Administrators, that have taken and received the Rents and Profits of his or their Share and Proportion of *Londoners-Fenn*, remaining from the Share and Proportion allotted and set out by the said Law of *St. Ives* since the said Level was adjudged Dreined, and to sue for and recover the same in any of his Majesty's Courts at *Westminster*; (2) and also, That it shall and may be lawful to and for the said Sir *John Watts* and the Participants aforesaid, his and their Heirs and Assigns, heretofore Owners of the several Proportions in *Londoners-Fenn*, set out by *St. Ives* Law for the Adventurers Recompence for Dreining the Low Grounds in *Upwell*, *Outwell* and *Welney*, to pursue and prosecute before the said Commissioners, or any seven or more of them, their Claim, and sue for Relief, against the Owners or Occupiers of the Fenny and Low surrounded Grounds lying in *Upwell*, *Outwell* and *Welney* aforesaid, whose Grounds did not all contribute, or not in equal Proportion, to the said ninety-five thousand Acres, to draw them into Contribution, in Ease of the said Sir *John Watts* and the Participants aforesaid; and thereupon the said Commissioners, or any seven or more of them, are hereby impowered to adjudge and decree unto the said Sir *John Watts* and the Participants aforesaid, his and their Heirs and Assigns, such Proportion out of the said Grounds which have not equally contributed as aforesaid, as to the said Commissioners, or any seven or more, shall seem meet.

Upwell, Outwell, Welney.

Dousedale-Bank.

XLI. Provided always, and be it enacted, That it shall and may be lawful for the King's Majesty, and the Queen's Majesty, their Heirs, Successors and Assigns, to continue in the Possession, Usage and Disposal of the Bank called *Dousedale-Bank*, being on the South-side of His Majesty's Demesne Lands called *Port-Sand*, belonging to their Manor of *Crowland*, being Part thereof, and to have such ancient Passages and Currents as of Right have been used and accustomed, for the Avoidance of Water through the same into the River *South-Eae*, as if this Act had never been made.

How and for what Time Archbishops, Bishops, &c. may make Leases.

XLII. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, Dean and Chapter, and all Colleges and Halls in either University, and all Bodies Politick and Corporate, who are or shall be Lords of Manors, or have or shall have Right of Soil or Common in the Wastes within this said Level, or within such other Towns, Parishes and Places into which the Works of the Dreining aforesaid do or shall extend, and who are by this Act impowered to improve,

improve, ſet out, incloſe, divide and ſever ſuch Proportion or Proportions as to them ſhall or may reſpectively belong or appertain, out of the ſaid Commons and Waſtes within the ſaid Level, to demiſe by Indenture all and every the ſaid ſuch Proportion or Proportions as to them ſhall or may reſpectively belong or appertain, out of the ſaid Commons and Waſtes within the ſaid Level, which have not by expreſs Words, and under any particular Rent, been at any Time formerly demiſed, for any Term or Number of Years, not exceeding one and twenty Years, ſo as upon every ſuch Demiſe or Leaſe be reſerved the fourth Part of the true yearly Value, to be aſcertained by the Commiſſioners aforeſaid or any ſeven of them, due and payable yearly during the ſaid Term, to him or them and his and their Succeſſors.

XLIII. Provided always, and be it declared by and with the Conſent of all Parties concerned, That neither this Act nor any Thing therein contained ſhall extend or be conſtrued to extend to alter the Poſſeſſion of *Thomas Chicheley*, Eſq; of or from ſix hundred ſeventy-one Acres, Parcel of the Lot now claimed to belong to the ſaid Truſtees of *Henry* late Earl of *Arundel* and *Surrey*, and two hundred thirty-one Acres, Parcel of the Lot now claimed to belong to the ſaid Sir *William Terringham*, or from any Part thereof, by him the ſaid *Thomas Chicheley* now enjoyed under Purchaſers by Sales for Nonpayment of Taxes upon the Diſpute between the old and new Adventurers; but that the ſaid Corporation ſhall execute Conveyances of the ſaid reſpective Proportion unto the ſaid *Thomas Chicheley*, his Heirs and Aſſigns; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

XLIV. Provided always, and be it enacted, That all ſuch Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred or Half-Hundred, have heretofore had within their reſpective Manor or Manors, Liberties, Hundred or Half-Hundred, within or without the ſaid Level, to Waifs, Strays, Felons Goods, Privileges of Arreſts, Eſcheats and all other Royalties not prejudicial to the Dreining, be hereby ſaved to them, their Heirs, Succeſſors and Aſſigns ſeverally and reſpectively; any Thing in this Act to the contrary thereof notwithſtanding.

XLV. Provided always, That this Act, or any Thing therein contained, ſhall not be interpreted to infringe or any Way to weaken an Act made the fourth Year of the Reign of King *James*, intituled, *An Act for the Dreining of certain Fens and Low Grounds within the Iſle of* Ely, *ſubject to Hurt by ſurrounding, containing about ſix thouſand Acres, compaſſed about with certain Banks, commonly called and named, The Ring of* Walterſea *and* Coldham; but the ſaid Act ſhall ſtand in full Force and Virtue; any Thing in this preſent Act to the contrary notwithſtanding. 4 Jac. 1. c. 13.

'XLVI. Provided alſo, That whereas divers Lands in and near adjoining unto the ſaid Great Level, have 'been cut through for the better Conveying of the Waters from the ſame, and for upholding or repairing 'the Banks and Works there, without making Satisfaction to the reſpective Owners of the ſaid Lands, for 'the Damage they have ſuſtained by ſuch Cutting,' (2) Be it further enacted, That the ſaid Commiſſioners for the Time being, or any ſeven or more of them, upon Complaint to them made of ſuch Damage ſuſtained as aforeſaid, without Recompence for the ſame, ſhall be and are hereby impowered to award and decree ſuch Recompence and Satisfaction to the Party and Parties grieved, according to their reſpective Damages ſuſtained by ſuch Cutting, as to the ſaid Commiſſioners for the Time being, or any ſeven or more of them, ſhall be adjudged reaſonable, the ſaid Recompence and Satisfaction to be made and given by the ſaid Corporation within ſix Months next after ſuch Award or Decree made; (3) and in Default thereof, the ſaid Commiſſioners, or any ſeven or more of them, ſhall and may, and are hereby impowered to rate and tax the ſaid ninety-five thouſand Acres, and to diſtrain thereupon for the Payment of ſuch Rate or Tax, and the Diſtreſs taken thereupon to ſell or diſpoſe as they ſhall think fit, (rendring the Overplus, if any be, to the Owners) for the Payment and Satisfaction of ſuch Monies and Damages as ſhall be ſo awarded; any Thing in this Act to the contrary thereof notwithſtanding.

XLVII. Provided nevertheleſs, That in caſe the Judicature hereby eſtabliſhed, ſhall not, within twelve Months from the firſt Day of *Auguſt* next, hear and determine all the Matters by this Act to them referred, concerning the ſaid ninety-five thouſand Acres, all and every ſuch Perſon and Perſons whoſe Complaint ſhall be then undetermined, may make their Applications to the Barons of his Majeſty's Court of Exchequer, who are hereby eſtabliſhed a Court of Judicature, and ſufficiently authorized to hear and determine all ſuch Controverſies and Differences between the ſaid Parties, in as large and ample Manner to all Intents and Purpoſes as the Judicature hereby eſtabliſhed might have done; and ſuch Judgment, Order or Decree of the ſaid Court of Exchequer, ſhall be in all Things obſerved, and be effectual as if the ſaid Barons had been made the only Judicature by this Act. The Barons of the Exchequer impowered to hear and determine Differences between Parties.

XLVIII. Provided always, and be it enacted by the Authority aforeſaid, That the Leſſees of the King's Majeſty, his Heirs and Succeſſors, of the ſaid ten thouſand Acres, or of any Part thereof, and the Aſſigns of ſuch Leſſees and every or any of them, ſhall be capable to be elected and choſen into the Office or Place, Offices or Places of Governor, Bailiffs and Conſervators aforeſaid, and to vote in ſuch Elections and Choice, and in all other Matters, as fully to all Intents and Purpoſes as any other Members of the Corporation, Owners of any Part of the ſaid ninety-five thouſand Acres, may be elected and choſen, vote in ſuch Election and Choice, or in any other Matter, ſo as ſuch Leſſees and their Aſſignees reſpectively, have and be Leſſees or Owners of double the Quantity or Number of Acres, Parcel of the ſaid ten thouſand Acres, as by Virtue of this Act is required to qualify any Perſon to be elected and choſen into the Office or Place of Governor, Bailiff or Conſervator reſpectively, and to vote in ſuch Elections and Choice, or in any other Matter touching the ſaid Level, and ſo as ſuch Leaſes or Aſſignments they claim by, be entred with the Regiſter; any Thing before in this Act to the contrary notwithſtanding. Leſſees of the King.

XLIX. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall not extend to impeach or make void any Obligation given to *David Offley*, Gent. conditioned for his quiet Enjoyment of a certain Parcel of Land purchaſed by him in the ſaid Level, but that the ſaid *David Offley* may ſue and proſecute his ſeveral Action or Actions upon the ſaid Obligation, as if he had been evicted or removed from his Eſtate therein by due Courſe of Law.

L. And

How Breaches shall be made good.

L. And be it further enacted by the Authority aforesaid, That if any Breaches happen in any of the Banks, Sasses, Sluices, Tunnels or other Works within the said Great Level, or in any the Works made without the said Great Level for carrying the Waters of the said Great Level to their Outfal at Sea, by Reason of some inevitable Accidents, the same shall be repaired and made good in convenient Time by and at the Charges of the said Corporation and their Successors; (2) but no other Charge shall be laid upon the said Corporation or their Successors, for or in respect of such Breaches, nor for or in respect of any Breaches that have happened heretofore in any of the said Banks, Sasses, Sluices or other Works; nor shall the said Corporation be inforced to give to any other Person any Recompence for any Loss or Damage which hath or shall happen by Reason of their making necessary and sufficient Banks for the Defending of the said Level from being overflown, and for the Leading of the Waters of the said Level in their Chanels as now they run, unto their Outfal at Sea.

Proviso for Persons that have changed their Lands.

LI. Provided nevertheless, and be it enacted, That where any Participant under *Francis* Earl of *Bedford*, or the Heirs or Assigns of any such Participant, hath exchanged his or their Share or Lot of the said ninety-five thousand Acres, or any Part thereof, for any other Lands, Parcel of the said ninety-five thousand Acres, which were claimed and held under such pretended Sales, for Nonpayment of Taxes, since one thousand six hundred forty and nine, It shall and may be lawful to and for such Participant and Participants, and his and their Heirs and Assigns, to enter again upon the same Lands so given in Exchange, and to have and retain the same in his and their Possession, any Thing in this Act to the contrary notwithstanding: Subject nevertheless in all Things to such Judgment and Determination as the Judicature hereby constituted shall make concerning the same.

LII. Provided always, That no ascertaining or dividing of the said dreined or new improved Lands by the said Commissioners as aforesaid, shall conclude the King's Majesty, his Heirs, Successors or Assigns, or any other Person or Persons, as to the Bounds of Parishes, to any other Intent or Purpose, than subjecting the same to Taxes and Contributions, and Episcopal Jurisdictions, and not as to the Right of Tithes or any other Purpose whatsoever, nor shall be, or be used in, Evidence concerning the same.

Commons and Wastes in Bedford-Level inclosed.

LIII. Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons having a Right of Common in any of the Manors, Wastes, Commons or Lands within the said Great Level of the Fens, called *Bedford-Level*, or any other Person or Persons whatsoever, at any Time after such Division or Inclosure made, or set out as aforesaid, shall break, throw down, disturb, obstruct or by any Means hinder or lay open the said Improvements and Inclosures, at, in or after the Making thereof, or the Hedges, Ditches or Fences of the same, or any Part thereof shall destroy, and shall be thereof convicted by two credible Witnesses upon Oath before two Justices of the Peace of the County where such Disturbance or Destruction shall be made: Every such Person or Persons so convicted as aforesaid, shall forfeit for every such Offence the Sum of twenty Pounds; (2) to be levied by Distress upon the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of the said Justices of the Peace before whom such Conviction shall be made; the one Moiety to the Informer; and the other Moiety to such Person or Persons against whom the said Offence is or shall be committed; or for Want of such sufficient Distress, the Offender shall be committed to the House of Correction or Common Gaol for three Months without Bail or Mainprize, at the said Justices Discretion.

After the Year 1668. Taxes shall not exceed 2 s. in the Pound.

LIV. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That from and after the first Day of *August* which shall be in the Year of our Lord one thousand six hundred sixty and eight, no Tax or Taxes exceeding two Shillings the Acre in any one Year, shall be assessed, laid or levied, upon the said ten thousand Acres by this Act vested in the King's Majesty, his Heirs, Successors and Assigns, or upon any Part thereof, or upon the two thousand Acres hereby vested in the Assigns of the said Earl of *Portland*; but in case the Taxes to be assessed upon the said eighty-three thousand Acres hereby vested in the said Corporation, shall not amount unto so much in Proportion as two Shillings an Acre, according to the Proportion for each Acre; then a proportionable Abatement shall be made out of the said two Shillings *per* Acre, which shall be charged yearly by an equal Rate upon every Acre of the said ten thousand Acres, and the said two thousand Acres; according to the Rate imposed upon every Acre of the said eighty-three thousand Acres, whether the same shall be assessed by an Acre-Tax or Pound-Rate, or by any other Way; any Thing herein contained to the contrary notwithstanding.

LV. And it is further declared, That the Assessing, Laying and Levying of Taxes upon the said ten thousand Acres, or upon the said two thousand Acres or any Part thereof, after the said first Day of *August* which shall be in the said Year of our Lord one thousand six hundred sixty and eight, by the Way of an Acre-Tax, shall not extend nor be interpreted or construed to extend, to compel or conclude the said Corporation, to assess, lay or levy any Tax or Taxes upon the said eighty-three thousand Acres, hereby vested in the said Corporation, or upon any Part thereof by the Way of an Acre-Tax.

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## Anno decimo sexto CAROLI secundi Regis.

'AT the Parliament begun at *Westminster* the eighth of *May* one thousand six hundred sixty-one, *Anno* 13 *Car.* 2. and by Prorogation held at *Westminster* the sixteenth of *March* 16 *Car.* 2.'

CAP.

## CAP. I.

An Act for the Aſſembling and Holding of Parliaments once in three Years at the leaſt; and for the Repeal of an Act, intituled, *An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments.*

'WHEREAS the Act made in the Parliament begun at *Weſtminſter* the third Day of *November* in the ſixteenth Year of the Reign of our late Sovereign Lord King *Charles* of bleſſed Memory, intituled, *An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments*, is in Derogation of his Majeſty's juſt Rights and Prerogative inherent to the Imperial Crown of this Realm, for the Calling and aſſembling of Parliaments, and may be an Occaſion of manifold Miſchiefs and Inconveniencies, and much endanger the Peace and Safety of his Majeſty, and all his Liege People of this Realm:' 16 Car. 1. c. 1.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, intituled, *An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments*, and all and every the Articles, Clauſes and Things therein contained, is, ſhall be, and are hereby wholly repealed, annulled, and utterly made void, and are hereby declared to be null and void to all Intents and Purpoſes whatſoever, as if the ſaid Act had never been had or made; any Thing in the ſaid Act contained to the contrary in any wiſe notwithſtanding. A Repeal of the ſaid Act.

'III. And becauſe by the ancient Laws and Statutes of this Realm, made in the Reign of King *Edward* the Third, Parliaments are to be held very often;' your Majeſty's humble and loyal Subjects the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, moſt humbly do beſeech your moſt Excellent Majeſty, That it may be declared and enacted; (2) And be it declared and enacted by the Authority aforeſaid, That hereafter the Sitting and Holding of Parliaments ſhall not be intermitted or diſcontinued above three Years at the moſt; (3) but that within three Years from and after the Determination of this preſent Parliament, and ſo from Time to Time within three Years after the Determination of any other Parliament or Parliaments, or if there be Occaſion more often, your Majeſty, your Heirs and Succeſſors, do iſſue out your Writs for calling, aſſembling and holding of another Parliament, to the End there may be a frequent Calling, Aſſembling and Holding of Parliaments once in three Years at the leaſt. 4 Ed. 3. c. 14. 36 Ed. 3. c. 10. 6 W. & M. c. 2. 1 Geo. 1. c. 38.

## CAP. II.

An Act for preventing of Abatements of Writs of Error upon Judgments in the Exchequer.

'WHEREAS by a Statute made in the one and thirtieth Year of the Reign of the late Queen *Elizabeth*, it is enacted, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the Day of Adjournment, in any Suit of Error depending by Virtue of the Statute of the one and thirtieth Year of the Reign of King *Edward* the Third therein mentioned, concerning Error made in the Exchequer, ſhall not be any Diſcontinuance of any ſuch Writ of Error; (2) but if both the Chief Juſtices of either Bench, or any one of the ſaid Great Officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer-Chamber, and there be preſent at the Day of Adjournment in ſuch Suit of Error, it ſhall be no Diſcontinuance, but the Suit ſhall proceed in Law to all Intents and Purpoſes, as if both the Lord Chancellor and Lord Treaſurer had comen and been preſent at the Day and Place of Adjournment: (3) Which Statute doth not provide a Remedy, in Caſe the ſaid Lord Chancellor and Lord Treaſurer, or either of them, ſhall not be preſent at the Days and Times of the Returns of ſuch Writs of Error, although it be within the ſame Miſchief, Juſtice being delayed, and the Parties in ſuch Caſes being put to begin new Suits, to their great Charges and Prejudice, by Reaſon of the Abſence and not coming of the ſaid Great Officers:' 31 Eliz. c. 1. 31 Ed. 3. Stat. 1. c. 12. Carthew 388.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this Parliament aſſembled, and by Authority of the ſame, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the Day of Return of any Writ of Error to be ſued forth by Virtue of the ſaid Statute made in the ſaid one and thirtieth Year of the Reign of the ſaid King *Edward* the Third, ſhall not cauſe any Abatement or Diſcontinuance of any ſuch Writ of Error: (2) But if both the Chief Juſtices of either Bench, or either of them, or any one of the ſaid Great Officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer-Chamber, and there be preſent at the Day of Return of any ſuch Writ of Error, it ſhall be no Abatement or Diſcontinuance, but the Suit ſhall proceed in Law to all Intents and Purpoſes, as if both the Lord Chancellor and Lord Treaſurer had comen and been preſent at the Day and Place of the Return of ſuch Writ. The not coming of the Lord Chancellor or Lord Treaſurer.

III. Provided always, That no Judgment ſhall be given in any ſuch Suit or Writ of Error, unleſs both the Lord Chancellor and the Lord Treaſurer ſhall be preſent thereat. Altered by 20 Car. 2. c. 4. *And ſee further* 4 *Ann. c.* 16. *which gives Coſts on quaſhing Writ of Error.*

## CAP. III.

An Act for collecting the Duty ariſing by Hearth Money, by Officers to be appointed by his Majeſty. [Repealed by 2 W. & M. Seſſ. 1. c. 10.] 13 & 14 Car. 2. c. 10. 1 Car. 2. c. 13.

## CAP. IV.

EXP. 13 & 14 Car. 2. c. 1.

An Act to prevent and ſuppreſs ſeditious Conventicles. 35 El. c. 1. declared to be in Force. Further Remedy againſt ſeditious Sectaries. Unlawful Conventicles and Meetings under Pretence of Exerciſe of Religion, forbidden. The Puniſhment and Manner of Proceeding againſt them for the firſt Offence. The ſecond Offence. The third Offence. How ſeditious Sectaries convicted may be tranſported. How the Offender may be diſcharged upon Payment of 100 *l.* Puniſhment of Offenders after the third Offence. How the ſaid Penalty of 100 *l.* ſhall be diſpoſed. Perſons ſued for executing this Act, may plead the General Iſſue and recover treble Coſts. Felony to eſcape after Conviction, or to return after Tranſportation. Seditious and tumultuous Meetings and Conventicles. The Penalty of ſuffering Conventicles in private Houſes. Gaolers may not let Priſoners committed upon this Act to go at large. The Penalty. Within what Time Offenders muſt be proſecuted. Married Women, how to be puniſhed. How Juſtices of the Peace may enter into Houſes ſuſpected for Conventicles. The Houſes of Peers. What Perſons may not be committed to the Houſe of Correction. Perſons ſerved with Proceſs refuſing to take an Oath. The Penalty. How ſuch Perſons may be acquitted. Peers offending, how to be proceeded againſt. Continuance of this Act for three Years, *&c.*

## CAP. V.

EXP.

An Act to prevent the Diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Navy Royal. Who may puniſh Diſturbances by Seamen and others relating to the Navy-Office. Imbezilling of Stores and Ammunition. The Continuance of this Act. [19 Car. 2. c. 7.]

## CAP. VI.

EXP. 22 & 23 Car. 2. c. 11.

An Act to prevent the delivering up of Merchant Ships. *Engliſh* Ships not to be yielded up to Turks or Pirates. The Penalty on Maſters of Ships. Proceſs out of the Court of Admiralty. Mariners or inferior Officers declining to fight. The Penalty. Encouragement to Captains and Seamen to defend their Ships. Ships which ſhall be taken by the *Engliſh*. The Penalty of wilfully deſtroying Ships. The Continuance of this Act for three Years, *&c.*

## CAP. VII.

### An Act againſt deceitful, diſorderly, and exceſſive Gaming.

The Inconvenience of immoderate unlawful Uſe of Gaming. 5 Mod. 1, 4, 35. 33 *H.* 8. *c.* 9. 2 & 3 *P. & M. c.* 9.

'WHEREAS all lawful Games and Exerciſes ſhould not be otherwiſe uſed, than as innocent and moderate Recreations, and not as conſtant Trades or Callings to gain a Living, or make unlawful Advantage thereby; (2) and whereas by the immoderate Uſe of them, many Miſchiefs and Inconveniencies do ariſe, and are daily found, to the maintaining and encouraging of ſundry, idle, looſe and diſorderly Perſons in their diſhoneſt, lewd and diſſolute Courſe of Life, and to the circumventing, deceiving, couſening and debauching of many of the younger Sort, both of the Nobility and Gentry, and others, to the Loſs of their precious Time, and the utter Ruin of their Eſtates and Fortunes, and withdrawing them from noble and laudable Imployments and Exerciſes:'

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons of any Degree or Quality whatſoever, at any Time or Times after the nine and twentieth Day of *September* which ſhall be in the Year of our Lord God one thouſand ſix hundred ſixty and four, do or ſhall by any Fraud, Shift, Couſenage, Circumvention, Deceit, or unlawful Device, or ill Practice whatſoever, in playing at or with Cards, Dice, Tables, Tennis, Bowles, Kittles, Shovel-board; or in or by Cock-fightings, Horſe-races, Dog-matches, Foot-races, or other Paſtimes, Game or Games whatſoever, or in or by bearing a Share or Part in the Stakes, Wagers, or Adventures, or in or by betting on the Sides or Hands of ſuch as do or ſhall play, act, ride or run as aforeſaid, win, obtain, or acquire to him or themſelves, or to any other or others, any Sum or Sums of Money, or other valuable Thing or Things whatſoever; That then every Perſon and Perſons ſo offending as aforeſaid, ſhall *ipſo facto* forfeit and loſe treble the Sum or Value of Money, or other Thing or Things ſo won, gained, obtained or acquired; the one Moiety thereof to our Sovereign Lord the King, his Heirs and Succeſſors; and the other Moiety thereof unto the Perſon or Perſons grieved, or who ſhall loſe the Money, or other Thing or Things ſo gained; ſo as every ſuch Loſer and Perſon grieved in that Behalf, do or ſhall proſecute and ſue for the ſame within ſix Kalendar Months next after ſuch Play: (3) And in Default of ſuch Proſecution, the ſame other Moiety to ſuch Perſon or Perſons as ſhall or will proſecute or ſue for the ſame within one Year next after the ſaid ſix Months expired: (4) And that the ſaid Forfeitures ſhall or may be ſued for, or recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (5) And that all and every ſuch Plaintiff or Plaintiffs, Informer or Informers, ſhall in every ſuch Suit and Proſecution have and recover his and their treble Coſts againſt the Perſon offending and forfeiting as aforeſaid; any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Deceits and Couſenages in Gaming *Vin. V.* 14—4, *&c.* See 9 Annæ, c. 14. 18 Geo. 2. c. 34. The Penalty.

How to be ſued for and recovered.

III. And for the better Avoiding and Preventing of all exceſſive and immoderate Playing and Gaming for the Time to come; (2) Be it further ordained and enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times after the nine and twentieth Day of *September* aforeſaid play at any of the ſaid Games, or any other Paſtime, Game or Games whatſoever (other than with and for ready Money)

Prevention of exceſſive and immoderate Gaming.

ney) or ſhall bett on the Sides or Hands of ſuch as do or ſhall play thereat, and ſhall loſe any Sum or Sums of Money, or other Thing or Things ſo played for, exceeding the Sum of one hundred Pounds at any one Time or Meeting, upon Ticket or Credit, or otherwiſe, and ſhall not pay down the ſame at the Time when he or they ſhall ſo loſe the ſame, the Party and Parties who loſeth or ſhall loſe the ſaid Monies, or other Thing or Things ſo played or to be played for, above the ſaid Sum of one hundred Pounds, ſhall not in that Caſe be bound or compelled or compellable to pay or make good the ſame; (3) but the Contract and Contracts for the ſame, and for every Part thereof, and all and ſingular Judgments, Statutes, Recognizances, Mortgages, Conveyances, Aſſurances, Bonds, Bills, Specialties, Promiſſes, Covenants, Agreements and other Acts, Deeds and Securities whatſoever, which ſhall be obtained, made, given, acknowledged or entred into for Security or Satisfaction of or for the ſame or any Part thereof, ſhall be utterly void and of none Effect: (4) And that the ſaid Perſon or Perſons ſo winning the ſaid Monies, or other Things, ſhall forfeit and loſe treble the Value of all ſuch Sum and Sums of Money, or other Thing or Things, which he ſhall ſo win, gain, obtain or acquire, above the ſaid Sum of one hundred Pounds; (5) the one Moiety thereof to our ſaid Sovereign Lord the King, his Heirs and Succeſſors; and the other Moiety thereof to ſuch Perſon or Perſons as ſhall proſecute or ſue for the ſame within one Year next after the Time of ſuch Offence committed; (6) and to be ſued for by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (7) And that every ſuch Plaintiff or Plaintiffs, Informer or Informers, ſhall in every ſuch Suit and Proſecution, have and receive his treble Coſts againſt the Perſon and Perſons offending and forfeiting as aforeſaid; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

1 *Vent.* 253. 1 Lutw. 120. 2 Mod. 54. 1 Salk. 344. 2 *Lev.* 94. 4 *Mod.* 409.

The Penalty.

*Farther Provisions relating hereto,* 9 *Ann.* c. 14. 18 *Geo.* 2. c. 34. 25 *Geo.* 2. c. 36. *and* 30 *Geo.* 2. c. 24.

## CAP. VIII.

An Act for Continuance of a former Act for regulating the Preſs. EXP.

13 & 14 Car. 2. c. 33.

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# Anno decimo ſexto & ſeptimo CAROLI ſecundi Regis.

'AT the Seſſions of Parliament begun the eighth of *May* one thouſand ſix hundred ſixty-one, held at *Weſtminſter* the twenty-fourth of *November* 16 *Car.* 2. And there continued to the twenty-firſt of *June* 17 *Car.* 2. being the fourth Seſſion of the Parliament.

'It is the ſecond of March 17 Car. 2. in the former Editions.'

## CAP. I.

An Act for granting a Royal Aid unto the King's Majeſty, of twenty-four hundred threeſcore and ſeventeen thouſand and five hundred Pounds, to be raiſed, levied and paid in the Space of three Years. EXP.

## CAP. II.

An Act for regulating the Meaſures and Prices of Coals.

'FOR avoiding the manifold Deceits, Exactions and Abuſes uſed in the Meaſures and Sales of Coals, and for preventing the like, and the better Regulation thereof for the Time to come;' (2) Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the ſixth Day of *March* in the Year of our Lord one thouſand ſix hundred ſixty-four, all Sorts of Coal, commonly called Sea-Coals, brought into the River of *Thames*, and ſold, ſhall be ſold by the Chaldron, containing thirty-ſix Buſhels heaped up, and according to the Buſhel ſealed for that Purpoſe at *Guild-Hall* in *London*, and ſo for a greater or leſſer Quantity; (3) and that all other Sorts of Coals coming from *Scotland* and other Places, commonly ſold by Weight, and not by Meaſure, ſhall be ſold by Weight after the Proportion of a hundred and twelve Pound to the Hundred, of *Avoir du pois* Weight, without any Fallacy or Deceit; (4) upon Pain of Forfeiture of all the Coals which ſhall be otherwiſe ſold or expoſed to Sale by any Woodmonger or Retailer of Coals, and the double Value thereof, to be recovered by any Perſon or Perſons that will proſecute for the ſame in any Court of Record, or by Way of Complaint made unto the Lord Mayor of *London* for the Time being, and Juſtices of Peace within the City of *London* and Liberties thereof, or to any two of them, or to the Juſtices of Peace of the ſeveral and reſpective Counties and Places where ſuch Coals ſhall be expoſed to Sale, or any of them; who are hereby impowered and required to call the Parties before them, and to hear and examine ſuch Complaint upon Oath, which by Virtue of this Act is to be adminiſtred by them, or any two of them; and upon due Proof thereof made to their Satisfaction, to convict the Offenders, and to give Warrant under their Hands and Seals for levying the Forfeitures accordingly; (5) the one Half thereof to be to and for the Uſe of the Perſon or Perſons ſo proſecuting or complaining; and the other Half to and for the Uſe of the Poor, or repairing of the Highways within the ſame Pariſh, or any other adjoining Pariſh or Pariſhes, to be appointed and apportioned by the Direction of the ſaid Lord Mayor and Juſtices, by ſuch their Warrant as aforeſaid: (6) And the ſaid Lord Mayor of *London*, and the Court of Aldermen for the Time being, and the Juſtices of Peace of the ſeveral Counties reſpectively, or any three or more of them, whereof one to be of the *Quorum*, are hereby impowered to ſet the Rates and Prices of all ſuch Coals as ſhall be ſold by Retail, as they from Time to Time ſhall judge reaſonable, allowing a competent Profit to the ſaid Retailer, beyond the Price paid by him to the Importer, and the ordinary Charges thereupon accrewing.

9 *II.* 5. *ſtat.* 1. c. 10.

Deceits and Exactions in ſelling of Coals.

Sea-Coal Meaſure.

Coals from Scotland.

Who may ſet Rates upon Coals in London.

Ingroſſers or Retailers refuſing to ſell at the ſaid Rates.

II. And that if any Ingroſſer or Retailer of ſuch Coals ſhall refuſe to ſell as aforeſaid, that then the ſaid Lord Mayor and Aldermen, and Juſtices of Peace reſpectively, are hereby authorized to appoint and impower ſuch Officer or Officers, or other Perſons as they ſhall think fit, to enter into any Wharf, or other Place where ſuch Coals are ſtored up; (2) and in Caſe of Refuſal, taking a Conſtable to force Entrance, and the ſaid Coals to ſell, or cauſe to be ſold, at ſuch Rates as the ſaid Lord Mayor and Aldermen and Juſtices reſpectively ſhall judge reaſonable, rendring to ſuch Ingroſſer or Retailer the Money for which the ſaid Coals ſhall be ſo ſold, neceſſary Charges being deducted.

The Continuance of this Act.

III. Provided, That this Act ſhall continue for three Years next enſuing, and thenceforth to the End of the next Seſſion of Parliament, and no longer.

Perſons ſued upon this Act may plead the General Iſſue.

IV. Provided alſo, That no Perſon or Perſons that ſhall be ſued by Virtue of this Act for not obſerving thereof, ſhall be ſued upon any other Act or Law now in Force for the ſame Offence: (2) And if any Action ſhall be commenced againſt any Juſtice of Peace, Conſtable, or other Officer or Perſon, for any Thing done by Colour of this Act, the Defendant in every ſuch Action may plead the General Iſſue, and give the ſpecial Matter in Evidence; (3) and if the Verdict be found for him, or if the Plaintiff become nonſuited, ſhall recover and have his Damages and double Coſts of Suit for his unjuſt Vexation in that Behalf.

Who may not act in ſetting Rates upon Coals.

V. Provided always, That no Perſon having any Intereſt in any Wharf uſed for the receiving or uttering of Coals, or that doth or ſhall trade by himſelf or others, in his own or any other Name, in the Sale of any Coals, or the engroſſing the ſame, in order to ſell the ſame, and not for his own private Uſe only, ſhall act or otherwiſe intermeddle in the ſetting the Price of Coals; any Thing in this Act to the contrary in any wiſe notwithſtanding. [Made perpetual by 7 & 8 W. 3. cap. 36. §. 2.] *Farther Proviſions relating hereto*, 30 *Car.* 2. *c.* 8. 6 & 7 *W.* 3. *c.* 10 & 18. 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. 8 *Ann. c.* 4. 9 *Ann. c.* 6, 23 & 28. 12 *Ann. ſtat.* 2. *c.* 9 & 17. 5 *Geo.* 1. *c.* 9. 8 *Geo.* 1. *c.* 14. 3 *Geo.* 2. *c.* 26. 4 *Geo.* 2. *c.* 30. 10 *Geo.* 2. *c.* 32. 11 *Geo.* 2. *c.* 15. 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. *and* 33 *Geo.* 2. *c.* 15.

## CAP. III.

EXP. Raym. 417.

An Act for the Returning of able and ſufficient Jurors. Jurors for Trials of Iſſues ſhall have 20 *l. per Annum* Freehold. Iſſues of Jurors upon Default. Penalty upon the Sheriff, *&c.* How the Sheriff ſhall find out Perſons fit to be returned for Jurymen. What Time Summons ought to be before Appearance. Nothing may be taken to excuſe Appearance. The Penalty. County Palatine of *Lancaſter*. The Continuance of this Act for three Years, *&c.*

## CAP. IV.

### An Additional Act for the better Ordering and Collecting the Duty of Exciſe.

Powers given to Farmers of Exciſe. *Burn, V.* 1. 329.

FOR the better Ordering and Collecting the Duty of Exciſe, Be it enacted and declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the eighth Day of *November*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and five, all Farmers of Exciſe, or any of them, within the ſeveral Circuits and Diviſions of their reſpective Farms, ſhall and are enabled hereby to exerciſe and put in Execution all ſuch Powers and Authorities which the Commiſſioners or Sub-Commiſſioners of Exciſe are enabled to do and execute by the ſeveral Acts and Statutes of Exciſe, for the Levying, Raiſing, Receiving and Managing of the ſaid Revenue of Exciſe; except the judicial Part of hearing and determining all Breaches and Offences againſt the Laws of Exciſe, and of impoſing, mitigating or compounding of Fines or Penalties.

12 Car. 2. c. 24. 15 Car. 2. c. 11. and cap. 12.

*Farther Proviſions concerning Exciſe*, 22 & 23 *Car.* 2. *c.* 5. 1 *W. & M. ſtat.* 1. *c.* 24. 4 *W. & M. c.* 3. 5 *W. & M. c.* 20. 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 & 12. 1 *Ann. ſtat.* 2. *c.* 3. 4 *Ann. c.* 6. 8 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. ſtat.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *ſtat.* 2. *c.* 16. 23 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. *and* 1 *Geo.* 3. *c.* 7.

## CAP. V.

### An Act to prevent Delays in extending Statutes, Judgments and Recognizances.

Security by Statute-Merchant and of the Staple.

'WHEREAS the Security by Statute-Merchant and of the Staple is now become of little Uſe and Benefit by the Fraud of the Conuſors thereof in ſundry Caſes, who, to prevent the Payment of their Debts, ſecretly aſſign ſmall Parts of their Lands to ſeveral and unknown Perſons: (2) And it having been uſed, that if the Creditor take Execution on ſuch Statute, yet if the Lands of any one or more Perſon or Perſons to whom ſuch Alienation was made, and liable to ſuch Execution, be omitted out of ſuch Extent; the ſame Execution hath been avoided by *Audita Querela*, and the Party extending loſt his Coſts, and was delayed of his juſt Debt; and ſo again upon any new Extent *toties quoties*; (3) and if any one Acre or Parcel of Land happened to deſcend to an Infant, the whole Execution was deferred till full Age of ſuch Infant; and if afterwards other Part of the Lands or Tenements liable to ſuch Debt deſcended to another Infant, then alſo a farther Delay happened during that Infancy alſo:'

Executions avoided by Audita Querela.

For what Cauſes Extents upon Judgments or Statutes ſhall not be avoided or delayed.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That when any Judgment, Statute or Recognizance ſhall be extended, the ſame ſhall not be avoided or delayed by Occaſion that any Part of the Lands or Tenements extendible are or ſhall be omitted

omitted out of ſuch Extent; (2) ſaving always to the Party and Parties whoſe Lands ſhall be extended, his and their Heir, Executors and Aſſigns, his and their Remedy for Contribution againſt ſuch Perſon and Perſons, whoſe Lands are or ſhall be omitted out of ſuch Extent from Time to Time.

III. Provided always, That this Act or any Thing therein contained ſhall not be conſtrued to give any Extent or Contribution againſt any Heir within the Age of one and twenty Years, during ſuch Minority of ſuch Heir, for or in Reſpect of any Lands to ſuch Heir deſcended, farther or otherwiſe than might have been before the making of this Act. Proviſo for Heirs within Age.

IV. Provided that this Act extend only to ſuch Statutes as are or ſhall be for Payment of Monies; and to ſuch Extent as ſhall be within twenty Years after the Statute, Recognizance or Judgment had and obtained. To what Statutes and Extents only this Act ſhall extend.

V. Provided that this Act ſhall continue for the Space of three Years, and from thence to the End of the next Seſſion of Parliament, and no longer. [Made perpetual by 22 & 23 Car. 2. cap. 2.] The Continuance of this Act. 3 Rep. 12. 2 Vent. 104. 2 Inſt. 396.

## C A P. VI.

An Act for repealing of Part of an Act of Parliament, intituled, *An Act directing the Proſecution of ſuch as are accountable for Prize-Goods*. Directions for Recovery of Prize-Goods not accounted for. The former Act repealed as to all Admirals, Officers, Mariners and Soldiers at Sea. The ſaid Act not repealed as to any Collectors, Treaſurers, *&c.* of ſuch Prize-Goods. E X P. 13 & 14 Car. 2. c. 14.

## C A P. VII.

An Act for Continuance of a former Act for Regulating the Preſs. E X P. 13 & 14 Car. 2. c. 33.

## C A P. VIII.

### An Act to prevent Arreſts of Judgment, and ſuperſeding Executions.

'WHEREAS great Delay, Trouble and Vexation hath been and ſtill is occaſioned to the People of this Realm, as well by Arreſting and Reverſing of Judgments, as by ſtaying Executions by Writs of Error and Superſedeas:' (2) For Remedy thereof, Be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Verdict of twelve Men ſhall be given in any Action, Suit, Bill or Demand, to be commenced from and after the five and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty and five, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Courts of Record in the Counties Palatine of *Cheſter*, *Lancaſter* or *Durham*, or in his Majeſty's Courts of the Great Seſſions in any of the twelve Shires of *Wales*; Judgment thereupon ſhall not be ſtayed or reverſed, for Default in Form or Lack of Form; (3) or by Reaſon that there are not Pledges, or but one Pledge to proſecute, returned upon the original Writ; (4) or becauſe the Name of the Sheriff is not returned upon ſuch Original Writ; (5) or for Default of entring Pledges upon any Bill or Declaration; (6) or for Default of Alledging the Bringing into Court of any Bond, Bill, Indenture, or other Deed whatſoever mentioned in the Declaration, or other Pleading; (7) or for Default of Allegation of the bringing into Court of Letters Teſtamentary or Letters of Adminiſtration; (8) or by Reaſon of the Omiſſion of *Vi & Armis*, or *Contra pacem*; (9) or for or by Reaſon of the Miſtaking of the Chriſtian Name or Surname of the Plaintiff or Defendant, Demandant or Tenant, Sum or Sums of Money, Day, Month or Year, by the Clerk, in any Bill, Declaration or Pleading, where the right Name, Surname, Sum, Day, Month or Year, in any Writ, Plaint, Roll or Record preceding, or in the ſame Roll or Record where the Miſtake is committed, is or are once truly and rightly alledged, whereunto the Plaintiff might have demurred and ſhewn the ſame for Cauſe; (10) nor for Want of the Averment of *Hoc paratus eſt verificare*; (11) or for *Hoc paratus eſt verificare per Recordum*; (12) or for not alledging *Prout patet per Recordum*; (13) or for that there is no right *Venue*, ſo as the Cauſe were tried by a Jury of the proper County or Place where the Action is laid; (14) nor any Judgment after Verdict, Confeſſion by *Cognovit Actionem*, or *Relicta verificatione*, ſhall be reverſed for Want of *Miſericordia* or *Capiatur*; (15) or by Reaſon that a *Capiatur* is entred for a *Miſericordia*, or a *Miſericordia* is entred where a *Capiatur* ought to have been entred; (16) nor for that *Ideo conceſſum eſt per Curiam* is entred for *Ideo conſideratum eſt per Curiam*; (17) nor for that the Increaſe of Coſts after a Verdict in any Action, or upon a Nonſuit in Replevin, are not entred to be at the Requeſt of the Party for whom the Judgment is given; (18) nor by Reaſon that the Coſts in any Judgment whatſoever are not entred to be by Conſent of the Plaintiff; (19) but that all ſuch Omiſſions, Variances, Defects, and all other Matters of like Nature, not being againſt the Right of the Matter of the Suit, nor whereby the Iſſue or Trial are altered, ſhall be amended by the Juſtices or other Judges of the Courts where ſuch Judgments are or ſhall be given, or whereunto the Record is or ſhall be removed by Writ of Error. This Act extended to Writs of Mandamus, *&c.* by 9 Annæ, c. 20. §. 7. In what Court and Caſes Judgment after Verdict ſhall not be ſtayed for Default of Form in pleading. 1 Mod. 198. 1 Salk. 37, 38. Mod. Caſes in Law 198, 356. Farther Proviſions of this Kind, 4 Annæ, c. 16. 5 Geo. 1, c. 13.

II. Provided always, and be it further enacted by the Authority aforeſaid, That this Act, or any Thing therein contained, ſhall not extend to any Writ, Declaration or Suit of Appeal of Felony or Murder, nor to any Indictment or Preſentment of Felony, Murder, Treaſon or other Matter, nor to any Proceſs upon any of them; (2) nor to any Writ, Bill, Action or Information upon any Penal Statute, other than concerning Cuſtoms and Subſidies of Tonnage and Poundage; any Thing in this Act contained to the contrary thereof in any wiſe notwithſtanding. Proviſo for Appeals, Indictments, Actions upon penal Laws, other than for Cuſtoms and Subſidies.

III. And be it further enacted by the Authority aforeſaid, That from and after the twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred ſixty and four, no Execution ſhall be ſtayed in any of the aforeſaid Courts by Writ of Error or *Superſedeas* thereupon, after Verdict and Judgment thereupon, In what Caſes Execution ſhall not be ſtayed by Writ of Error,

but upon Recognizance entred according to 3 Jac. 1. c. 8. Carthew 121.

upon, in any Action Perſonal whatſoever, unleſs a Recognizance with Condition according to the Statute made in the third Year of the Reign of our late Sovereign Lord King *James*, ſhall be firſt acknowledged in the Court where ſuch Judgment ſhall be given: (2) And further, That in Writs of Error to be brought upon any Judgment after Verdict in any Writ of Dower, or in any Action of *Ejectione firmæ*, no Execution ſhall be thereupon or thereby ſtayed, unleſs the Plaintiff or Plaintiffs in ſuch Writ of Error ſhall be bound unto the Plaintiff in ſuch Writ of Dower, or Action of *Ejectione firmæ*, in ſuch reaſonable Sum as the Court to which ſuch Writ of Error ſhall be directed ſhall think fit, with Condition, That if the Judgment ſhall be affirmed in the ſaid Writ of Error, or that the ſaid Writ of Error be diſcontinued in Default of the Plaintiff or Plaintiffs therein, or that the ſaid Plaintiff or Plaintiffs be nonſuit in ſuch Writs of Error, That then the ſaid Plaintiff or Plaintiffs ſhall pay ſuch Coſts, Damages, and Sum and Sums of Money, as ſhall be awarded upon or after ſuch Judgment affirmed, Diſcontinuance or Nonſuit had.

3 Lev. 275.

Proviſo touching Judgment in Dower and Ejectione firmæ.

IV. And to the End that the ſame Sum and Sums and Damages may be aſcertained, It is further enacted, That the Court wherein ſuch Execution ought to be granted upon ſuch Affirmation, Diſcontinuance or Nonſuit, ſhall iſſue a Writ to enquire as well of the mean Profits as of the Damages by any Waſte committed after the firſt Judgment in Dower or in *Ejectione firmæ*; and upon the Return thereof, Judgment ſhall be given, and Execution awarded for ſuch meſne Profits and Damages, and alſo for Coſts of Suit.

To what Actions this Act ſhall not extend.

V. Provided, That this Act, nor any Thing therein contained, ſhall not extend to any Writ of Error to be brought by any Executor or Adminiſtrator; (2) nor unto any Action popular, nor unto any other Action which is or hereafter ſhall be brought upon any Penal Law or Statute (except Actions of Debt for not ſetting forth of Tithes); (3) nor to any Indictment, Preſentment, Inquiſition, Information or Appeal; any Thing herein before expreſſed to the contrary thereof in any wiſe notwithſtanding.

The Continuance of this Act.

VI. Provided always, That this Act ſhall continue in Force for three Years, and to the End of the next Seſſion of Parliament after the Expiration of the ſaid three Years, and no longer. [Made perpetual by 22 & 23 Car. 2. c. 4.]

## CAP. IX.

### An Act to impower the Chancellor of the Duchy to grant Commiſſions for taking Affidavits within the Duchy Liberties.

Oath.

FOR the greater Eaſe and Benefit of the Inhabitants within the County Palatine of *Lancaſter*, and other Places within ſeveral other Counties of this Kingdom within the Survey of the Court of Duchy-Chamber at *Weſtminſter*, in the taking of *Affidavits* in the Country, to be made Uſe of, and read in Cauſes depending and to be depending within the ſaid Court; (2) Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Chancellor of the ſaid Duchy and County Palatine of *Lancaſter* for the Time being, ſhall and may by one or more Commiſſion or Commiſſions from Time to Time, as need ſhall require, impower what and as many Perſons as he ſhall think fit and neceſſary within the ſaid County Palatine and other Duchy Liberties, to take and receive all and every ſuch Affidavit or Affidavits as any Perſon or Perſons ſhall be willing and deſirous to make before any of the Perſons ſo impowered, in or concerning any Cauſe, Matter or Thing depending, or hereafter to be depending, in the ſaid Court of Duchy-Chamber, as Maſters of Chancery in extraordinary do uſe to do; (3) which ſaid Affidavits ſhall be filed in the Office of the Clerk of the Court of the Duchy, and then be read and made uſe of in the ſaid Court to all Intents and Purpoſes, as other Affidavits taken in the ſaid Court now are.

II. Provided, That for the taking of every ſuch Affidavit, the Perſon or Perſons ſo impowered and taking the ſame, ſhall for ſo doing receive only the Sum or Fee of twelve Pence, and no more.

## CAP. X.

P R. 15 Car. 2. c. 1.

An Act for Continuance of a former Act for repairing the Highways within the County of *Hertford*. The Toll taken at *Wades-Mill* continued. Continued from *November* 1722. for 15 Years, by 6 Geo. 1. c. 20. For repairing the Highway from *Puckeridge* to *Barley*, *Caxton*, *Arrington-Bridge*. A Charge of ſix Pence in the Pound for repairing the ſaid Highways. The Collector of the Toll, how to account weekly. Proviſo touching the Continuance or Determining the ſaid Toll. Proviſo for Adjudication of the Amendment of the ſaid Highways. How the ſaid ſix Pence in the Pound ſhall be paid and levied. Repealed as to the County of *Hertford*, by 6 *Geo.* 2. c. 24.

## CAP. XI.

P R. 25 Car. 2. c. 17. §. 38.

An Act for Draining of the Fen called *Deeping-Fen*, and other Fens therein mentioned. *Deeping*, *Pinchbeck*, *Thurlby*, *Bourn* and *Croyland* Fens. A third Part aſſigned and ſet out to *Thomas Lovell*. A certain Act and Decrees made for the ſaid *Thomas Lovell*, repealed. Truſtees and Undertakers made for Draining the ſaid Fens. *Glean* and *Welland* Rivers. Sufficient Gates and Bridges to be made. The Powers of the ſaid Truſtees and Undertakers. *Glean*, *Welland*, *Weſtlode*. What ſhall be done in Caſe of Gooles or Breaches, or Overflowings. *Dozens*, *Hawthorn-bank*, *Eaſt-bank*. Satisfaction for Damage to particular Perſons, how to be made. Power to pull up Bridges, Dreins, &c. The ſaid Bridges, Tunnels, &c. how to be repaired. *Spalding* Bridge. Preſervation of the Banks. Proviſo for Owners and Commoners. Horſemen and Cattle landing upon the Banks. Swine, not to be put on the Fens. Poor Inhabitants, to be maintained by the Truſtees. Water ſhall not be let out of the Rivers of *Glean* and *Welland*. The Drain from *Boſton-Bank* to *Winſover*. The Proportion eſtated upon the Truſtees and

and Undertakers. The Truſtees ſhall fence and incloſe the third Part, &c. The Penalty upon Neglect to drain the ſaid Fens within ſeven Years, and ſo after to keep and maintain them. *South-Dozens* and *Hawthorne-Bank*. How Meetings and By-Laws may be made for Management of the Dreining. By whom Rates and Taxes may be made for the ſaid Work. How the ſame may be levied. How Owners and Commoners may improve and incloſe their Shares. Who may determine of Boundaries, Improvements and Incloſures. Appeals in Caſes of Adjudication. The Oath to be taken by Commiſſioners. The Places of Commiſſioners Sitting. Their Power and Manner of Proceeding.

## CAP. XII.

An Act for making the River *Avon* Navigable from *Chriſt-Church* to the City of *New Sarum*. Commiſſioners to be appointed for making the River *Avon* Navigable. Satisfaction to Parties endamaged in any of their Lands. Commiſſioners for Compounding with Perſons ſo damnified. The Power of the ſaid Commiſſioners. How Commiſſioners dying or renouncing, may be ſupplied. The Powers to make Orders and Conſtitutions. To impoſe Penalties upon the Breakers. Perſons grieved may appeal to the Juſtices of Aſſize. The Undertakers to have the Taxes upon Carts, Carriages, &c. Penalties, and how to recover the ſame. Drawing and Haling of Barges, &c. upon the Banks, provided for. No Wharf to be within *New Sarum*. The River, Havens, &c. to be under the Survey of the Undertakers and Commiſſioners. Perſons ſued for acting upon this Act, may plead the General Iſſue. *Wiley* River. P R.

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# Anno decimo ſeptimo CAROLI ſecundi Regis.

'AT the Parliament begun at *Weſtminſter* the eighth of *May* one thouſand ſix Hundred ſixty-one, and by divers Prorogations continued till the thirty-firſt of *October* 17 *Car.* 2.' Said in the former Editions, to be held at Oxford, 9 Oct. 1665.

## CAP. I.

An Act for granting the Sum of twelve hundred and fifty thouſand Pounds to the King's Majeſty, for his preſent further Supply. EXP. 19 Car. 2. c. 9.

## CAP. II.

### An Act for reſtraining Non-Conformiſts from Inhabiting in Corporations.

'WHEREAS divers Parſons, Vicars, Curates, Lecturers and other Perſons in Holy Orders, have not declared their unfeigned Aſſent and Conſent to the Uſe of all Things contained and preſcribed in the Book of Common Prayer, and Adminiſtration of the Sacraments and other Rites and Ceremonies of the Church, according to the Uſe of the Church of *England*, or have not ſubſcribed the Declaration or Acknowledgment contained in a certain Act of Parliament made in the fourteenth Year of his Majeſty's Reign, and intituled, *An Act for the Uniformity of Publick Prayers and Adminiſtration of Sacraments and other Rites and Ceremonies, and for the Eſtabliſhing the Form of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons in the Church of* England, according to the ſaid Act or any other ſubſequent Act. And whereas they or ſome of them, and divers other Perſon and Perſons not Ordained according to the Form of the Church of *England*, and as have ſince the Act of Oblivion taken upon them to Preach in unlawful Aſſemblies, Conventicles or Meetings, under Colour or Pretence of Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, have ſettled themſelves in divers Corporations in *England*, ſometimes three or more of them in a Place, thereby taking an Opportunity to Diſtil the poiſonous Principles of Schiſm and Rebellion into the Hearts of his Majeſty's Subjects, to the great Danger of the Church and Kingdom:' 13 & 14 Car. 2. c. 4.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Parſons, Vicars, Curates, Lecturers and other Perſons in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders and all Stipendaries and other Perſons who have been poſſeſſed of any Eccleſiaſtical or Spiritual Promotion, and every of them, who have not declared their unfeigned Aſſent and Conſent as aforeſaid, and ſubſcribed the Declaration aforeſaid, and ſhall not take and ſubſcribe the Oath following; Perſons reſtrained from inhabiting in Corporations.

'(2) I *A. B.* do Swear, That it is not lawful upon any Pretence whatſoever, to take Arms againſt the King; and that I do abhor that traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſionated by him, in Purſuance of ſuch Commiſſions; and that I will not at any Time endeavour any Alteration of Government, either in Church or State.' The Oath. Rep. 5 Geo. 1. c. 6.

III. And all ſuch Perſon and Perſons as ſhall take upon them to Preach in any unlawful Aſſembly, Conventicle or Meeting, under Colour or Pretence of any Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom; (2) ſhall not at any Time from and after the four and twentieth Day of *March* which ſhall be in this preſent Year of our Lord God one thouſand ſix hundred ſixty and five, unleſs only in Paſſing upon the Road, come or be within five Miles of any City or Town Corporate, or Borough that ſends

ſends Burgeſſes to the Parliament, within his Majeſty's Kingdom of *England*, Principality of *Wales* or of
1 *Vent.* 63. 318. the Town of *Berwick* upon *Tweed*; (3) or within five Miles of any Pariſh, Town or Place, wherein he or they have ſince the Act of Oblivion been Parſon, Vicar, Curate, Stipendary or Lecturer, or taken upon them to preach in any unlawful Aſſembly, Conventicle or Meeting, under Colour or Pretence of any
Altered by 1 W. & M. Seſſ. 1. c. 18. §. 8. Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom; (4) before he or they have taken and ſubſcribed the Oath aforeſaid, before the Juſtices of the Peace at their Quarter-Seſſions to be holden for the County, Riding or Diviſion next unto the ſaid Corporation, City or Borough, Pariſh, Place or Town, in open Court, (which ſaid Oath the ſaid Juſtices are hereby impowered there to adminiſter;

The Penalty. (5) upon Forfeiture for every ſuch Offence the Sum of forty Pounds of lawful *Engliſh* Money; the one third Part thereof to his Majeſty and his Succeſſors; the other third Part to the Uſe of the Poor of the Pariſh where the Offence ſhall be committed; and the other third Part thereof to ſuch Perſon or Perſons as ſhall or will ſue for the ſame by Action of Debt, Plaint, Bill or Information, in any Court of Record at *Weſtminſter*, or before any Juſtices of Aſſize, *Oyer* and *Terminer* or Gaol-delivery, or before any Juſtices of the Counties Palatine of *Cheſter*, *Lancaſter* or *Durham*, or the Juſtices of the Great-Seſſions in *Wales*, or before any Juſtices of Peace in their Quarter-Seſſions, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons reſtrained from coming to any City, Town Corporate, Borough, Pariſh, Town or Place, as aforeſaid, or for any other Perſon or Perſons as ſhall not firſt take and ſubſcribe the ſaid Oath,
2 & 3 Ed. 6. c. 1. 5 & 6 Ed. 6. c. 1. 1 Eliz. c. 2. 13 & 14 Car. 2. c. 4. and as ſhall not frequent Divine Service eſtabliſhed by the Laws of this Kingdom, and carry him or her ſelf reverently, decently and orderly there, to teach any publick or private School, or take any Boarders or Tablers that are taught or inſtructed by him or her ſelf, or any other; upon Pain for every ſuch Offence to forfeit the Sum of forty Pounds, to be recovered and diſtributed, as aforeſaid.

*Farther Proviſions relating hereto,* 1 *W. & M. ſtat.* 1. *c.* 18. *and* 23 *Geo.* 2. *c.* 28. V. Provided alſo, and be it further enacted by the Authority aforeſaid, That it ſhall be lawful for any two Juſtices of the Peace of the reſpective County, upon Oath to them of any Offence againſt this Act, which Oath they are hereby impowered to adminiſter, to commit the Offender for ſix Months without Bail or Mainprize, unleſs upon or before ſuch Commitment, he ſhall before the ſaid Juſtices of the Peace, ſwear and ſubſcribe the aforeſaid Oath and Declaration.

VI. Provided always, That if any Perſon intended to be reſtrained by Virtue of this Act, ſhall without Fraud or Covin be ſerved with any Writ, *Subpœna*, Warrant, or other Proceſs, whereby his perſonal Appearance is required, his Obedience to ſuch Writ, *Subpœna* or Proceſs, ſhall not be conſtrued an Offence againſt this Act.

## CAP. III.

### An Act for uniting Churches in Cities and Towns Corporate.

37 *H.* 8. *c.* 21. Farther provided for by 4 & 5 W. & M. c. 12. ‘FOraſmuch as the ſettled Proviſion for Miniſters in moſt Cities and Towns Corporate within this Realm, is not ſufficient for the Maintenance of able Miniſters fit for ſuch Places, whereby mean and ſtipendary Preachers are entertained, to ſerve the Cures there; who wholly depending for their Maintenance upon the Good-will and Liking of their Auditors, have been and are thereby under Temptation of too much complying and ſuiting their Doctrine and Teaching to the Humour rather than Good of their Auditors, which hath been a great Occaſion of Faction and Schiſm, and of the Contempt of the Miniſtry: (2) The Lords and Commons in Parliament aſſembled, being deeply ſenſible of the ill Conſequence thereof, and piouſly deſiring able Miniſters in ſuch Places, and a competent ſettled Maintenance for them by the Union of Churches; which is alſo become neceſſary, by Reaſon of the great Ruin of many Churches and Pariſhes in the late ill Times, and otherwiſe;’ Do therefore moſt humbly beſeech your moſt Excellent Majeſty, That it may be enacted; (3) and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in every City or Town Corporate and their Liberties within the Kingdom of *England* and Dominion of *Wales*, which have a Mayor and Aldermen, and particular Juſtices of the Peace by Charter or Commiſſion, or Bailiff or Bailiffs, or other Chief Officer or Officers, and other Aſſiſtants, by like Charter; and where two or more Churches or Chapels, or a Church and a Chapel, and the Pariſhes thereunto belonging, do lie within the ſaid Corporation or Liberties thereof, convenient to be united: In ſuch Caſes the Biſhop of the Dioceſe where ſuch Pariſh and Pariſhes are, with the Conſent of the Mayor, Aldermen and Juſtices of the Peace, Bailiff or Bailiffs, or other Chief Officer or Officers, or the major Part of them, and of the Patron or Patrons of ſuch Church or Churches, Chapel or Chapels, ſhall or may according to due Form of Law unite the ſaid Churches or Chapels, or Church and Chapel, or any of them; (4) and ſhall appoint at which Church or Chapel, Churches or Chapels, the ſaid Pariſhioners and Inhabitants of the ſaid Pariſhes or Places, to which the ſaid Churches or Chapels or Church and Chapel do belong, ſhall uſually meet for the Worſhip of God, and which of the ſaid Churches or Chapels or Church or Chapel ſhall be united and annexed unto the other, which ſhall be the Church Preſentative, unto which all Preſentations ſhall thereafter be only made, and unto which the Pariſhioners ſhall reſort as their proper Church; (5) and after ſuch Order made, the ſaid Churches or Chapels or Church and Chapel ſhall accordingly for ever ſtand united: And the Pariſhioners, Landholders and Inhabitants of the ſaid Pariſhes and Places belonging to ſuch Churches or Chapels or Church and Chapel ſo united and annexed, ſhall as they or any of them become void, and from thenceforward, pay all ſuch Tithes and other Duties as belong or did belong to the Incumbent of any of the ſaid Churches or Chapels or Church and Chapel ſo united and annexed, unto the Incumbent of the ſaid Preſen-

In what Cities and Towns, and how, Churches and Chapels may be united.

*Vin. V.* 21. 594, &c.

Mod. Caſes in Law 5, 6.

tative

tative Church or Chapel, unto which the ſaid other Churches or Chapels or Church or Chapel ſhall be ſo united and annexed.

II. And it is hereby alſo enacted, That notwithſtanding any ſuch Union to be made by Virtue hereof, each of the Pariſhes ſo united ſhall continue diſtinct, as to all Rates, Taxes, Parochial Rites, Charges and Duties, and all other Privileges, Liberties and Reſpects whatſoever, other than what is herein before mentioned and ſpecified; and Church-wardens ſhall be elected and appointed for each Pariſh, as they were before ſuch Union made. Pariſhes ſhall remain diſtinct notwithſtanding ſuch Union of Churches. Carthew 238.

III. And it is further enacted and provided, That where one or more of the ſaid Churches or Chapels or Church and Chapel ſo united and annexed, ſhall be full at the Time of Making ſuch Union, That then the ſaid Union ſhall take Effect for every ſuch Church or Chapel, upon the firſt Avoidance after ſuch Union made: (2) And that the ſeveral Patrons of the ſaid Churches and Chapels ſo united, ſhall and may preſent by Turns to that Church only which ſhall remain and be preſentative, from Time to Time, in ſuch Order, as the ſaid Biſhop, with the Conſent of the ſaid Mayor, Aldermen and Juſtices of Peace, Bailiff or Bailiffs, or other Chief Officer or Officers within ſuch Pariſhes, or the major Part of them, and of the Patron or Patrons of ſuch Church or Churches, Chapel or Chapels, ſhall determine and decree, for the Preſervation of their reſpective Rights therein, Reſpect being therein had to the Difference of the Values of the yearly Maintenance belonging to ſuch Churches or Chapels or any of them; (3) ſaving unto the King's Majeſty, his Heirs and Succeſſors, all the Tenths and Firſt-fruits of all ſuch Churches and Chapels ſo to be united, according to the Rates and Valuations at which the ſaid Churches and Chapels are rated, and valued in the Office of Firſt-fruits and Tenths, in his Majeſty's Court of Exchequer; and alſo reſerving all Procurations and Penſions to all Perſons to whom they are now and have been formerly, or ſhall be hereafter, due and payable; any Thing herein contained notwithſtanding. How and when ſuch uniting ſhall take Effect. And how ſeveral Patrons ſhall preſent. Dr. and Stud. 116. b.

IV. Provided always, That no Union of Pariſhes or Places to be made by Virtue of this Act ſhall commence or be effectual in Law, until it be regiſtred in the Regiſter-Book of the Biſhop of the Dioceſe, which the Regiſter is hereby required to do. How Unions muſt be regiſtred.

V. Provided always, That no Union made by Virtue hereof, ſhall be good and effectual, where the ſettled Maintenance belonging to the Parſons, Vicars and Incumbents of the Church or Chapel or Churches or Chapels ſo united, ſhall exceed the Sum of one hundred Pounds *per Annum* clear and above all Charges and Repriſes; unleſs the reſpective Pariſhioners, or the major Part of them, under their Hands deſire otherwiſe. Pariſhes having 100l. Maintenance may not be united.

VI. Provided always, and be it enacted, That every Miniſter ſettled as aforeſaid the Incumbent of any Church or Chapel, or Churches and Chapels united according to this Act, ſhall be the full and lawful Incumbent thereof to all Intents and Purpoſes, ſo as ſuch Miniſter be a Graduate in one of the Univerſities of this Kingdom. Incumbents of ſuch united Pariſhes muſt be Graduates of the Univerſity.

VII. And be it further enacted by the Authority aforeſaid, That every Owner or Proprietor, Owners or Proprietors of any Impropriation, Tithes or Portion of Tithes, in any Pariſh or Chapelry within the Kingdom of *England* or Dominion of *Wales*, is, are and ſhall be, by Virtue of this Act, inabled and impowered to give or beſtow, unite and annex the ſame, or any Part thereof, unto the Parſonage or Vicarage of the ſaid Pariſh-Church or Chapel where the ſame do lie or ariſe, or ſettle the ſame in Truſt for the Benefit of the ſaid Parſonage or Vicarage, or of the Curate and Curates there ſucceſſively, where the Parſonage is impropriate and no Vicar indowed, according to his or their reſpective Eſtates, without any Licence of Mortmain; any Law or Statute to the contrary notwithſtanding. Owners of Impropriations may beſtow and annex Maintenance to the Churches where they lie, without Licence of Mortmain.

VIII. And be it further enacted, That if the ſettled Maintenance of ſuch Parſonages, Vicarages, Churches and Chapels ſo united, or of any other Parſonage or Vicarage with Cure, in the Kingdom of *England* or Dominion of *Wales*, ſhall not amount to the full Sum of one hundred Pounds *per Annum* clear and above all Charges and Repriſes; That then it ſhall be lawful for the Parſon, Vicar and Incumbent of the ſame, and his Succeſſors, to take, receive and purchaſe to him and his Succeſſors, Lands, Tenements, Rents, Tithes or other Hereditaments, without any Licence of Mortmain; any Law or Statute to the contrary notwithſtanding. Parſons and Vicars not having ſettled Means of 100l. per Annum, may purchaſe and annex Lands or Rents without Licence of Mortmain.

## CAP. IV.

An Act for Continuance of a former Act for Regulating the Preſs. *See Appendix.*

## CAP. V.

An Act for attainting *Thomas Doleman*, *Joſeph Bampfield* and *Thomas Scot* of High Treaſon, if they render not themſelves by a Day.

## CAP. VI.

An Act for taking away of Damage Cleer.

'WHEREAS the Monies which are taken by Prothonotaries of your Majeſty's Courts of King's Bench and Common Pleas, and by the Clerk of your Majeſty's Court of Exchequer at *Weſtmin-*
'*ſter*, and the Prothonotary of your Majeſty's Court of Common Pleas at *Lancaſter*, and the Prothonotaries and Clerks of other your Majeſty's Courts within the Realm of *England* and Dominion of *Wales*,
'in the Name of *Damna Clericorum*, or Damage Cleer[b], are an unneceſſary Charge and Burden to all Fees. Damna Clericorum

[b] *This was originally a Gratuity given to the Prothonotaries and their Clerks, for drawing ſpecial Writs and Pleadings.*

'your Majeſty's Subjects who have good Cauſe, and are put to ſue for Damages in Actions where Damages 'are recoverable:'

II. For the avoiding of which Inconveniencies for the future, and that your Majeſty's Subjects may have an eaſier Means for the Recovery of their Damages and juſt Rights which are unjuſtly detained from them: May it pleaſe your moſt Excellent Majeſty, that it may be enacted; and the King's moſt Excellent Majeſty, being willing upon all Occaſions to eaſe his Subjects of all unneceſſary Charges and Burdens, is graciouſly pleaſed, That it be enacted; (2) And be it enacted by the King's moſt Excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That immediately from and after the twenty-ninth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſeventy-two, no Damage Cleer ſhall by any Title or Precept whatſoever be due, payable, taken or received from any Perſon or Perſons in any Action whatſoever, ſued or proſecuted in any of his Majeſty's Courts at *Weſtminſter*, or elſewhere within the Kingdom of *England*, or Dominion of *Wales*, by any Prothonotary, Clerk or Clerks, or other Officer or Officers of the ſaid Courts reſpectively: (3) And that from and after the Day and Year aforeſaid, the ſaid Fee of *Damna Clericorum*, or Damage Cleer, ſhall wholly ceaſe and be for ever aboliſhed in the ſaid Courts; (4) and that if any Prothonotary Clerk or Clerks, or other Officer in any of the ſaid Courts, ſhall take or exact any Sum or Sums of Money in the Name of *Damna Clericorum*, or Damage Cleer, or any Thing in Lieu thereof, after the Day and Year above-mentioned; (5) or if any of the ſaid Prothonotaries, Clerk or Clerks, or their Deputies, at any Time before the ſaid twenty-ninth Day of *September* in the Year aforeſaid, ſhall exact or take any Damage Cleer, or Sum of Money, Bond or Security in Lieu thereof, from any Plaintiff or Plaintiffs, Demandant or Demandants, in any Action where Damages have been or hereafter ſhall be recovered in any of the ſaid Courts; (6) or ſhall refuſe or delay to ſign any Judgment until Damage Cleer be firſt paid by the Plaintiff or Demandant (which are not to be paid, unleſs forth of the Monies levied from, or paid by the Defendants, as is herein after provided and mentioned); (7) he or they ſo offending ſhall forfeit treble the Sum ſo taken, exacted or demanded, to the Party or Parties grieved, to be recovered by Bill, Plaint or Information in any of the ſaid Courts, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

ſhall determine, and not be taken after the 29th Day of September 1672.

The Penalty.

In what Caſes only they may be taken until the 29th of September 1672.

III. Provided, and be it further enacted, That until the nine and twentieth Day of *September*, which ſhall be in the Year of our Lord God one thouſand ſix hundred ſeventy and two, and no longer, the Damage Cleer ſhall be paid, anſwered and allowed, out of ſuch Sum and Sums of Money only, as ſhall be actually levied, or otherwiſe paid by or from the Defendants, and only for the Proportion of the Sum and Sums of Money which ſhall be ſo levied or otherwiſe paid as aforeſaid, and no more, or otherwiſe.

## CAP. VII.

### An Act for a more ſpeedy and effectual Proceeding upon Diſtreſſes and Avowries for Rents.

32 *H.* 8. *c.* 37.

'FOraſmuch as the ordinary Remedy for Arrearages of Rents, is by Diſtreſs upon the Lands chargeable 'therewith; and yet nevertheleſs by Reaſon of the intricate and dilatory Proceedings upon Replevins, 'that Remedy is become ineffectual:'

Plaintiff in Replevin being nonſuit before Iſſue joined.

II. For Remedy thereof, It is enacted by the King's moſt Excellent Majeſty, with the Advice and Aſſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That whenſoever any Plaintiff in Replevin ſhall be nonſuit before Iſſue joined, in any Suit of Replevin by Plaint or Writ lawfully returned, removed or depending, in any of the King's Courts at *Weſtminſter*, That the Defendant making a Suggeſtion in Nature of an Avowry or Cognizance for ſuch Rent, to aſcertain the Court of the Cauſe of Diſtreſs, the Court upon his Prayer ſhall award a Writ to the Sheriff of the County where the Diſtreſs was taken, to enquire by the Oaths of twelve good and lawful Men of his Bailiwick, touching the Sum in Arrear at the Time of ſuch Diſtreſs taken and the Value of the Goods or Cattle diſtrained: (2) And thereupon Notice of fifteen Days ſhall be given to the Plaintiff or his Attorney in Court, of the Sitting of ſuch Enquiry; (3) and thereupon the Sheriff ſhall inquire of of the Truth of the Matters contained in ſuch Writ, by the Oaths of twelve good and lawful Men of his County: (4) And upon the Return of ſuch Inquiſition, the Defendant ſhall have Judgment to recover againſt the Plaintiff the Arrearages of ſuch Rent, in caſe the Goods or Cattle diſtrained ſhall amount unto that Value: (5) And in caſe they ſhall not amount to that Value, then ſo much as the Value of the ſaid Goods and Cattle ſo diſtrained ſhall amount unto, together with his full Coſts of Suit; (6) and ſhall have Execution thereupon by *Fieri facias* or *Elegit*, or otherwiſe as the Law ſhall require. (7) And in caſe ſuch Plaintiff ſhall be nonſuit after Cognizance or Avowry made, and Iſſue joined, or if the Verdict ſhall be given againſt ſuch Plaintiff; then the Jurors that are impanelled or returned to inquire of ſuch Iſſue, ſhall at the Prayer of the Defendant inquire concerning the Sum of the Arrears, and the Value of the Goods or Cattle diſtrained: (8) and thereupon the Avowant, or he that makes Cognizance, ſhall have Judgment for ſuch Arrearages, or ſo much thereof as the Goods or Cattle diſtrained amount unto, together with his full Coſts, and ſhall have Execution for the ſame by *Fieri facias* or *Elegit*, or otherwiſe, as the Law ſhall require.

How the Defendant may avow.

The Plaintiff nonſuit after Avowry made, &c.

Judgment upon Demurrer for the Avowant.

III. And be it further enacted by the Authority aforeſaid, That if Judgment in any of the Courts aforeſaid be given upon Demurrer for the Avowant, or him that maketh Cognizance for any Rent, the Court ſhall at the Prayer of the Defendant award a Writ to inquire of the Value of ſuch Diſtreſs; (2) and upon the Return thereof Judgment ſhall be given for the Avowant, or him that makes Cognizance as aforeſaid, for the Arrears alledged to be behind in ſuch Avowry or Cognizance, if the Goods or Cattle ſo diſtrained ſhall amount to that Value; and in caſe they ſhall not amount to that Value, then for ſo much as the ſaid

Goods or Cattle ſo diſtrained amount unto, together with his full Coſts of Suit, and ſhall have like Execution as aforeſaid.

*Further Proviſions concerning Rents, ſee 8 Ann. c. 14. 4 Geo. 2. c. 28. and 11 Geo. 2. c. 19.*

IV. Provided always, and be it enacted, That in all Caſes aforeſaid, where the Value of the Cattle diſtrained as aforeſaid, ſhall not be found to be to the full Value of the Arrears diſtrained for, that the Party to whom ſuch Arrears were due, his Executors or Adminiſtrators, may from Time to Time diſtrain again for the Reſidue of the ſaid Arears. [Extended to *Wales* and the Counties Palatine, by 19 Car. 2. c. 5.]

## CAP. VIII.

### An Act for avoiding unneceſſary Suits and Delays.

Death of either Party between the Verdict and Judgment. 1 Lev. 277. Salk. 8. 2 Keb. 800. 2 Vern. ca. 220.

FOR the Avoiding of unneceſſary Suits and Delays, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That in all Actions Perſonal, Real, or Mixt, the Death of either Party between the Verdict and the Judgment, ſhall not hereafter be alledged for Error, ſo as ſuch Judgment be entred within two Terms after ſuch Verdict.

Judgment obtained by an Executor. Yelv. 133. 1 Salk. 323.

II. And be it further enacted by the Authority aforeſaid, where any Judgment after a Verdict ſhall be had, by or in the Name of any Executor or Adminiſtrator; in ſuch Caſe an Adminſtrator *de bonis non* may ſue forth a *Scire facias*, and take Execution upon ſuch Judgment.

The Continuance of this Act.

III. This Act to continue for the Space of five Years and from thence to the End of the next Seſſion of Parliament. [Made perpetual by 1 Jac. 2. c. 17. §. 5.]

## CAP. IX.

### An Act for granting one Month's Aſſeſſment to his Majeſty.

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# Anno decimo octavo CAROLI ſecundi Regis.

'AT the Seſſion of the ſame Parliament by divers Prorogations held at *Weſtminſter* one thouſand ſix hundred ſixty-ſix, Anno 18 Car. 2. *

* 'On the Roll it is ſaid to be continued to the tenth Day of October, Anno decimo nono.'

## CAP. I.

### An Act for raiſing Monies by a Poll, and otherwiſe, towards the Maintenance of the preſent War. EXP

## CAP. II.

### An Act againſt importing Cattle from *Ireland* and other Parts beyond the Seas, and Fiſh taken by Foreigners.

'WHEREAS by an Act of this preſent Parliament, intituled, *An Act for the Incouragement of Trade*, amongſt other Things, ſome Proviſion was made for the Preventing of coming in of vaſt Numbers of Cattle, whereby the Rents and Values of the Land of this Kingdom were much fallen, and like daily to fall more, to the great Prejudice, Detriment and Impoveriſhment of this Kingdom; which nevertheleſs hath by Experience been found to be ineffectual; and the Continuance of any Importation, either of the lean or fat Cattle, dead or alive, herein after ſpecified, not only unneceſſary, but very deſtructive to the Welfare of this Kingdom:' (2) Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That ſuch Importation from and after the ſecond Day of *February* in this preſent Year one thouſand ſix hundred ſixty and ſix, is a publick and common Nuſance, and ſhall be ſo adjudged, deemed and taken to be to all Intents and Purpoſes whatſoever. (3) And that if any great Cattle, Sheep or Swine, or any Beef, Pork or Bacon (except for the neceſſary Proviſion of the reſpective Ships or Veſſels in which the ſame ſhall be brought, not expoſing the ſame or any Part thereof to Sale) ſhall from and after the ſaid ſecond Day of *February*, by any wiſe whatſoever, be imported or brought from beyond Seas into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*; That then it ſhall and may be lawful for any Conſtable, Tithingman, Headborough, Church-wardens or Overſeers of the Poor, or any of them, within their reſpective Liberties, Pariſhes or Places, to take and ſeize the ſame, (4) and keep the ſame during the Space of eight and forty Hours in ſome publick or convenient Place where ſuch Seizure ſhall be made; within which Time, if the Owner and Owners, or any for them or him, ſhall make it appear unto ſome Juſtice of the Peace of the ſame County where the ſame ſhall be ſo ſeized, by the Oath of two credible Witneſſes; which Oath the ſaid Juſtice of Peace is hereby impowered and required to adminiſter, That the ſame were not imported from *Ireland*, or from any other Place beyond the Seas, not herein after excepted, after the ſaid ſecond Day of *February*; then the ſame upon the Warrant of ſuch Juſtice of Peace ſhall be delivered without Delay: (5) But in Default of ſuch Proof and Warrant, then the ſame to be forfeited: One Half thereof to be diſpoſed to the Uſe of the Poor of the Pariſh where

15 Car. 2. c. 7.

3 & 4 Ed. 6. c. 19.

Importation of Cattle a common Nuſance. Enforced by 20 Car. 2. c. 7 §. 3.

Importation of Bacon provided for by 5 & 6 W. & M. c. 2. §. 4.

The Penalty.

the same shall be so found or seized; the other Half to be to his or their own Use that shall so seize the same.

Encouragement of Fishery. Enforced by 1 Geo. 1. Stat. 2. c. 18. §. 2. *and further provided for by* 5 *Geo.* 1. *c.* 18. 23 *Geo.* 2. *c.* 26. *sect.* 7. 26 *Geo.* 2. *c.* 9.

II. And for the better Encouragement of the Fishery of this Kingdom, be it further enacted by the Authority aforesaid, That if any Ling, Herring, Cod or Pilchard, fresh or salted, dried or bloated, or any Salmons, Eels or Congers, taken by any Foreigners, Aliens to this Kingdom, shall be imported, uttered, sold or exposed to Sale in this Kingdom; That then it shall and may be lawful for any Person or Persons to take and seize the same; the one Half thereof to be disposed of to the Use of the Poor of the Parish where the same shall be so found or seized; the other Half to his or their own Use which shall so seize the same.

30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27.

Isle of Man. *Further Provisions concerning Cattle,* 20 *Car.* 2. *c.* 7. 22 *Car.* 2. *c.* 13. 32 *Car.* 2. *c.* 2. 3 *W.* & *M. c.* 8. 5 *W.* & *M. c.* 2. 31 *Geo.* 2. *c.* 40. *and* 32 *Geo.* 2. *c.* 11.

III. Provided always, That nothing in this Act shall be construed to hinder the Importation of Cattle from the *Isle of Man* in this Kingdom of *England*, so as the Number of the said Cattle do not exceed six hundred Head yearly: (2) And that they be not of any other Breed than of the Breed of the *Isle of Man*; (3) and that they be landed at the Port of *Chester*, or some of the Members thereof, and not elsewhere.

IV. This Act to continue until the End of seven Years, and from thence to the End of the first Session of the next Parliament. [Made perpetual by 32 Car. 2. c. 2. §. 2.]

## CAP. III.

### An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of *England*.

13 & 14 Car. 2. c. 22. 29 & 30 Car. 2. 1 Jac. 2. c. 14. 7 & 8 W. 3. c. 17. 12 & 13 W. 3. c. 6. 12 *Ann. Stat.* 1. *c.* 10. 10 Geo. 1. c. 17.

'WHEREAS an Act was made in the fourteenth Year of the Reign of our Sovereign Lord the King that now is, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of* England; which Act is very near expiring, and hath been found very necessary for the Preservation of those Places, from that great Number of lewd, disorderly and lawless Persons, that usually frequented thereabouts:' (2) Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, That the said Act, and every Clause and Clauses therein contained, and all and every the Powers and Authorities thereby given, be, continue and remain in Force, until the End of seven Years from the Expiration or Determination of the forementioned Act.

Clergy taken away from notorious Thieves in Northumberland and Cumberland.

II. And be it further enacted by the Authority aforesaid, That the Benefit of Clergy shall be taken away from great, known and notorious Thieves and Spoil-takers in the said Counties of *Northumberland*, *Cumberland*, or either of them, during the Continuance of this present Act, who shall be duly convicted for Theft done or committed within the said Counties, or either of them: (2) Or otherwise, That it shall and may be lawful to and for the Justices of the Assize, and Commissioners of *Oyer* and *Terminer*, or Gaol-delivery, before whom such Offenders shall be convicted within the said Counties, or either of them, to transport or cause to be transported the said Offenders, and every of them, into any of his Majesty's Dominions in *America*, there to remain, and not to return; any former Law, Statute or Usage to the contrary in any wise notwithstanding. [Continued till 24 June 1751, &c. by 17 Geo. 2. c. 40.]

## CAP. IV.

An Act for Burying in Woollen only. Woollen Manufactures encouraged. Repealed by 30 Car. 2. Stat. 1. c. 3. §. 2. And farther Provisions made relating hereto by that Act. None shall be buried but in Woollen. The Penalty. Proviso for Persons dying of the Plague.

## CAP. V.

### An Act for encouraging of Coinage.

*Continued by* 4 & 5 W. & M. c. 24.

'WHEREAS it is obvious, That the Plenty of current Coins of Gold and Silver of this Kingdom is of great Advantage to Trade and Commerce; For the Increase whereof, your Majesty in your Princely Wisdom and Care hath been graciously pleased to bear out of your Revenue Half the Charge of the Coinage of Silver Money: (2) For the preventing of which Charge to your Majesty, and the Encouragement of the bringing Gold and Silver into the Realm, to be converted into the current Money of this your Majesty's Kingdom, We your Majesty's dutiful and loyal Subjects do give and grant unto your Majesty the Rates, Duties or Impositions following, and do beseech your Majesty that it may be enacted; (3) and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whatsoever Person or Persons, Native or Foreigner, Alien or Stranger, shall from and after the twentieth Day of *December* one thousand six hundred sixty and six, bring any Foreign Coin, Plate or Bullion of Gold or Silver in Mass, Molten or Allayed, or any Sort of Manufacture of Gold or Silver, into his Majesty's Mint or Mints within the Kingdom of *England*, to be there melted down and coined into the current Coins of this Kingdom, shall have the same there assayed, melted down and coined with all convenient Speed, without any Defalcation, Diminution or Charge for the Assaying, Coinage or Waste in Coinage: (4) So

Encouragement for bringing Gold and Silver into the Realm.

Silver or Gold brought in to be coined. 13 & 14 *Car.* 2. *c.* 31.

(4) So as that for every Pound *Troy* of Crown or Standard Gold that ſhall be brought in and delivered by him or them to be aſſayed, melted down and coined, as aforeſaid, there ſhall be delivered out to him or them reſpectively, a Pound *Troy* of the current Coins of this Kingdom, of Crown or Standard Gold: (5) And for every Pound *Troy* of Sterling or Standard Silver that ſhall be brought in and delivered by him or them to be aſſayed, melted down and coined, as aforeſaid, there ſhall be delivered out to him or them reſpectively, a Pound *Troy* of the current Coins of this Kingdom, of Sterling or Standard Silver, and ſo proportionably for a greater or leſſer Weight; (6) and for every Pound *Troy* of Gold or Silver that ſhall be brought in and delivered to be aſſayed, melted down and coined, as aforeſaid, that ſhall be finer upon Aſſay than Crown Gold or Standard Silver, there ſhall be delivered for the ſame ſo much more than a Pound *Troy* as the ſame doth in Proportion amount unto in Fineneſs and Value: (7) And for every Pound *Troy* of Gold or Silver that ſhall be brought in and delivered to be aſſayed, melted down and coined, as aforeſaid, that ſhall be coarſer or baſer upon Aſſay, or worſe in Value than Crown Gold or Standard Silver, there ſhall be delivered for the ſame ſo much leſs than a Pound *Troy* as the ſame doth fall ſhort in Fineneſs or Value, and ſo for a greater or leſſer Quantity.

II. And it is hereby further enacted by the Authority aforeſaid, That there ſhall be no Preference in Point of Aſſaying or Coinage; but that all Gold and Silver brought in and delivered into the Mint, to be aſſayed and coined, ſhall be aſſayed, coined and delivered out to the reſpective Importers, according to the Order and Times of bringing in and delivering the ſame into the Mint or Mints, and not otherwiſe; ſo as he that ſhall firſt bring in and deliver any Gold or Silver to be coined, ſhall be taken and accounted the firſt Perſon to have the ſame aſſayed, coined and delivered; and he or they that ſhall bring in and deliver any Gold or Silver next, to be accounted the ſecond Perſon to have the ſame aſſayed, coined and delivered, and ſo ſucceſſively in Courſe: (2) And that the Gold and Silver brought in and coined, as aforeſaid, ſhall be in the ſame Order delivered to the reſpective Bringers in thereof, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without Preference of one before the other, and not otherwiſe: (3) And if any undue Preference be made in entring of any Gold or Silver, or delivering out of any Money coined, contrary to the true Intent and Meaning of this Act, by any Officer or Officers of the Mint or Mints; then the Party or Parties offending ſhall be liable by Action of Debt or on the Caſe, to pay the Value of the Gold or Silver brought in, and not entred and delivered according to the true Intent, Meaning and Direction of this Act, as aforeſaid, with Damages and Coſts to the Party or Parties grieved, and ſhall be fore-judged from his or their Place or Office: (4) And if ſuch Preference be unduly made by any his or their Deputy or Deputies, Clerk or Clerks, without Direction or Privity of his or their Maſter or Maſters, then ſuch Deputy or Deputies, Clerk or Clerks only ſhall be liable to ſuch Action, Damage and Coſts, as aforeſaid, and be for ever after incapable of ſerving or bearing Office in any Mint in the Kingdom of *England*.

There ſhall be no undue Preference, but Money coined ſhall be delivered out in order. See 8 W. 3. c. 1. §. 3.

Penalty.

III. Provided always, That it ſhall not be interpreted any undue Preference, to incur any Penalty, in Point of Delivery of Monies coined, if the Officer or Officers, or their Deputies or Clerks, ſhall deliver out or pay any Monies coined to any Perſon or Perſons that do come and demand the ſame upon ſubſequent Entries, before others that did not come to demand their Monies in their Order and Courſe, ſo as there be ſo much Money reſerved as will ſatisfy them, which ſhall not be otherwiſe diſpoſed of, but kept for them.

What ſhall not be an undue Preference.

IV. And for the more orderly and clear Performance thereof, be it enacted, and it is hereby enacted by the Authority aforeſaid, That the Maſter-worker of his Majeſty's Mint or Mints for the Time being, ſhall at the Time of the Delivery and Entry of any Gold or Silver in the ſaid Mint or Mints, give unto the Bringer or Bringers in thereof to be coined, a Bill under his Hand denoting the Weight, Fineneſs and Value thereof, together with the Day and Order of its Delivery into the ſaid Mint or Mints.

V. And for the further Encouragement and Aſſurance of ſuch as ſhall bring any Gold or Silver into his Majeſty's ſaid Mint or Mints to be coined; (2) Be it enacted, and it is hereby enacted by the Authority aforeſaid, That no Confiſcation, Forfeiture, Seizure, Attachment, Stop or Reſtraint whatſoever ſhall be made in the ſaid Mint or Mints, of any Gold or Silver brought in to be coined, for or by Reaſon of any Imbargo, Breach of the Peace, Letters of Mart or Repriſal, or War with any Foreign Nation, or upon any other Account or Pretence whatſoever; (3) but that all Gold and Silver brought into any of his Majeſty's Mint or Mints within the Kingdom of *England* to be coined, ſhall truly and with all convenient Speed be coined and delivered out to the reſpective Bringer or Bringers in thereof, their reſpective Executors, Adminiſtrators or Aſſigns, according to the Rules and Directions of this Act.

There ſhall be no Seizure or Forfeiture, &c. of any Gold or Silver brought in to be coined.

'VI. And whereas it cannot be reaſonably expected, That the Expence, Waſte and Charge in Aſſaying, Melting-down and Coinage, be born by your Majeſty;' And for the further Encouragement of Coinage; (2) Be it enacted, and it is hereby enacted by the Authority aforeſaid, That for every Ton of Wines, Vinegar, Cyder or Beer, that ſhall be imported or brought into the Port of *London*, or into any other Port, Creek or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, from any Parts beyond the Seas, or *Scotland*, from and after the twentieth Day of *December* in the Year of our Lord one thouſand ſix hundred ſixty and ſix, there ſhall be levied, collected and paid the Sum of ten Shillings; (3) and for every Ton of Brandy-Wines or Strong-Waters that ſhall be imported as aboveſaid, the Sum of twenty Shillings; (4) and ſo proportionably for a greater or leſſer Quantity, to be levied, collected and paid at the reſpective Cuſtom-houſes to the Collectors and other Officers of the Cuſtoms for the Time being, at the Importation of the ſaid Commodities, over and above all other Duties charged, leviable and payable upon the ſaid Commodities, and to be by them diſtinguiſhed and kept apart from all other Monies by them collected and levied upon the ſame Commodities, or upon any other Commodities or Merchandizes whatſoever; (5) and to be by the ſaid Collector or Collectors reſpectively ſo anſwered and paid quarterly into the Receipt of the Exchequer of your Majeſty, your Heirs and Succeſſors, there alſo to be kept diſtinct and apart from all other Monies ariſing by the Cuſtoms, or by any other

An Impoſition ſet upon Wines, Vinegar, Cyder or Beer imported. Altered by 25 Car. 2. c. 8. as to the Times of Payment, and the Perſons to whom, &c.

Brandy-Wine, Strong-Water.

other Way or Revenue whatſoever; which ſaid Duty they are hereby enjoined to receive and pay according to the ſeveral Directions of this Act, without any Salary or Fee.

VII. And be it further enacted and declared by the Authority aforeſaid, That all manner of Wines, Vinegar, Cyder, Beer, Brandy-Wines and Strong-Waters imported as aforeſaid, ſhall pay their ſeveral and reſpective Duties impoſed by this Act; and upon Non-payment thereof ſhall be liable to ſuch and the ſame Pains, Penalties and Forfeitures, as in and by the late Acts for Tonnage and Poundage, and for Frauds, are enacted and appointed, upon Non-payment of the Duties by the ſaid Acts impoſed upon Goods and Merchandizes of the ſame Nature with thoſe mentioned in this Act.

7 Geo. 1. Stat. 1. c. 21. §. 10.

VIII. Provided always, and it is hereby enacted, That for what of the aforeſaid Commodities ſhall be tranſported into any Parts beyond the Seas, within the Term and Space of one Year after the Importation thereof, that the Duty paid by this Act for the ſame ſhall be repaid by the reſpective Collectors of the Cuſtoms for the Time being.

Monies leviable upon this Act ſhall be employed only to the Uſe of the Mint.

IX. And it is hereby further enacted, That no Monies leviable and payable by this Act ſhall be applied or converted to any Uſe or Uſes whatſoever, other than to the defraying the Charge and Expence of the Mint or Mints, and of the Aſſaying, Melting-down, Waſte and Coinage of Gold and Silver, and the Encouragement of the bringing in of Gold and Silver into the ſaid Mint or Mints, there to be Coined into the current Coins of this Kingdom; (2) nor ſhall any of the ſaid Monies be iſſued out of the Exchequer, but by Order or Warrant of the Lord Treaſurer and Under Treaſurer, or Commiſſioners of the Treaſury for the Time being, to the Maſter and Worker, or Maſters and Workers of your Majeſty's Mint or Mints for the Time being, and mentioning, that they are for the Uſe and Service aforeſaid, to be kept in his Majeſty's Office of Receipt in the ſaid Mint or Mints, under the uſual Keys of the Warden, Maſter and Worker, and Comptroller for the Time being, and iſſued out thence from Time to Time, according to the Manner and Courſe of the ſaid Mint or Mints reſpectively.

Altered by 4 Ann. c. 22.

X. And it is hereby further enacted, That there ſhall not be iſſued out of the Exchequer of the ſaid Monies in any one Year for the Fees and Salaries of the Officers of the Mint or Mints, and towards the providing, maintaining and repairing of the Houſes, Offices and Buildings and other Neceſſaries for Aſſaying, Melting-down and Coining, above the Sum of three thouſand Pounds Sterling Money, and the Overplus of the ſaid Monies ſo kept or to be kept as aforeſaid, ſhall be employed for and towards the Expence, Waſte and Charge of Aſſaying, Melting-down and Coinage, and buying in of Gold and Silver to Coin, and not otherwiſe.

The Continuance of this Act. 25 Car. 2. c. 8. Farther continued by 9 Geo. 1. c. 19. and 4 Geo. 2. c. 12. Proviſo. Continued from 1 Mar. 1745. for 7 Years, &c. by 19 Geo. 2. c. 14. Dame Barbara Villiers. *And farther continued for 7 Years by 27 Geo. 2. c. 11.*

XI. And laſtly, Be it enacted, and it is hereby enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force until the twentieth Day of *December* which ſhall be in the Year of our Lord one thouſand ſix hundred ſeventy-one, and until the End of the firſt Seſſion of Parliament then next following and no longer.

XII. Provided always, and be it further enacted, That whereas his Majeſty in and by his Letters Patents under his Great Seal, dated at *Weſtminſter* the twentieth Day of *Auguſt* in the twelfth Year of his Reign, did for divers good Cauſes and Conſiderations him moving, give and grant to Dame *Barbara Villiers* Widow, the Sum of two Pence by Tale out of every Pound Weight *Troy* of Silver Monies, which from thenceforth ſhould be Coined by Virtue of any Warrant or Indenture made and to be made by his Majeſty, his Heirs and Succeſſors, to have, hold, receive, perceive and take the ſame unto the ſaid Dame *Barbara Villiers*, her Executors, Adminiſtrators and Aſſigns, from the ninth Day of the then Inſtant *Auguſt* weekly, as the ſaid Monies ſhould be Coined, for and during the Term of one and twenty Years, as by the ſame doth appear; That his Majeſty may out of the Monies leviable by this Act appoint and cauſe reaſonable Satisfaction to be made yearly to the ſaid Dame *Barbara Villiers*, her Executors and Adminiſtrators, for her Intereſt in the Premiſſes, not exceeding the Sum of ſix hundred Pounds in any one Year.

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# Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, decimo nono.

'AT the Parliament begun at *Weſtminſter* the eighth Day of *May Anno Dom.* one thouſand ſix hundred ſixty-one, in the thirteenth Year of the Reign of our moſt gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and there continued by ſeveral Prorogations to the eighteenth Day of *September* one thouſand ſix hundred ſixty-ſix; and then continued to the eighth of *February* following; and thence prorogued to the tenth of *October* one thouſand ſix hundred ſixty-ſeven, were enacted as followeth.

## CAP. I.

13 Car. 2. c. 1. An Act Explanatory of the Act for raiſing Monies by a Poll, and otherwiſe, towards the Maintenance of this preſent War. EXP.

## CAP. II.

EXP. An Act for erecting a Judicature for Determination of Differences touching Houſes burned or demoliſhed by reaſon of the late Fire which happened in *London*. Juſtices appointed to hear and determine Differences betwen Landlords and Tenants, &c. The Powers of the ſaid Juſtices. How to proceed upon Complaints.

Complaints. The ſaid Judicature ſhall be a Court of Record. Officers. A Table of Fees. The Continuance of this Act. Proviſo touching the renewing and reverſing Orders or Decrees.

## CAP. III.

### An Act for Rebuilding the City of *London*.

FOraſmuch as the City of *London*, being the Imperial Seat of his Majeſty's Kingdoms, and renowned for Trade and Commerce throughout the World; by Reaſon of a moſt dreadful Fire lately happening therein, was for the moſt Part thereof burnt down and deſtroyed within the Compaſs of a few Days, and now lies buried in its own Ruins: For the ſpeedy Reſtauration whereof, and for the better Regulation, Uniformity and Gracefulneſs of ſuch New Buildings as ſhall be erected for Habitations in order thereunto; and to the End that great and outrageous Fires (through the Bleſſing of Almighty God) ſo far forth as human Providence (with Submiſſion to the Divine Pleaſure) can foreſee, may be reaſonably prevented or obviated for the Time to come, both by the Matter and Form of ſuch Building: And further, to the Intent that all Encouragement and Expedition may be given unto, and all Impediments and Obſtructions that may retard or protract the Undertaking or carrying on a Work ſo neceſſary, and of ſo great Honour and Importance to his Majeſty and this Kingdom, and to the Reſt of his Majeſty's Kingdoms and Dominions, may be removed:'

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Rules and Directions hereafter in this Act preſcribed, be duly obſerved by all Perſons therein concerned.

Rules and Directions to be obſerved in Building.

III. And firſt, that no Building or Houſe for Habitation whatſoever be hereafter erected within the Limits of the ſaid City and Liberties thereof, but ſuch as ſhall be purſuant to ſuch Rules and Orders of Building, and with ſuch Materials, as are herein after particularly appointed, and according to ſuch Scantlings as are ſet down and preſcribed in a Table in this preſent Act hereafter ſpecified: (2) And if any Perſon or Perſons ſhall preſume to build contrary thereunto, and be convicted of the ſame by the Oaths of two or more credible Witneſſes, to be taken before the Lord Mayor for the Time being, or any two or more of the Juſtices of the Peace for the ſaid City, who are hereby impowered to adminiſter the ſame Oaths; That then and in ſuch Caſe, the ſaid Houſe ſo irregularly built as aforeſaid, ſhall be deemed as a common Nuſance; (3) and the Builder and Levier thereof ſhall enter into a Recognizance in ſuch Sum as the ſaid Mayor and Juſtices reſpectively in their Diſcretions ſhall appoint, for Abatement and Demoliſhing the ſame in convenient time, or otherwiſe to amend the ſame according to ſuch Rules and Orders as aforeſaid: And in Default of Entring into ſuch Recognizance, the Offender ſhall be committed to the common Gaol of the ſaid City, there to remain without Bail or Mainprize, till he ſhall have abated or demoliſhed, or otherwiſe amended the ſame; or elſe ſuch irregular Houſe ſhall or may be demoliſhed or abated by Order of the Court of Aldermen.

Penalty.

Prevention of irregular Buildings.

IV. And that the ſaid irregular Buildings may be the better prevented, or more effectually diſcovered; (2) Be it further enacted by the Authority aforeſaid, That the Lord Mayor, Aldermen and Common Council of the ſaid City, ſhall and may at their Will and Pleaſure elect, nominate and appoint one or more diſcreet and intelligent Perſon or Perſons in the Art of Building, to be the Surveyors or Superviſors to ſee the ſaid Rules and Scantlings well and truly obſerved: (3) And that it ſhall be lawful for the ſaid Mayor, Aldermen and Common Council, or for the Mayor and Aldermen in their Court of Aldermen, to adminiſter to all the ſaid Surveyors or Superviſors, an Oath upon the Holy Evangeliſts, for the true and impartial Execution of their Office in that Behalf, and to appoint the ſeveral Precincts which ſhall be under their ſeveral Surveys.

There ſhall be four Sorts of Buildings only.

V. And to the End that all Builders may the better know how to provide and fit their Materials for their ſeveral Buildings; (2) Be it enacted, That there ſhall be only four Sorts of Buildings, and no more; and that all Manner of Houſes ſo to be erected, ſhall be of one of theſe four Sorts of Buildings, and no other; (that is to ſay) the firſt and leaſt Sort of Houſes fronting By-lanes; the ſecond Sort of Houſes fronting Streets and Lanes of Note; the third Sort of Houſes fronting high and principal Streets; the fourth and largeſt Sort, of Manſion-houſes, for Citizens, or other Perſons of extraordinary Quality, not fronting either of the three former Ways: And the Roofs of each of the ſaid firſt three Sorts of Houſes reſpectively, ſhall be uniform.

Powers of the Lord Mayor, Aldermen and Common Council to declare Streets, Lanes, &c.

VI. And for avoiding any Uncertainty to the Builders or others herein, Be it further enacted, That the Lord Mayor, Aldermen and Common Council of the ſaid City for the Time being, ſhall on or before the firſt Day of *April* next enſuing, declare which and how many ſhall hereafter be accounted and taken to be By-lanes, which and how many ſhall hereafter be deemed Streets or Lanes of Note, and high and principal Streets, by Act of Common Council to be paſſed for that Purpoſe: Which Declaration being made as aforeſaid, all and ſingular the ſaid Streets and Lanes (hereby intended to be rebuilt) ſhall by Order of the ſaid Lord Mayor, Aldermen and Common Council, or ſuch Perſons as they under the Common Seal of the ſaid City ſhall order and appoint, be marked or ſtaked out and diſtinguiſhed, to the End the Breadth, Length and Extent thereof may be the better known and obſerved. (2) And if any Perſon or Perſons whatſoever ſhall wittingly or willingly, without good Authority, pluck up or remove any of the ſaid Stakes or Mark-ſtones, thereby to obſcure or confound the Bounds of ſuch Streets or Lanes, or any of them, and ſhall be thereof legally convicted by the Oath of one Witneſs (other than of the Informer) to be taken before any one or more Juſtices of the Peace of the ſaid City; that then the ſaid Juſtice or Juſtices ſhall or may ſend ſuch Offender to the common Gaol of the ſaid City, there to remain by the Space of three Months without Bail or Mainprize, unleſs he ſhall pay or cauſe to be paid to the Uſe of the Mayor, Commonalty

monalty and Citizens of the ſaid City, the Sum of ten Pounds, to be imployed in and towards the Repairing of the publick Buildings of the ſaid City. (3) Provided always, That where any ſuch Offence ſhall be committed by any Perſon or Perſons of low and mean Condition, whom the ſaid Juſtice or Juſtices of the Peace ſhall in his Conſcience believe to be unable to ſatisfy the ſaid Penalties; That then and in ſuch Caſe the ſaid Juſtice or Juſtices of the Peace ſhall and may, by Order and Warrant under his or their Hands and Seals, cauſe ſuch Offender to be openly whipped near unto the Place where the Offence ſhall be committed, till his Body be bloody; (4) and that it ſhall and may be lawful for the ſaid Juſtice or Juſtices of Peace to reward the ſaid Informer out of the Pecuniary Penalty to be incurred, according to his Diſcretion, not exceeding a third Part of the ſaid Penalty.

Building with Brick, Stone, Oak.

'VII. And in regard the Building with Brick is not only more comely and durable, but alſo more ſafe 'againſt future Perils of Fire;' (2) Be it further enacted by and with the Authority aforeſaid, That all the Outſides of all Buildings in and about the ſaid City be henceforth made of Brick or Stone, or of Brick and Stone together, except Door-caſes and Window-frames, the Breſt Summers, and other Parts of the firſt Story to the Front, between the Piers, which are to be left to the Diſcretion of the Builder, to uſe ſubſtantial Oaken Timber inſtead of Brick or Stone, for Conveniency of Shops; and that the ſaid Doors, Breſt Summers and Window-frames be ſufficiently diſcharged of the Burthen of the Fabrick by Arch-work of Brick or Stone, either ſtraight or circular.

The Duty of the Surveyors and Supervifors.

VIII. And be it enacted, That the ſaid Surveyors or Superviſors ſo to be appointed as aforeſaid, and every of them, within their ſeveral Precincts, ſhall take care, that in Building of all Houſes within the ſaid City and Liberties thereof, there be, and it is hereby enacted by the Authority aforeſaid, That there ſhall be Party-walls and Party-piers, ſet out equally on each Builder's Ground, to be built up by the firſt Beginner of ſuch Building; and that convenient Toothing be left in the Front-wall by the ſaid firſt Builder, for the better joining of the next Houſe that ſhall be built to the ſame: (2) And that no Man be permitted by the ſaid Surveyors, to build on the ſaid Party-wall, or on his own contiguous Ground, until he hath fully reimburſed the ſaid firſt Builder the full Moiety of the Charges of the ſaid Party-wall and Pier, together with Intereſt for the ſame, after the Rate of ſix Pounds *per Cent. per Annum*, for Forbearance thereof, to be accounted from the Beginning of the ſaid firſt Building. (3) And in Caſe any Difference ſhall ariſe between the firſt and latter Builders, concerning the true Value of the ſaid Charge, That then the ſame be referred to the Alderman of that Ward where ſuch Buildings ſhall be, and to his Deputy, to mediate an Agreement of ſuch Difference; and where the ſaid Alderman and his Deputy, or one of them, ſhall be Parties, or where they cannot compoſe ſuch Difference as aforeſaid, that the Matter be referred to the Examination of the Lord Mayor and Court of Aldermen, who ſhall hear and finally determine the ſame, without any Appeal to be had.

Who may determine Differences between firſt and later Builders.

Houſes of the firſt and leaſt Sort of Building.

IX. And be it further enacted, That the ſaid Houſes of the firſt and leaſt Sort of Building, fronting By-ſtreets or Lanes as aforeſaid, ſhall be of two Stories high, beſides Cellars and Garrets; that the Cellars thereof be ſix Foot and a Half high, if the Springs of Water hinder not; that the firſt Story be nine Foot high from the Floor to the Cieling, and the ſecond Story nine Foot high from the Floor to the Cieling; that all Walls in Front and Reer, as high as the firſt Story, be of the full Thickneſs of the Length of two Bricks, and thence upwards to the Garrets, of the Thickneſs of one Brick and an Half; and that the Thickneſs of the Garret-walls on the back Part be left to the Diſcretion of the Builder, ſo that the ſame be not leſs than the Length of one Brick; and alſo that the Thickneſs of the Party-walls between theſe Houſes of this firſt and leſſer Sort of Buildings, be one Brick and an Half, as high as the ſaid Garrets; and that the Thickneſs of the Party-walls in the Garrets be of the Thickneſs of one Brick in Length at the leaſt; and that the Scantlings of Timber and Stone to be uſed about the Building thereof, be as in the ſaid Table are ſet down and preſcribed.

Houſes of the ſecond Sort of Building.

X. And be it further enacted, That the ſaid Houſes of the ſecond Sort of Building, fronting Streets and Lanes of Note, and the River of *Thames*, ſhall conſiſt of three Stories high, beſides Cellars and Garrets, as aforeſaid; that the Cellars thereof be ſix Foot and an Half high (if the Springs of Water hinder not;) that the firſt Story contain full ten Foot in Height from the Floor to the Cieling; the ſecond, full ten Foot; the third, nine Foot: (2) That all the ſaid Walls in Front and Reer, as high as the firſt Story, be of the full Thickneſs of the Length of two Bricks and an Half, and from thence upwards to the Garret-floor of the Thickneſs of one Brick and an Half; and that the Thickneſs of the Garret-walls on the back Part be left to the Diſcretion of the Builder, ſo that the ſame be not leſs than the Length of one Brick; (3) and alſo that the Thickneſs of the Party-walls between every Houſe of this ſecond and larger Sort of Building, be two Bricks Length as high as the firſt Story, and thence upwards to the Garrets of the Thickneſs of one Brick and an Half: The Scantlings of Timber and Stone to be as in the ſaid Table are preſcribed.

Houſes of the third Sort of Building.

XI. Alſo that the Houſes of the third Sort of Building, fronting the high and principal Streets, ſhall conſiſt of four Stories high, beſides Cellars and Garrets, as aforeſaid; that the firſt Story contain full ten Foot in Height from the Floor to the Cieling; the ſecond, ten Foot and an Half; the third, nine Foot; the fourth, eight Foot and an Half: (2) That all the ſaid Walls in Front and Reer, as high as the firſt Story, be of the full Thickneſs of the Length of two Bricks and an Half, and from thence upwards to the Garret-floor of the Thickneſs of one Brick and Half; that the Thickneſs of the Garret-walls on the back Part be left to the Diſcretion of the Builder, ſo as the ſame be not leſs than the Length of one Brick; (3) and alſo that the Thickneſs of the Party-walls between every Houſe of this third and larger Sort of Building, be two Bricks Lengths as high as the firſt Story, and thence upwards to the Garrets, of the Thickneſs of one Brick and an Half: The Scantlings of Timber and Stone to be as in the ſaid Table are preſcribed.

Houſes of the fourth Sort of Building.

XII. And be it further enacted, That all Houſes of the fourth Sort of Building, being Manſion-houſes, and of the greateſt Bigneſs, not fronting upon any of the Streets or Lanes as aforeſaid, ſhall bear the ſame

Scantlings as in the Table are ſet down for the ſame; and that the Number of Stories, and the Height thereof, be left to the Diſcretion of the Builder, ſo as he exceed not four Stories.

Fronts of Houſes in high Streets, Balconies.

XIII. And be it further enacted, That in the Front of all Houſes hereafter to be erected in any ſuch Streets as by Act of Common-Council ſhall be declared to be high Streets, Balconies four Foot broad, with Rails and Bars of Iron, of equal Diſtance from the Ground, ſhall be placed; every of which Balconies ſhall contain in Length two Parts of the Front of the Houſe on which it ſhall be placed, in three Parts to be divided, and the remaining Vacancy of the Front ſhall be ſupplied with a Pent-houſe of the Breadth of the Balcony, to be covered with Lead, Slate or Tile, and to be cieled with Plaiſtering underneath, and that the Water falling as well from the Tops of the ſaid Houſes, as from the ſaid Balconies and Pent-houſes, be conveyed into the Channels by Party-pipes on the Sides or Fronts of the ſaid Houſes; and that Pavements under every of the ſaid Balconies and Pent-houſes be made of good and ſufficient broad flat Stone, at the Charge of the Builder.

How Houſes fronting on high Streets ſhall be built.

XIV. And be it further enacted, That no Builder of any of the Houſes fronting any of the ſaid high Streets, Streets or Lanes of Note, be permitted to lay his firſt Floor over the Cellar more than eighteen Inches above the ſaid Streets, or leſs than ſix, with one circular Step to lead up thereunto, to be placed without the Building; and that no Trap-doors or open Grates be in any wiſe ſuffered to be made into any ſuch Cellar or Warehouſe without the Foundations of the Front, but that all Lights to be made into any of them, be henceforth made upright and not otherwiſe: (2) And that no Bulks, Jetties, Windows, Poſts, Seats or any Thing of like Sort ſhall be made or erected in any Streets, Lanes or By-lanes, to extend beyond the ancient Foundation of Houſes; nor that any Houſe be ſet further into the Street than the ancient Foundation; ſaving only that in the high and principal Streets it ſhall be lawful for the Inhabitants to ſuffer their Stall-boards (when their Shop-windows are ſet open) to turn over, and extend eleven Inches and no more, from the Foundation of their Houſes into the Streets, for the better Conveniency of their Shop-windows.

Within what Time all Perſons are to rebuild their Houſes.

XV. And be it further enacted, That if any Perſon or Perſons, Bodies Politick or Corporate, being ſeiſed, poſſeſſed or intereſted, of or in any Ground which was formerly builded upon, and the Houſes thereupon being now burned or pulled down at the Time of the late Fire, ſhall not within three Years next enſuing build up the ſame; That then the Mayor, Aldermen and Common Council of the City of *London*, by Act of Common Council, may cauſe Proclamation to be publickly made between the Hours of Twelve and Two of the Clock in the Afternoon, as well at or upon the ſaid Ground, as alſo at or upon the publick *Exchange* of the ſaid City, thereby to give Notice to all Perſons that ſhall be or may be therein concerned, to cauſe the ſame to be rebuilded, according to the Direction of this preſent Act, within the Space of nine Months then next following: (2) And in caſe the Owners thereof or other Perſon or Perſons having Intereſt therein, ſhall refuſe or neglect to rebuild the ſame, in Manner and within ſuch Time as aforeſaid, That then in ſuch Caſe the ſaid Mayor and Court of Aldermen of the ſaid City are hereby authorized, to iſſue out Warrants to the Sheriffs of *London* for the Time being, requiring them to impanel and return before them a Jury of good and lawful Men of the ſaid City; which the ſaid Sheriffs are hereby authorized and required to do accordingly; (3) which Jury ſo returned ſhall upon their Oaths, to be adminiſtred to them by the ſaid Mayor and Court of Aldermen (who are likewiſe hereby authorized to adminiſter the ſame) enquire, eſtimate and aſſeſs the true and juſt Value of ſuch void Ground, according to their Judgments: And that from and after ſuch Inquiry and Valuation thereof made as aforeſaid, by Inqueſt of the ſaid Jury, It ſhall and may be lawful to and for the ſaid Mayor, Aldermen and Common Council of the ſaid City, to make Sale of the Fee or Inheritance thereof, by Conveyance under their Common Seal, to any Perſon or Perſons that will purchaſe the ſame, at ſuch Price at which the ſame ſhall have been ſo as aforeſaid eſtimated and valued by the ſaid Jury; and the Monies thereupon to be received of the Purchaſers thereof, ſhall be paid into the Chamber of *London*, and from thence to be iſſued out and paid by the Chamberlain of *London* for the Time being, unto ſuch Perſon or Perſons who ſhall have any Eſtate or Intereſt into or out of the ſame, according to his or their reſpective Eſtate or Eſtates, Title or Intereſt: (4) which Sale ſo made and inrolled of Record, according to the Cuſtom or Uſage of the ſaid City for Inrollment of Bargains and Sales, ſhall be final and concluſive to all other Perſons whatſoever, and ſhall bar them, their Heirs and Aſſigns, to claim any Eſtate, Right, Title or Intereſt of, in or out of the Grounds ſo ſold, precedent to the ſaid Sale; and the Purchaſer or Purchaſers thereof, his and their Heirs and Aſſigns, ſhall and may by Virtue of this Act have, hold and enjoy the ſame againſt all Perſons claiming any Eſtate, Right, Title or Intereſt into or out of the ſame, his and their Heirs, Executors, Adminiſtrators and Aſſigns, freed and diſcharged of and from all Incumbrances in Eſtate, Title, Charge or otherwiſe, precedent to the ſaid Sale.

Penalty.

Who may (in caſe of unreaſonable Exactions) ſet Rates upon Materials and Workmen.

XVI. And to the End the ſaid Builders may receive due Encouragement, by having the Materials for Building at reaſonable Prices, and getting of Workmen for moderate Wages, (2) Be it further enacted, That in caſe of Combination or unreaſonable Exaction by Brick-makers, Tile-makers and Lime-burners, It ſhall and may be lawful for the Juſtices of the Court of King's Bench, or any two or more of them, upon the Complaint of the ſaid Mayor and Court of Aldermen, to call before them ſuch a Number of Brick-makers, Tile-makers, and Lime-burners, making or burning Brick, Tile or Lime at any Place within five Miles Diſtance of the River of *Thames*, as they ſhall think fit; and upon Conference with them had concerning the Premiſſes, if they will be preſent or otherwiſe in their Abſence, to aſſeſs ſuch reaſonable Prices from Time to Time upon every thouſand of the ſaid Bricks and Tiles, and upon every Hundred of the ſaid Lime, and every greater or leſſer Quantity, to be delivered at the ſeveral Kilns; and alſo of all Carriages of the ſame Materials from the ſaid Kilns to the ſaid City, whether by Land or by Water, as may equally reſpect the honeſt Profit of the ſaid Brick-makers, Tile-makers, Lime-burners and Carriers, and the Neceſſity and Conveniency of the Builder.

Labourers Wages.

XVII. And to the Intent no Brick-maker, Tile-maker, Lime-burner, Carpenter, Bricklayer, Maſon Plaiſterer, Joyner, Plumber or other Artificer, Workman or Labourer, may make the common Calamity a Pretence to extort unreaſonable or exceſſive Wages, (2) Be it likewiſe enacted, That in caſe of Combination or Exaction of unreaſonable Wages by the ſaid Artificers, Workmen or Labourers, or any of them the ſaid Juſtices of the Court of King's Bench, or any two or more of them, upon the like Complaint o the ſaid Lord Mayor and Court of Aldermen, ſhall and may from Time to Time limit, rate and appoint the Wages of the ſaid Artificers, Workmen and Labourers, by the Day, Week or otherwiſe, and wha Wages every of the ſaid Workmen ſhall have by the Great, by the Foot, Yard, Rod or Perch, or for any greater Quantity; which ſaid Rates, together with the Prices of the ſaid Materials and Carriages ſo aſſeſſed, being ſet down in a Table, and Proclamation thereof made by the Lord Mayor for the Time being accordingly, the ſame ſhall effectually bind all Perſons therein concerned: (3) And if any of the ſaid Artificers refuſe to ſell the ſaid Materials for the Prices ſo aſſeſſed, or any of the ſaid Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners, Plumbers, or other Workmen or Labourers, ſhall either refuſe to work for the Wages ſo aſſeſſed, or ſhall depart from his ſaid Work after he hath undertaken to do the ſame, without Licence of ſuch Perſon or Perſons as imployed him, and before it be finiſhed, unleſs it be for Nonpayment of his Hire, or other juſt Cauſe to be allowed before one Juſtice of the Peace of ſuch Place where the Offence ſhall be committed; or if any Perſon or Perſons whatſoever ſhall by any ſecret Ways or Means give, covenant, article or agree to give, directly or indirectly, by himſelf or any other for him, any other or greater Wages, Prices or other Commodities than ſhall be ſo aſſeſſed; the ſaid Offender and Offenders, being hereof legally convict by the Oaths of one or more Witneſſes, which Oath the ſaid Juſtice is hereby impowered to adminiſter, ſhall be by the ſaid Juſtice of the Peace forthwith committed to the Common Gaol, there to remain by the Space of one Month, without Bail or Mainprize, unleſs he ſhall pay or cauſe to be paid for every ſuch Offence to the ſaid Juſtice of the Peace, ſuch Fine as by the Diſcretion of the ſaid Juſtice ſhall be ſet upon any ſuch Offender, not exceeding ten Pounds: Out of which Fine the ſaid Juſtice ſhall and may award and pay unto the Party injured ſuch Satisfaction as he ſhall judge reaſonable, and the Reſidue thereof ſhall pay unto the Chamberlain of *London* for the Time being, to be imployed for and towards the Re-edifying of the publick Buildings of the City aforeſaid.

Foreigners may as Freemen work in London.

XVIII. And be it further enacted, That all Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners and other Artificers, Workmen and Labourers, to be imployed in the ſaid Buildings, who are not Freemen of the ſaid City, ſhall for the Space of ſeven Years next enſuing, and for ſo long Time after as until the ſaid Buildings ſhall be fully finiſhed, have and enjoy ſuch and the ſame Liberty of working, and being ſet to work in the ſaid Building, as the Freemen of the City of the ſame Trades and Profeſſions have and ought to enjoy; any Uſage or Cuſtom of the City to the contrary notwithſtanding. (2) And that ſuch Artificers, as aforeſaid, which for the Space of ſeven Years ſhall have wrought in the Rebuilding of the City in their reſpective Arts, ſhall from and after the ſaid ſeven Years have and enjoy the ſame Liberty to work as Freemen of the ſaid City, for and during their natural Lives. Provided always, That ſuch Artificers claiming ſuch Privileges, ſhall be liable to undergo all ſuch Offices, and to pay and perform ſuch Duties in Reference to the Service and Government of the City, as Freemen of the City of their reſpective Arts and Trades are liable to undergo, pay and perform.

Who may determine Differences between Builders about ſtopping Lights, &c.

XIX. And to remove all Obſtacles which otherwiſe may hinder ſo good and profitable a Work; (2) Be it further enacted by the Authority aforeſaid, That all Differences ariſing between the ſaid Builders, or any others, concerning placing and ſtopping up of Lights, Windows, Water-courſes or Gutters, which may hinder or retard the ſaid Building, ſhall and may be heard, mediated and determined (if it may be) by the Alderman of the Ward where the Cauſe of any ſuch Difference ſhall ariſe, and his Deputy; and if either the ſaid Alderman or his Deputy be concerned as Parties in the Controverſy, or that they cannot determine the ſaid Differences, that then and in every ſuch Caſe the ſame be certified by the ſaid Alderman or his Deputy unconcerned therein, to the ſaid Mayor and Court of Aldermen, who upon deliberate Hearing of all Parties, ſhall finally determine the ſame without further or other Appeal.

Common Sewers, Dreins and Vaults, &c. This Clauſe made perpetual by 22 & 23 Car. 2. c. 17. Power of Perſons appointed in Purſuance of this Act, inlarged by 7 Ann. c. 9.

XX. And be it further enacted by the Authority aforeſaid, That the Numbers and Places for all Common Sewers, Dreins and Vaults, and the Order and Manner of Paving and Pitching the Streets and Lanes within the ſaid City and Liberties thereof, ſhall be deſigned and ſet out by ſuch and ſo many Perſons as the ſaid Mayor, Aldermen and Commonalty in Common Council aſſembled, ſhall from Time to Time authorize and appoint under their Common Seal, or the more Part of them; (2) which ſaid Perſons ſo authorized and appointed, or any ſeven or more of them, together with the ſaid Surveyors, or ſome or one of them, within his or their Precinct reſpectively, ſhall at their Meeting have Power and Authority to order and direct the Making of any new Vaults, Dreins and Sewers, or to cut into any Drein or Sewer already made, and for the Altering, Enlarging, Amending, Cleanſing and Scouring of any old Vaults, Sinks or Common Sewers: (3) For the better Effecting whereof, it ſhall and may be lawful to and for the ſaid Perſons ſo authorized and appointed, as aforeſaid, or any ſeven or more of them, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City and Liberties thereof, in Proportion to the Benefit they ſhall receive thereby, for and towards the New-making, Cutting, Altering, Enlarging, Amending, Cleanſing and Scouring all and ſingular the ſaid Vaults, Dreins, Sewers, Pavements and Pitching aforeſaid: (4) And in Default of Payment of the ſaid Sums ſo to be charged, it ſhall and may be lawful to and for the ſaid Perſons ſo authorized as aforeſaid, or any ſeven or more of them, by Order and Warrant under their Hands and Seals, to levy the ſaid Sum and Sums of Money ſo aſſeſſed, by Diſtreſs and Sale of the Goods of the Party chargeable therewith, and refuſing or neglecting to pay the ſame, rendring the Overplus (if any be.) (5) And that all other Commiſſioners whatſoever be altogether ſuſpended to intermeddle in the Premiſſes within the ſaid City and Liberties thereof, for the Space of ſeven Years next, and for ſo long after until the ſaid intended Buildings ſhall be fully finiſhed; any Law or Statute to the contrary in any wiſe notwithſtanding.

XXI. And

XXI. And be it further enacted, That it ſhall and may be lawful to and for the Lord Mayor, Aldermen and Common Council of the ſaid City from Time to Time, to prohibit ſuch Trades and Occupations as they ſhall judge noiſom or perillous in reſpect of Fire, to be uſed or exerciſed in the high or principal Streets of the ſaid City. Noyſom Trades prohibited in the high Streets.

'XXII. And foraſmuch as the Freedom and Openneſs of the Streets conduceth much to the Advancement of Trade, and Ornament of the City;' (2) Be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen and Commonalty, by Order of Common Council in that Behalf to be made from Time to Time, and at their Will and Pleaſure, to remove out of any of the high Streets all or any of the Conduits now ſtanding or hereafter to be erected, and to ſet up and to erect the ſame in ſuch other publick Places within the ſaid City as they ſhall think fit, or to contract the ſame into any ſmaller or leſſer Compaſs in the Places where they now ſtand, or hereafter ſhall be erected, as aforeſaid, according to their Diſcretions. Removing of Conduits in high Streets.

'XXIII. And whereas many ancient Streets and Paſſages within the ſaid City and Liberties thereof, and amongſt others thoſe which are hereafter mentioned, were narrow and incommodious for Carriages and Paſſengers, and prejudicial to the Trade and Health of the Inhabitants, and are neceſſary to be inlarged, as well for the Convenience, as Ornament of the City;' (2) Be it enacted by the Authority aforeſaid, That the Mayor, Aldermen and Commons of the ſaid City for the Time being, in Common Council aſſembled, ſhall and may, and are hereby impowered and required to inlarge all and every the Streets and Places hereafter mentioned, where and in ſuch Manner as there ſhall be Cauſe, by and with the Approbation of his Majeſty, and not otherwiſe: That is to ſay, the Street called *Fleet-ſtreet*, from the Place where the *Greyhound* Tavern ſtood, to *Ludgate*, and from thence to St. *Paul's Church-yard*; the Street leading from the Eaſt-end of St. *Paul's* Church into *Cheapſide*; the Street and Paſſage at the Eaſt-end of *Cheapſide*, leading into the *Poultry*; the Street and Paſſage out of the *Poultry*, leading into the Weſt-end of *Cornhill*, at or near the Place late called the *Stocks*; the Street called *Blowbladder-ſtreet*, leading from the Weſt-end of *Cheapſide* towards *Newgate-Market*; and to inlarge the Street and Paſſage from thence towards *Newgate-Market*, by laying the Ground where the *Middle-Row* in the *Shambles* there lately ſtood, into the ſaid Street; and in like Manner to inlarge the Paſſage from *Newgate-Market* towards *Newgate*, by laying the Ground of the late four Houſes between *Warwick-lane* End in *Newgate-Market*, and the late *Bell* Inn there, into the Street; and in like Manner to inlarge, as there ſhall be Cauſe, the Lane called *Ave-maria-lane*, leading from *Pater-noſter-row* to *Ludgate-ſtreet*; and the Street or Paſſage at the End of St. *Martin's le Grand* towards *Blowbladder-ſtreet* aforeſaid; and alſo the Paſſage from St. *Magnus* Church to the Conduit in *Gracious-ſtreet*, and the North-end of *Gracious-ſtreet*; and alſo *Thames-ſtreet*, from the Weſt Corner of St. *Magnus* Church aforeſaid, to the *Tower-Dock*; and to inlarge *Old-Fiſh-ſtreet*, by laying the *Middle-Row* there into the Street. What Streets may be opened and inlarged.

XXIV. And the ſaid Mayor, Aldermen and Common Council alſo ſhall and may by Virtue of this preſent Act, inlarge and make wider any other ſuch ſtrait and narrow Paſſages within the ſaid City, as are leſs than fourteen Foot in Breadth; ſo as Notice be given to the Owners or Parties intereſted in the Ground to be ſo taken for the Inlarging thereof, on or before the firſt Day of *May* next enſuing: (2) And are and ſhall be alſo further enabled by Virtue of this Act, to make or cauſe to be made a new Street leading and extending from the *Guild-hall* of the ſaid City into *Cheapſide*, the ſame to be of ſuch Breadth and Wideneſs as they ſhall judge meet and convenient.

XXV. And to the End that reaſonable Satisfaction may be given for all ſuch Ground as ſhall be taken and imployed for the Uſes aforeſaid; the Mayor, Aldermen and Common Council ſhall and may treat and agree with the Owners and others intereſted therein: And if there ſhall be any Perſons, Bodies Corporate or Collegiate, that ſhall wilfully refuſe to treat and agree, as aforeſaid, or through any Diſability by Nonage, Coverture, or eſpecial Entail or other Impediment, cannot; that in ſuch Caſes, the ſaid Lord Mayor and Court of Aldermen are hereby authorized by Virtue of this Act to iſſue out a Warrant or Warrants to the Sheriffs of *London*, who are hereby required accordingly to impanel and return a Jury before the ſaid Lord Mayor and Court of Aldermen: (2) Which Jury upon their Oaths to be adminiſtred by the ſaid Lord Mayor and Court of Aldermen, are to inquire and aſſeſs ſuch Damage and Recompence as they ſhall judge fit to be awarded to the Owners, and others intereſted, according to their ſeveral and reſpective Intereſts and Eſtates of and in any ſuch Houſes or Ground, or any Part thereof, for their reſpective Intereſts and Eſtates in the ſame, as by the ſaid Lord Mayor, Aldermen and Commons in Common Council aſſembled, ſhall be adjudged fit to be converted for the Purpoſes aforeſaid: (3) And ſuch Verdict of the Jury, and Judgment of the ſaid Lord Mayor and Court of Aldermen thereupon, and the Payment of the Sum or Sums of Money ſo awarded or adjudged to the Owners, and others having Eſtate or Intereſt, or Tender and Refuſal thereof, ſhall be binding to all Intents and Purpoſes againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators and Aſſigns, and others claiming any Title or Intereſt in the ſaid Houſes or Ground, and ſhall be a full Authority for the ſaid Lord Mayor, Aldermen and Commons, to cauſe the ſame to be converted and uſed for the Purpoſes aforeſaid. Satisfaction to be made for Ground.

'XXVI. And foraſmuch as the Houſes now remaining, and to be rebuilt, will receive more or leſs Advantage in the Value of the Rents, by the Liberty of Air, and free Recourſe for Trade, and other Conveniencies by ſuch Regulation and Inlargement;' (2) It is alſo enacted by the Authority aforeſaid, That in Caſe of Refuſal or Incapacity, as aforeſaid, of the Owners, or others intereſted of or in the ſaid Houſes, to agree and compound with the ſaid Lord Mayor, Aldermen and Commons for the ſame, thereupon a Jury ſhall and may be impanelled in Manner and Form aforeſaid, to judge and aſſeſs upon the Owners, and others intereſted of and in ſuch Houſes, ſuch competent Sum and Sums of Money, with reſpect to their ſeveral Intereſts, in Conſideration of ſuch Improvement and Melioration, as in Reaſon and good Conſcience they ſhall think fit: (3) And all Sums of Money that ſhall be ſo aſſeſſed and raiſed as aforeſaid, ſhall be paid to the Chamberlain of the City of *London* for the Time being; who is hereby enabled from Time to Houſes which ſhall be bettered in Value.

Time to receive and recover the ſame by Action at Law, and whoſe Receipt ſhall be a good Diſcharge to ſuch Owners, or others intereſted; and who is hereby appointed to receive and pay, and be accountable for the ſame, according to ſuch Directions as ſhall from Time to Time be given him by the ſaid Lord Mayor, Aldermen and Commons: (4) And the Money ſo raiſed, ſhall be wholly imployed towards Payment and Satisfaction of ſuch Houſes and Ground as ſhall be converted into Streets, Paſſages, Markets, and other publick Places aforeſaid: (5) And ſuch Satisfaction ſo given, or tendred and refuſed, as aforeſaid, ſhall diveſt the Propriety, Eſtate and Intereſt of the reſpective Owners, and others having Intereſt of and in ſuch Parcels of Ground ſo to be taken and imployed for the Uſes aforeſaid, by Virtue of this Act: Which ſhall be and are hereby actually ſettled and inveſted in the ſaid Lord Mayor, Commonalty and Citizens of the City of *London*, and their Succeſſors, in like Manner as other the common Streets and Highways within the ſaid City.

Who may hear and determine Differences of ſeveral Claims of Eſtates.

XXVII. And in Caſe any Controverſies or Differences ſhall happen to ariſe between ſeveral Perſons that ſhall claim ſeveral Eſtates or Intereſts into or out of any Grounds to be ſold by the ſaid Mayor, Aldermen and Common Council, or by them to be taken and diſpoſed of by Virtue and in Purſuance of this Act to and for the Uſes aforeſaid; that then the Juſtices of the Courts of King's Bench and Common Pleas, and Barons of the Coif of the Exchequer for the Time being, or any three or more of them, ſhall be and are hereby authorized to hear, and finally to order and determine the ſame in a ſummary Way of Proceeding, and without the Formalities or ordinary Courſe of Proceedings uſed in any the ſaid Courts, to order and award ſuch Diſtribution to be made of the Money thereby ariſing, for the ſatisfying of ſuch ſeveral Intereſts and Claims as to them ſhall ſeem juſt and reaſonable, according to the reſpective Eſtate or Eſtates, Title or Intereſts of the Perſon or Perſons making Claim thereunto; according to which Order and Diſtribution to be made and appointed by the ſaid Juſtices and Barons, or any three or more of them, the ſaid Purchaſe-Money ſhall be ſatisfied and paid by the ſaid Chamberlain to the ſaid ſeveral Perſons reſpectively.

The ſecond of September appointed a Day of Humiliation in the City yearly for ever.

'XXVIII. And that the ſaid Citizens and their Succeſſors for all the Time to come, may retain the Memorial of ſo ſad a Deſolation, and reflect ſeriouſly upon their manifold Iniquities, which are the unhappy Cauſes of ſuch Judgments;' (2) Be it further enacted, That the ſecond Day of *September* (unleſs the ſame happen to be *Sunday*, and if ſo, then the next Day following) be yearly for ever hereafter obſerved as a Day of publick Faſting and Humiliation within the ſaid City and Liberties thereof, to implore the Mercies of Almighty God upon the ſaid City, to make devout Prayer and Supplication unto him, to divert the like Calamity for the Time to come.

A Pillar to be ſet up in Memory of the Fire.

XXIX. And the better to preſerve the Memory of this dreadful Viſitation, Be it further enacted, That a Column or Pillar of Braſs or Stone, be erected on, or as near unto, the Place where the ſaid Fire ſo unhappily began, as conveniently may be, in perpetual Remembrance thereof, with ſuch Inſcription thereon, as hereafter by the Mayor and Court of Alermen in that Behalf be directed.

Tender of Money at the Aſſurance Office, or at the Royal Exchange.

XXX. And be it enacted, and it is hereby enacted by the Authority aforeſaid, That all Tender of Money or Payment thereof, which by any Bonds, Covenants or other Obligations or Aſſurance whatſoever ought to be made in the late Aſſurance-Office, or in any other Place on the late *Royal Exchange*, *London*, ſhall or may be made at or in the preſent Aſſurance-Office in *Greſham-houſe*; and ſhall be as valid and legal to all Intents and Purpoſes, and diſcharge the Obligor as fully and amply, as if they had been made in the firſt intended Place on the ſaid *Royal Exchange*.

Pariſh Churches to be rebuilded.

XXXI. And it is hereby further enacted, That the Pariſh Churches to be rebuilded within the ſaid City of *London*, in Lieu of thoſe which were demoliſhed by the late Fire, ſhall not exceed the Number of thirty-nine; which ſhall be ſet out and appointed by and with the Advice and Conſent of the Lord Archbiſhop of *Canterbury*, and the Biſhop of *London* for the Time being.

Sites and Materials of Churches to be ſold, and how employed.

XXXII. Provided alſo, and be it enacted by the Authority aforeſaid, That the Sites and Materials of ſuch Churches as by this Bill are not intended to be rebuilt, together with the Church-yards belonging to ſuch Churches, ſhall be and are hereby veſted in the Lord Mayor and Aldermen of the City of *London* for the Time being; to the End ſo much of the ſaid Ground as ſhall not upon the rebuilding of the ſaid City, be laid into the Streets, be ſold and diſpoſed of by the ſaid Lord Mayor and Aldermen, or the major Part of them for the Time being, with the Conſent of the Archbiſhop of *Canterbury*, and Biſhop of *London* for the Time being; (2) and the Money raiſed by ſuch Sale ſhall be by the ſaid Mayor and Aldermen, or the major Part of them, with the Conſent of the ſaid Archbiſhop and Biſhop, diſpoſed of and employed for and towards the rebuilding of ſuch Pariſh Churches as by this Act are intended to be rebuilt, and for no other Uſe or Purpoſe whatſoever.

St. Paul's, St. Faith's, St. Gregory's Churches.

XXXIII. Provided always, That any Thing in this Act contained, ſhall not extend or be taken to veſt or ſettle the Church of St. *Paul*, and St. *Faiths*, or any Part thereof, or the Church of St. *Gregory's* by St. *Paul's*, or any of them, or the Church-yards to any of them belonging or appertaining, in the Mayor, Aldermen and Commons of the City of *London*, or any of them; any Thing in this Act notwithſtanding.

Thames-ſtreet.

XXXIV. And be it enacted, That for the preventing Inundations, and for Eaſineſs of Aſcent, the Street called *Thames-Street*, and all the Ground between the ſaid Street and the River of *Thames*, ſhall be raiſed and made higher by three Foot at the leaſt above the Surface of the Ground as now it lieth.

XXXV. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That no Houſe, Outhouſe or other Building whatſoever (Cranes and Sheds for preſent Uſe only excepted) ſhall be built or erected within the Diſtance of forty Foot of ſuch Part of any Wall, Key or Wharf, as bounds the River of *Thames*, from *Tower-Wharf* to *London-Bridge*, and from *London Bridge* to the *Temple-Stairs*; (2) nor any Houſe, Out-Houſe or other Buildings (Cranes only excepted) be built or erected within the Diſtance of threeſcore and ten Foot of the middle of any Part of the Common Sewers, commonly called or known by the Names of *Bridewell-Dock*, *Fleet-Ditch* and *Turnmill-Brook*, from the River of *Thames* to *Clerkenwell*, upon either Side of them; before the four and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty-eight.

XXXVI. And for the further enabling of the ſaid Mayor and Commonalty, and Citizens of the ſaid City of *London*, and their Succeſſors, to perform and accompliſh the Works in this Act mentioned; (2) Be it enacted by the Authority aforeſaid, That for all Sorts of Coals, which from and after the four and twentieth Day of *June* one thouſand ſix hundred ſixty-ſeven, and before the four and twentieth Day of *June* one thouſand ſix hundred ſeventy-ſeven, ſhall be imported and brought into the Port of the City of *London*, or the River of *Thames* within the Liberty of the ſaid City of *London*, upon the ſame River, to be ſold by the Chaldron or Ton, there ſhall be paid by way of Impoſition thereupon, (over and beſides all other Impoſitions and Duties due and payable for any ſort of the ſaid Coals, by Virtue of any Law or Statute now in Force) according to the Rates hereafter mentioned; that is to ſay, For ſuch ſorts of Coals as are uſually ſold by the Chaldron, for every Chaldron thereof containing thirty-ſix Buſhels *Wincheſter* Meaſure, the Sum of twelve Pence; and for all ſuch ſorts of Coals as are ſold by the Ton, for every Ton thereof containing twenty hundred Weight, the like Sum of twelve Pence; (3) which ſaid Impoſition of twelve Pence for every Chaldron or Ton of Coals, ſhall from Time to Time during the Term aforeſaid be anſwered and paid unto the ſaid Mayor, Commonalty and Citizens, and their Succeſſors, or to their Deputy or Deputies, Officers or Aſſigns, by the Maſter, Owner or Owners, or other Perſon or Perſons taking Charge of any Ship or Veſſel whereupon the ſame ſhall be laden, before they ſhall break Bulk, or have a Meter aſſigned for the meaſuring or weighing of any Coals aforeſaid, to be delivered from on Board any ſuch Ship or Veſſel; the ſame to be paid at ſuch Place or Places, as by the ſaid Mayor and Court of Aldermen ſhall from Time to Time be appointed for the Receipt thereof; upon Receipt whereof, the Party appointed to receive the ſame ſhall without Delay, Fee or Reward, deliver a Receipt to the Perſon or Perſons who ſhall pay the ſaid Duty, which Receipt ſhall for ſo much be a ſufficient Diſcharge. An Impoſition upon Coals.

XXXVII. And to the End that the ſaid Impoſition may be duly anſwered and paid without Fraud or Covin, and for the better Levying and Collecting thereof, and for Diſcovery of the juſt Quantities of all ſorts of Coals to be imported as aforeſaid: (2) Be it further enacted by Authority aforeſaid, That the Coal-meters for the City of *London*, appointed or to be appointed, and every of them, and their reſpective Deputies, in their Turn and Courſe of Attendance reſpectively, ſo ſoon as any Ship or Veſſel freight with Coals ſhall be unladen, ſhall forthwith deliver a true Certificate in Writing, unto the Deputy or Deputies, Officers or Aſſigns of the ſaid Mayor and Commonalty and Citizens, who ſhall be appointed to receive the ſaid Impoſition, of the Sorts, Quantities and Number of Chaldrons or Tons of Coals reſpectively, which ſhall be meaſured or weighed, and delivered from on Board any ſuch Ship or Veſſel, on Pain for his or their Default therein, to be ſuſpended from the Execution and Benefit of his or their Office or Imployment for one whole Year from thence next following: (3) And in Caſe it ſhall appear by ſuch Certificate or otherwiſe, That there was on Board any ſuch Ship or Veſſel, a greater Number of Chaldrons or Tons of Coals, than for which the ſaid Impoſition ſhall have been anſwered and paid as aforeſaid; That then in ſuch Caſe there ſhall be paid to the ſaid Mayor and Commonalty and Citizens, and their Succeſſors, for every Chaldron or Ton of Coals ſo concealed, over and above the Impoſition aforeſaid, the Sum of five Shillings; for which (in Caſe of Refuſal to pay the ſame) ſuch Ship or Veſſel, or any the Tackle, Furniture or Apparel thereof, may be attached and detained by Warrant from the Mayor of the ſaid City for the Time being, until Payment thereof. Coal-meters Duty for levying the ſame. Theſe Rules are applied to the Orphanage Duty by 5 & 6 W. & M. c. 10.

XXXVIII. Provided nevertheleſs, That if the Importer, upon ſuch Certificate delivered in by the Coal-meter, ſhall within four and twenty Hours give in his Poſt-Entry, and ſatisfy and pay the whole Duty for the Surpluſage of Coals appearing upon the unlading of ſuch Ship or Veſſel, That then upon ſuch Payment, the Penalty aforeſaid ſhall be diſcharged.

XXXIX. And be it further enacted, That all and every ſuch Sum and Sums of Money which ſhall be raiſed upon the Receipt of the ſaid Impoſition of twelve Pence for every Chaldron or Ton of Coals, or by ſuch additional Duty in Caſe of Concealment as aforeſaid, ſhall in the firſt Place be applied and diſpoſed unto and for the Satisfaction of ſuch Perſons whoſe Grounds ſhall by Virtue and in Purſuance of this Act be taken and employed for the inlarging of the Streets, and narrow Paſſages within the ſaid City; (2) and after Satisfaction given for the ſame, the Reſidue of the ſaid Monies ſhall be applied and diſpoſed unto and for the Satisfaction of ſuch Perſons whoſe Grounds ſhall be employed for the making of Wharfs or Keys on the North-ſide of the River of *Thames*, and upon each Side of the Sewer called by the Name or Names of *Bridewell-Dock*, *Fleet Ditch* and *Turnmill-Brook*; and alſo for the building and making ſuch Priſons within the ſaid City, as ſhall be neceſſary for the Safe Cuſtody and Impriſonment of Felons and other Malefactors. How the ſaid Impoſition ſhall be diſpoſed.

XL. And to the End the Monies to be raiſed upon the Impoſition aforeſaid, may be duly applied to the Uſes for which the ſame is by this Act appointed; (2) Be it further enacted, That there ſhall from Time to Time be provided, and kept in the Chamber of *London*, one or more Book or Books of Vellum or Parchment, in which all Monies thereupon to be received, ſhall from Time to Time be entred and ſet down: (3) And alſo other like Book or Books, wherein the Accounts of all Payments and Diſburſements out of the ſame ſhall be likewiſe entred, expreſſing the Time when, the Occaſion for which, and the Name of the Perſon or Perſons to whom the ſame were ſo paid or diſburſed: (4) And that it ſhall and may be lawful to and for all and every Perſon or Perſons that ſhall or may be in any wiſe concerned ſo to do, to have free Acceſs unto, and view the ſaid reſpective Books of Receipts and Diſburſements at all Times when the Chamberlain's Office is open, without any Fee or Reward to be taken or demanded for the View or Inſpection thereof: And that the Chamberlain of *London* for the Time being, before the End of *Michaelmas Term* in every Year, ſhall tranſmit, and upon his Oath deliver into the Receipt of the Exchequer, a true Copy or Duplicate of the aforeſaid Books of Accounts, containing the Receipts and Diſburſements of all Monies which ſhall be raiſed and paid by or out of the ſaid Impoſition upon Coals, in the Year preceding, and ending upon the four and twentieth Day of *June* next before, there to be received *Gratis* by the proper Officer, and kept amongſt the Records of the ſaid Court; where it ſhall alſo be lawful for any Perſon or Perſons, who And the Accounts of Receipts and Diſburſements thereof kept.

who ſhall be in any wiſe concerned ſo to do, to have Acceſs thereunto, and to view and peruſe the ſaid Books of Accounts, without any Fee or Reward to be taken or received for the ſame.

Thomas Morris his Water-houſe.

XLI. Provided always, That it ſhall and may be lawful for the Water-houſe, called Mr. *Thomas Morris* his Water-houſe, formerly adjoining to *London-Bridge*, to be rebuilt upon the Place it formerly ſtood, with Timber, for the ſupplying the South-ſide of the City with Water, as it for almoſt this hundred Years hath done; any Thing in this Act to the contrary in any wiſe notwithſtanding.

Water-lane. Mincing-lane.

XLII. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That the Lord Mayor and Aldermen of *London* may and ſhall open and enlarge a Street or Paſſage called *Water-lane*, leading from *Fleet-ſtreet* to *White-Friers-Dock* by the River of *Thames*; as alſo open and enlarge one other Street or Paſſage to the ſaid River from *Cheapſide* through *Soper-lane* to *Thames-ſtreet*, and from the *Three-Cranes* to the *Thames*; and open and enlarge one other Street or Paſſage through *Mincing-lane*, by St. *Dunſtans* in the Eaſt, to *Thames-ſtreet*, near the Cuſtom-houſe; and to make the ſaid Streets or Paſſages twenty-four Foot in Breadth, for the Conveniency of Trade, and better Paſſage of Carts and other Carriages to and from the ſaid River, giving Notice of what they ſhall herein reſolve, to the Proprietors and Perſons concerned, before the laſt of *May* which ſhall be in the Year of our Lord one thouſand ſix hundred ſixty-ſeven, and giving them Satisfaction for their Ground, according to the Rules and Directions of this Act for the enlarging of other Streets and Places.

## XLIII. A Scheme of Proportions and Scantlings for Stories, Walls and Timbers for the Building of leſſer and larger Houſes within the City of *London*.

| Brick. | Diviſion of Story. | | Height of Story. Foot. | | Thickneſs of Walls. | | | |
|---|---|---|---|---|---|---|---|---|
| Firſt Sort, being the leaſt Houſes Fronting By-Streets, Lanes, &c. | Cellars<br>1 Story<br>2 Story<br>Garrets | | 6 ½<br>9<br>9 | | To the firſt Floor<br>2d<br>3d | Bricks.<br>2<br>1 ½<br>1 ½<br>1 | | Bricks.<br>1 ½<br>1 ½<br>1 ½<br>1 |
| 2 Second Sort, Houſes Fronting all Streets, Lanes of Note, and River of *Thames*. | Cellars<br>1 Story<br>2 Story<br>3 Story<br>Garrets | Where the Springs prevent not<br>Not leſs in Height clear than | 6 ½<br>10<br>10<br>9 | Thickneſs of Walls in Front and Rere from the Foundation. | To the firſt Floor<br>2d<br>3d<br>4th | 2 ½<br>2<br>2<br>1 ½<br>1 | Thickneſs of Walls between Houſe and Houſe. | 2<br>1 ½<br>1 ½<br>1 ½<br>1 |
| 3 Third Sort, Houſes Fronting all High Streets and Lanes of Note. | 1 Story<br>2 Story<br>3 Story<br>4 Story<br>Garrets | | 10<br>10 ½<br>9<br>8 ½ | | 1ſt<br>2d<br>3d<br>4th | 2 ½<br>1 ½<br>1 ½<br>1 ½<br>1 | | 2<br>1 ½<br>1 ½<br>1 ½<br>1 |

## XLIV. Scantlings of Timber for the firſt Sort of Houſes.

| | | Foot. Inches. | Inches. | Length. Foot. | Thickneſs. | Depth. Inches. |
|---|---|---|---|---|---|---|
| For the Floors. | Summers under | 15—12 | and—8 | Joiſts to 10 | 3 | 7 |
| | Wall Plates | — — 7 | and—5 | Garret-Floors | 3 | 6 |

2 For the Roof. Principal Rafters under 15 Foot. at Foot 8, at Top 5 } 6 Inches.
Single Rafters 4 and—3 Inches.

XLV. Scantlings

## XLV. Scantlings of Timber for the other two Sorts of Houſes.

For the Floors.

| | Foot. | Foot. | Breadth. Inches. | Depth. Inches. | | Thickneſs. Inches. | Depth. Inches. |
|---|---|---|---|---|---|---|---|
| Summers or Girders which bear in Length from | 10 | to 15 | 11 | and 8 | Joiſts which bear ten Foot. | 3 | 6 |
| | 15 | 18 | 13 | 9 | | 3 | 7 |
| | 18 | 21 | 14 | 10 | | 3 | 7 |
| | 21 | 24 | 16 | 12 | | 3 | 8 |
| | 24 | 26 | 17 | 14 | | 3 | 8 |

Principal Diſcharges upon Peers — Inches. 13 and 12
In the firſt Story in the Fronts — 15 — 13

Binding Joiſts, with their Trimming Joiſts — Thickneſs. Inches. 5 — Depth equal to their own Floors.

Wall-Plates, or Raiſing Pieces and Beams — Inches. 10 and 6; 8 — 6; 7 — 5

Lintels of Oak in the — Inches. 1ſt & 2d Story — 8 — & 6; 3d Story — 5 — 4

2 For the Roof.

| | Length. Foot. | Foot. | | Inches. | Thickneſs. Inches. |
|---|---|---|---|---|---|
| Principal Rafters from | 15 | to 18 | at foot | 9 | 7 |
| | | | at top | 7 | |
| | 18 | 21 | at foot | 10 | 8 |
| | | | at top | 8 | |
| | 21 | 24 | at foot | 12 | 8½ |
| | | | at top | 9 | |
| | 24 | 26 | at foot | 13 | 9 |
| | | | at top | 9 | |

| | Length. Foot. | Foot. | Inches. | Inches. |
|---|---|---|---|---|
| Purlines from | 15 | to 18 | 9 | 8 |
| | 18 | 21 | 12 | 9 |

| | Foot. | Inches. | Inches. |
|---|---|---|---|
| Single Rafters not exceeding in Length | 9 | 5 | 4 |
| Single Rafters not exceeding in Length | 6 | 4 | 3½ |

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## XLVI. Scantlings for Sawed Timber and Laths, uſually brought out of the Weſt Country, not leſs than

| | Foot. | Breadth. Inches. | Thickneſs. Inches. |
|---|---|---|---|
| Single Quarters in Length | 8 | 3½ | 1¾ |
| Double Quarters in Length | 8 | 4 | 3½ |
| Sawed Joiſts in Length | 8 | 6 | 4 |
| Laths in Length | 5 | 1½ | 1 Quarter and ½ of an Inch. |
| | 4 | | |

2 Stone Where Stone is uſed, to keep to theſe Scantlings.

| | | Inches. |
|---|---|---|
| Firſt Sort of Houſes | Corner Peers | 18 ſquare |
| | Middle or ſingle Peers | 14 and 12 |
| | Double Peers between Houſe and Houſe | 14 and 18 |
| | Door-jambs and Heads | 12 and 8 |

| | | Foot. | Inches. |
|---|---|---|---|
| 2d and 3d Sorts | Corner Peers | 2 | 6 ſquare |
| | Middle or ſingle Peers | | 18 ſquare |
| | Double Peers between Houſe and Houſe | | 24 and 18 |
| | Door-jambs and Heads | | 14 and 10 |

3 Scantlings for Sewers — Foot. 3 wide, 5 high — Side-walls — Thickneſs. 1 Brick ½ — Arch — 1 Brick on end — Bottom paved plain, and then 1 Brick an Edge circular.

## XLVII. General Rules.

IN every Foundation within the Ground, add one Brick in Thickneſs to the Thickneſs of the Wall (as in the Scheme) next above the Foundation, to be ſet off in three Courſes equally on both Sides.

2. That no Timber be laid within twelve Inches of the Foreſide of the Chimney-Jambs, and that all Joiſts on the Back of any Chimney be laid with a Trimmer at ſix Inches Diſtance from the Back.

3. That no Timber be laid within the Tunnel of any Chimney, upon Penalty to the Workman for every Default ten Shillings, and ten Shillings every Week it continues unreformed.

4. That no Joiſts or Rafters be laid at greater Diſtances from one to the other than twelve Inches, and no Quarters at greater Diſtance than fourteen Inches.

5. That no Joiſts bear at longer Length than ten Foot, and no ſingle Rafters at more in Length than nine Foot.

6. That all Roofs, Window-frames and Cellar-floors be made of Oak.

7. The Tile-pins of Oak.

8. No Summers or Girders to lie over the Head of Doors and Windows.

*Further Proviſions relating hereto, 22 Car. 2. c. 11.*

9. No Summer or Girder to lie leſs than ten Inches into the Wall; no Joiſts than eight Inches, and to be laid in Loam.

## CAP. IV.

### An Act for Relief of poor Priſoners, and ſetting them on Work.

*14 Eliz. c. 5. 43 Eliz. c. 2. ſect. 14.*

'WHEREAS there is not yet any ſufficient Proviſion made for the Relief and ſetting on Work of poor and needy Perſons committed to the common Gaol for Felony and other Miſdemeanors, who many Times periſh before their Trial; and the Poor there living idly and unimployed, become debauched, and come forth inſtructed in the Practice of Thievery and Lewdneſs:' (2) For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, with Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That the Juſtices of the Peace of the reſpective Counties at any their General Seſſions, or the major Part of them then there aſſembled, if they ſhall find it needful ſo to do, may provide a Stock of ſuch Materials as they find convenient for the ſetting poor Priſoners on Work, in ſuch Manner and by ſuch Ways, as other County-charges by the Laws and Statutes of the Realm are and may be levied and raiſed; and to pay and provide fit Perſons to overſee and to ſet ſuch Priſoners on work; (3) and make ſuch Orders for Accounts of and concerning the Premiſſes, as ſhall by them be thought needful, and for Puniſhment of Neglects and other Abuſes, and for beſtowing of the Profit ariſing by the Labour of the Priſoners ſo ſet on work, for their Relief, which ſhall be duly obſerved; and may alter, revoke or amend ſuch their Orders from Time to Time. (4) Provided that no Pariſh be rated above ſix Pence by the Week towards the Premiſſes, having Reſpect to the reſpective Values of the ſeveral Pariſhes.

How Stocks may be provided for ſetting the Poor on work.

Sickneſs and Diſeaſes happening among Priſoners.

'II. And whereas ſometimes by Occaſion of the Plague, and other whiles by the great Number of Priſoners, great and infectious Diſeaſes have happened among the Priſoners, whereby it hath come to paſs ſometimes that the Judges, Juſtices and Jurors have, upon Occaſion of their Attendance at the Trial of Priſoners been infected, and many of them died thereof, and ſometimes ſuch Infection hath ſpread in the Country:' (2) For ſome Remedy therein, be it by the ſame Authority enacted, That any Sheriff of the reſpective Counties having the Cuſtody of the Gaol, or ſuch Perſons who have the Cuſtody of the Gaol, with the Advice and Conſent of three or more Juſtices of the Peace, whereof one to be of the *Quorum*, may, if they ſhall on Enquiry or Information find it needful, upon emergent Occaſions in the reſpective Counties, provide other ſafe Places for the Removal of ſick or other Perſons from and out of the ordinary and uſual Gaols; (3) the ſame Places to be uſed and imployed for the Reception and Cuſtody of the Priſoners, to be by or according to their Order or Orders kept, ordered, diſpoſed and conveyed to the Places appointed for the Gaol-delivery, in ſuch and like Manner as ſuch Priſoners ought to be kept, ordered, diſpoſed and conveyed, in and from the common Gaols by the Laws and Statutes of the Land. Provided, no ſuch Place be made Uſe of for the Purpoſes aforeſaid, againſt the Good and Free-will of the Owners thereof.

Removing of Priſoners.

III. Provided alſo, and be it enacted by the Authority aforeſaid, That the Mayor, Bailiff and other Head Officer, or any other Perſon and Perſons who have and hath the Cuſtody of the common Gaol within any Corporation of this Kingdom and Dominion of *Wales*, ſhall by and with the Advice of three or more Juſtices of Peace within the ſaid Corporation, whereof one of them to be of the *Quorum*, in Time of Infection, have the like Power and Authority for Removing his and their Priſoners into ſome other convenient Place within their Juriſdiction as to them ſhall ſeem fit, during the Time of Infection; and alſo to raiſe a Stock after the ſame Rates and Proportions, as is herein before allowed to and for the ſeveral Counties of this Kingdom.

Exon.

Devon.

IV. Provided alſo, and be it further enacted by the Authority aforeſaid, as followeth, *(viz.)* That whereas there is already provided a ſtrong and ſufficient Meſſuage in the Pariſh of Saint *Thomas* the Apoſtle near the City of *Exon* for the Purpoſe aforeſaid, and one thouſand Pounds more by certain Truſtees, upon Propoſals and Agreements made by them with certain Gentlemen, Juſtices of the Peace for the County of *Devon*, who have alſo provided one thouſand Pounds more, in order to purchaſe Lands of Inheritance for the good Purpoſes hereafter mentioned; (2) Be it enacted by the Authority aforeſaid, That the ſaid two thouſand Pounds be laid out in Purchaſe of Lands of Inheritance, by Order of the General Seſſions of the Peace hereafter at any Time to be held, in the Name of ſuch Perſons as by ſuch Order ſhall be appointed.

(3) *Item*,

(3) *Item*, That the ſaid Houſe, with the Grounds therewith incloſed, be had and uſed as a common Gaol and Work-houſe for the ſaid County in Manner as is after expreſſed. (4) *Item*, That an Overſeer be therein placed by like Order, and by like Order be removeable from Time to Time; which Overſeer ſhall have the Charge, Cuſtody and Government of the Priſoners to him committed, according to this Act, and ſhall have fifty Pounds *per Annum* during the Execution of his Office, and ten Pounds *per Annum* for his Deputy; but ſhall therefore take no Fees for Receiving, Delivering or doing any other Service relating to the Priſoners, from or of any the ſaid Priſoners. (5) *Item*, That the ſaid Juſtices by like Order from Time to Time ſhall and may, by Approbation of the Ordinary, provide and appoint ſome meet and diſcreet Miniſter to read Divine Service according to the Orders of the Church of *England*, unto the Priſoners, at leaſt four Days in the Week, That is to ſay, on the Lord's Day, each *Wedneſday*, and each *Friday* and *Saturday*, and oftner if the ſaid Juſtices ſhall appoint, and to take Pains in inſtructing them each Lord's Day at the leaſt, for which they may allow him thirty Pounds *per Annum* or after that Rate, the Reſt of the Profits to be for Repairing the Houſe, and towards finding a Stock for to ſet the Priſoners on work. (6) *Item*, That any Perſon charged with ſuch Offence only for which Clergy is allowable, if ſo be he be needy and indigent, and not likely to maintain himſelf in Gaol, may by Warrant of the Juſtice or Juſtices of the Peace, to whom Juriſdiction in that Behalf appertaineth, be committed to the ſaid Work-houſe in order to his Trial; (7) and if any Perſon ſhall be committed to the ordinary Gaol, who ſhall be or become ſo indigent, he may by Warrant of three Juſtices of Peace, whereof one to be of the *Quorum*, be removed from the ordinary common Gaol to the ſaid Houſe; all which Priſoners ſo committed or removed ſhall be in the Cuſtody of the Overſeer, and be ordered and demeaned in the ſaid Houſe, and conveyed to the Seſſions or to the Gaol-delivery, by like Warrant, Way and Means, as the Priſoners in other Gaols by the Laws and Statutes of this Realm are to be ordered and demeaned.

'V. And becauſe the ſaid Work-houſe is diſtant from the ordinary common Gaol,' the Priſoners by Order from the Seſſions or Gaol-delivery may, in order to their Trials, be removed to the common Gaol, to be the more ready for their Trials. (2) *Item*, That the ſaid Overſeer ſhall give Security for the Stock, and be liable to ſuch Regulations and Orders for Accounts and otherwiſe, as the Seſſions ſhall from Time to Time make for ſetting the poor Priſoners on work there, which ſhall be obeyed and obſerved. That a convenient Stock be from Time to Time raiſed at the Charge of the County. (3) *Item*, That the ſaid Juſtices of the County in *Devon* may put in ure all the Powers in this Act, as other Juſtices may in any other County by Virtue thereof:

*Farther Proviſions relating hereto, 22 & 23 Car. 2. c. 20. 4 & 5 W. & M. c. 21. 8 & 9 W. 3. c. 27.*

VI. Saving to the King's Majeſty, his Heirs and Succeſſors, and to every other Perſon and Perſons, and their Heirs, Succeſſors, Executors and Adminiſtrators, all Rights, Titles, Claims and Demands whatſoever, into or out of the ſaid Meſſuages and Premiſſes, as if this Act had never been made.

*11 & 12 W. 3. c. 19. 1 Ann. ſtat. 2. c. 6. 5 Ann. c. 9. 9 Geo. 1. c. 28. 11 Geo. 1. c. 22. 11 Geo. 2. c. 20. 16 Geo. 2. c. 31. 27 Geo. 2. c. 3 & 17. and 32 Geo. 2. c. 28.*

## CAP. V.

### An Act extending a former Act concerning Replevins and Avowries, to the Principality of *Wales* and the County Palatines.

'WHEREAS by an Act of Parliament, intituled, *An Act for the more ſpeedy and effectual Proceeding upon Diſtreſſes and Avowries for Rents*, Proviſion is made where any Plaintiff ſhall be nonſuit before Iſſue joined in any Suit or *Replevin*, by Plaint or Writ lawfully returned, removed or depending in any of the King's Courts at *Weſtminſter*;' (2) Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, That the ſaid Act, and all the Powers and Proviſions thereby made for Cauſes of *Replevins* depending in his Majeſty's Courts of *Weſtminſter*, ſhall be extended and be of the ſame Force and Efficacy in all Clauſes of *Replevin*, which are or ſhall be depending in his Majeſty's Court of Common Pleas for the County Palatine of *Lancaſter*, the Courts of the Great Seſſions of his Majeſty's Principality of *Wales*, the Court of the Great Seſſions or Aſſizes for the County Palatine of *Cheſter*, and the Court of Common Pleas for the County Palatine of *Durham*, as fully and as amply for and during the Continuance of the ſaid Act, as if the ſaid Courts had been mentioned therein.

*17 Car. 2. c. 7.*

*Lancaſter, Wales, Cheſter.*

## CAP. VI.

### An Act for Redreſs of Inconveniencies by Want of Proof of the Deceaſes of Perſons beyond the Seas or abſenting themſelves, upon whoſe Lives Eſtates do depend.

'WHEREAS divers Lords of Manors and others have uſed to grant Eſtates by Copy of Court-Roll for one, two or more Life or Lives, according to the Cuſtom of their ſeveral Manors; and have alſo granted Eſtates by Leaſe for one or more Life or Lives, or elſe for Years determinable upon one or more Life or Lives; and it hath often happened, that ſuch Perſon or Perſons for whoſe Life or Lives ſuch Eſtates have been granted, have gone beyond the Seas, or ſo abſented themſelves for many Years, that the Leſſors and Reverſioners cannot find out whether ſuch Perſon or Perſons be alive or dead, by Reaſon whereof ſuch Leſſors and Reverſioners have been held out of Poſſeſſion of their Tenements for many Years, after all the Lives upon which ſuch Eſtates depend are dead, in regard that the Leſſors and Reverſioners when they have brought Actions for the Recovery of their Tenements, have been put upon it to prove the Death of their Tenants, when it is almoſt impoſſible for them to diſcover the ſame:'

*Proof. 6 Ann. c. 18.*

Persons beyond the Seas, or absenting themselves for seven Years. Carthew 246.

II. For Remedy of which Mischief so frequently happening to such Lessors or Reversioners, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if such Person or Persons, for whose Life or Lives such Estates have been or shall be granted as aforesaid, shall remain beyond the Seas, or elsewhere absent themselves in this Realm, by the Space of seven Years together, and no sufficient and evident Proof be made of the Lives of such Person or Persons respectively, in any Action commenced for Recovery of such Tenements by the Lessors or Reversioners; in every such Case the Person or Persons upon whose Life or Lives such Estate depended, shall be accounted as naturally dead; (2) and in every Action brought for the Recovery of the said Tenements by the Lessors or Reversioners, their Heirs or Assigns, the Judges before whom such Action shall be brought, shall direct the Jury to give their Verdict as if the Person so remaining beyond the Seas, or otherwise absenting himself were dead.

What shall be a good Challenge to Jurors upon Trial of Lives in Being.

III. And be it further enacted, That in any such Action wherein the Life or Death of any such Person or Persons shall come in Question between the Lessor or Reversioner and the Tenant in Possession, it shall and may be lawful for the Lessor or Reversioner to take Exception to any of the Jurors returned for the Trial of that Cause, that the greatest Part of the Real Estate of any of such Jurors is held by Lease or Copy for Lives, who upon Proof thereof shall be set aside as in Case of other legal Challenges.

Proviso for Lands held by Lives of certain Traitors attainted.

IV. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend to any Lands held by the Life or Lives of any Person or Persons attainted of Treason for the horrid Murder of his late Majesty of Blessed Memory, who now conceal or hide themselves, which Lands are or have been vested in his Majesty, and are now granted to his Royal Highness the Duke of *York*, but that the Course of Evidence heretofore used in such Cases shall be had and used; any Thing to the contrary in this Act notwithstanding.

Proviso for Persons evicted by this Act, the Persons not being dead.

V. Provided always, and be it enacted, That if any Person or Persons shall be evicted out of any Lands or Tenements by Virtue of this Act, and afterwards if such Person or Persons upon whose Life or Lives such Estate or Estates depend, shall return again from beyond the Seas, or shall on Proof in any Action to be brought for Recovery of the same, be made appear to be living, or to have been living at the Time of the Eviction; that then and from thenceforth the Tenant or Lessee, who was outed of the same, his or their Executors, Administrators or Assigns, shall or may re-enter, repossess, have, hold and enjoy the said Lands or Tenements in his or their former Estate, for and during the Life or Lives, or so long Term as the said Person or Persons upon whose Life or Lives the said Estate or Estates depend, shall be living; (2) and also shall upon Action or Actions to be brought by him or them against the Lessors, Reversioners or Tenants in Possession, or other Persons respectively, which since the Time of the said Eviction received the Profits of the said Lands or Tenements, recover for Damages the full Profits of the said Lands or Tenements respectively, with lawful Interest for and from the Time that he or they were outed of the said Lands or Tenements, and kept and held out of the same by the said Lessors, Reversioners, Tenants or other Persons, who after the said Eviction received the Profits of the said Lands or Tenements, or any of them respectively, as well in the Case when the said Person or Persons upon whose Life or Lives such Estate or Estates did depend, are or shall be dead at the Time of bringing of the said Action or Actions, as if the said Person or Persons were then living.

See 6 Ann. c. 18. *which extends to Reversioners after the Death of Minors or married Women, &c.*

## CAP. VII.

EXP. 16 Car. 2. c. 5.

An Act to prevent the Disturbances of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal. Who may examine and punish Offences and Disturbances committed by Seamen relating to the Navy. Imbezilling of Stores and Ammunition of the Navy. Encouragement of Mariners and Soldiers serving in the Fleet. Altered by 22 & 23 Car. 2. c. 23. §. 10. The Continuance of this Act for two Years, &c.

## CAP. VIII.

An Act for granting the Sum of twelve hundred fifty-six thousand three hundred forty-seven Pounds thirteen Shillings, to the King's Majesty, towards the Maintenance of the present War. EXP.

'From this Place the subsequent Acts are said to be decimo nono & vicesimo Car. 2di by the Stile of the Roll.'

## CAP. IX.

An Act for taking the Accounts of the several Sums of Money therein mentioned. EXP.

## CAP. X.

An Act for Banishing and Disenabling the Earl of *Clarendon*. PR.

## CAP. XI.

An Act to make Prize-Ships free for Trade. EXP.

## CAP. XII.

An Act for assigning Orders in the Exchequer without Revocation. Orders registred in the Auditor's Office of the Receipt may be assigned. The Assignor may not revoke his Assignment. Auditor's Fee. The Continuance of this Act. Continued by 11 & 12 W. 3. c. 13. for seven Years from *September* one thousand seven hundred. EXP.

CAP.

## CAP. XIII.

An Act for settling Freedom and Intercourse of Trade between *England* and *Scotland*. Twelve *English* Commissioners to meet some from *Scotland*, to treat concerning Liberty and Freedom of Trade. Who may suspend Penalties. The Agreement between them drawn into Writing, shall be of Force. 9 & 10 Ann. c. 8.

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# Anno Regni CAROLI secundi Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. And there continued by several Prorogations and Adjournments to the sixth of *February* one thousand six hundred sixty-seven, *Anno* 20 *Car.* 2. and then held. From whence it is continued by Adjournment made the ninth Day of *May* one thousand six hundred sixty-eight, to the eleventh Day of *August* next following.' 'Note that there is no Distinction on the Roll as to a new Session.'

## CAP. I.

An Act for raising three hundred and ten thousand Pounds, by an Imposition on Wines and other Liquors. EXP.

## CAP. II.

### An Act for the better Payment of Monies received for the Use of the Crown.

'FOR some Remedy of the great Abuses by Receivers, Reeves, Bailiffs, Collectors, and other Officers and Persons, not making due Payment of Monies and Duties received for his Majesty's Use, and in detaining the same in their own Hands, for their private Lucre and Advantage;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all the said Officers and Ministers aforesaid, do use all Diligence to receive and gather the Monies due to his Majesty, within their several and respective Receipts and Collections; and after the Receipt thereof, to answer and pay the same according to their respective Duties: (3) And that all and every the Person and Persons aforesaid, who having received the said Monies, have not duly accounted, and thereupon paid so much as by such Account rested due to his Majesty, into the Receipt of the Exchequer, or to such Person or Persons, and in such Manner as the same ought to be paid, and shall not pay the same as aforesaid before the first Day of *July*, which shall be in the Year of our Lord God one thousand six hundred sixty-eight, shall from henceforth answer and pay to his Majesty, Damages after the Rate of twelve Pounds *per Cent.* by the Year, until the principal Monies be fully accounted for and paid in, together with such Damages as aforesaid, which shall be charged upon them in their Account, whereof they shall not be discharged until Payment made, as well of the said Damages, as principal Monies, according to the true Meaning of this Act. Abuses by Receivers, Bailiffs, &c. Monies received for the King's Use to be paid into the Exchequer. The Penalty for Neglect.

II. And further, That all and every Person and Persons, Bodies Politick and Corporate, who having received any Monies or Duties due to the King's Majesty, shall not duly account for and pay the same according to the Course of the Exchequer, into the Receipt there, or to such Person or Persons to whom the same ought to be paid according to Law, within two Months next after the same shall have been so received, shall from thenceforth answer and pay to the King's Majesty, his Heirs and Successors, Damages for all such Monies and Duties, after the Rate of twelve Pounds *per Cent.* by the Year, for so long Time as the same shall be detained, or not paid, by the Judgment and Direction of the Court of Exchequer, without any Power of Abatement or Instalment to be made or allowed for the same, or any Part thereof; (2) and that the Process of the said Court shall be forthwith awarded against all the said Persons, Bodies Politick and Corporate, their Heirs, Executors and Administrators, chargeable with any of the said Monies, for the speedy and effectual Levying thereof, with Damages for the same as aforesaid, according to the true Meaning of this Act; any other Law, Statute, Usage, Privilege or Pretence whatsoever to the contrary in any wise notwithstanding. Process to be awarded.

III. Provided always, That nothing herein contained shall extend to alter the Time or Way of accounting of any Sheriff within this Kingdom, for any Part of his Majesty's ancient Revenue, or other Profits anciently collected or accounted for by the Sheriffs, or to make them liable to any new Penalty for the same. Proviso for Sheriff's Accounts.

## CAP. III.

An Act for the Increase and Preservation of Timber within the Forest of *Dean*. Scarcity of Timber. Ten thousand Acres in the Forest of *Dean* to be inclosed. And one thousand Acres. Commissioners may sell decayed Trees to make and maintain the said Inclosures. When and how much shall be laid open, and by what Authority. As much shall be inclosed anew as hath been so opened. Wood fit to be felled, must be viewed and marked by the Justices. The Penalty for cutting Wood contrary to this Act. Forest

reſt Laws to be put in Execution. The encloſed Lands all re-afforeſted. All Eſtates made out of it to any Perſon whatever, to be null and void. The King may reſtore a Game of Deer, but not above eight hundred. Proviſo for Owners, Tenants and Occupiers. Former Offences remitted. Pannage ſhall be re-enjoyed after *Mich.* 1687. And when and in what Manner all other Privileges. Proviſo for the Inhabitants of *St. Brerils* to enjoy the Wood growing upon a Place called *Hudnals*. Miners Rights ſaved. Letters Patents for certain Woods and Iron-works, ſaved. Proviſo for *Thomas Preſton* and Dame *Mary Stanhop Maly-Scot* and other Lands of Sir *Edward Villiers*, excepted. Saving for *Baniſtree Mainard*. How far the Metes and Bounds of the Foreſt ſhall extend. Coal-Mines and Grindſtone Quarries may be leaſed. P R.

## C A P. IV.

### An Act for proceeding to Judgment on Writs of Error brought in the Exchequer.

16 Car. 2. c. 2.

31 Ed. 3. Stat. 1. c. 12.

'WHEREAS by a Statute made in the ſixteenth Year of the King's moſt Excellent Majeſty, it was enacted, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the Day of the Return of any Writ of Error to be ſued forth by Virtue of the Statute made in the one and thirtieth Year of the Reign of King *Edward* the Third, ſhall not cauſe any Abatement or Diſcontinuance of any ſuch Writ of Error; (2) but if both the Chief Juſtices of either Bench, or either of them, or any one of the ſaid great Officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer-Chamber, and there be preſent at the Day of the Return of any ſuch Writ of Error, it ſhall be no Abatement or Diſcontinuance, but the Suit ſhall proceed in Law to all Intents and Purpoſes, as if both the Lord Chancellor and Lord Treaſurer had come and been preſent at the Day and Place of the Return of any ſuch Writ; (3) in which ſaid Statute it is provided, That no Judgment ſhall be given in ſuch Suit or Writ of Error, unleſs both the Lord Chancellor and Lord Treaſurer be preſent thereat. And whereas at this preſent Time there is no Lord Treaſurer, and therefore by reaſon of the ſaid Proviſo no Judgment can be had in any Writ or Writs of Error, brought and yet depending, or to be brought, to the great Charges and Prejudice of his Majeſty's Subjects, and Delay of Juſtice:' (4) For Remedy wherein, be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in Parliament aſſembled, That Judgment ſhall or may be given in any Suit, or Writ or Writs of Error now depending, or hereafter to be brought in the Exchequer, in the Preſence of the Lord Keeper of the Great Seal of *England*, notwithſtanding the Vacancy of a Lord Treaſurer, in ſuch Manner as hath been accuſtomed when there was preſent the ſaid two great Officers; the ſaid Proviſo in the ſaid Statute, or any Thing elſe therein contained, to the contrary in any wiſe notwithſtanding.

Judgment may be given in Writs of Error in Preſence of the Lord Keeper, notwithſtanding the Abſence of the Lord Treaſurer.

*See 4 Ann. c. 16. which gives Coſts on quaſhing Writ of Error.*

## C A P. V.

EXP.

An Act for giving Liberty to buy and export Leather, and Skins tanned or dreſſed. After the 25th of *March* 1668. all Sorts of Leather may be exported. The Continuance of this Act to 1675, &c. Further continued by 1 Annæ, ſtat. 2. c. 13. 9 Annæ, c. 6.

## C A P. VI.

### An Act to regulate the Trade of Silk-Throwing.

19 *H.* 7. *c.* 21.

Silk-Throwing obſtructed by a By Law.

'WHEREAS the Art of Working and Throwing of Silk (for many Years paſt giving Imployment to the Poor of the Kingdom) hath of late been obſtructed, by reaſon that the preſent Maſter and Wardens, and Part of the Aſſiſtants and Commonalty of the Trade, Art or Myſtery of Silk-Throwers of the City of *London*, have endeavoured to put in Execution a certain By-Law, by them made near forty Years ſince, reſtraining and ſtinting the Freemen of the ſaid Company, that they ſhall not work with above the Number of one hundred and ſixty Spindles at one Time, and the Aſſiſtants of the ſaid Company with above the Number of two hundred and forty Spindles: Which is an Hindrance to the Growth and Improvement of the ſaid Art, and a Reſtraint to the working of Silks in this Kingdom, which is of late much improved, and to the Subſiſtence and Livelihood of many thouſand poor Families, and puts the Traders in that Commodity upon a Neceſſity of uſing foreign Thrown-Silk.'

The ſame By-Law made void, and the Company diſabled to make any ſuch Reſtraint.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, aſſembled in Parliament, That the ſaid By-Law is hereby void and null, and the ſaid Company are hereby diſabled from making any By-Law for the future which ſhall reſtrain or limit the Number of Mills, Spindles or other Utenſils to be employed by any of the Freemen of the ſaid Company, in or about the ſaid Art or Myſtery.

Silk-winders or Doublers offending, to be committed to Priſon.

III. And be it enacted by the Authority aforeſaid, That if any Silk-winder or Doubler ſhall hereafter be found faulty in unjuſtly, deceitfully or falſly purloining, imbezilling, pawning, ſelling or detaining any Silk committed to his or their Truſt, That then any Juſtice of Peace, Mayor, Bailiff or Chief Officer of any County, Liberty or Corporation, ſhall immediately upon Conviction by Confeſſion of the Party, or upon the Oath of one Witneſs before any of the ſaid Juſtice or Juſtices of the Peace or other Officer, commit to Priſon or to the Houſe of Correction the Offender, till Satisfaction be given to the Party wronged or Puniſhment inflicted, as by an Act of Parliament, intituled, *An Act for Regulating the Trade of Silk-Throwing*, made this preſent Parliament, is directed and appointed; any Thing in the ſaid Act contained to the contrary hereof in any wiſe notwithſtanding.

13 & 14 Car. 2. c. 15. §. 6.

IV. And

IV. And be it further enacted, That no By-Law already made or hereafter to be made by the said Company, shall or may limit or confine any Freeman of the said Company to take a less Number than three Apprentices at any Time. Apprentices. Further Provisions relating hereto, 2 W. & M.

*Stat.* 1. *c.* 9. 5 & 6 *W. & M. c.* 20. 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 19. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9 & 20. *and* 26 *Geo.* 2. *c.* 21.

## CAP. VII.

### An additional Act against the Importation of Foreign Cattle.

'WHEREAS by an Act of this present Parliament, intituled, *An Act against Importing Cattle from Ireland and other Parts beyond the Seas, and Fish taken by Foreigners*, amongst other Things, Provision was made against Importation of Cattle from Parts beyond the Seas: And it was thereby enacted, That such Importation from and after the second Day of *February* which was in the Year one thousand six hundred sixty-six, was a publick Nusance, and should be so adjudged, deemed and taken to all Intents and Purposes; (2) and that if any great Cattle, Sheep or Swine, or any Beef, Pork or Bacon (except for the necessary Provision of the respective Ships or Vessels in which the same should be brought, not exposing the same to Sale) should from and after the said second Day of *February*, by any wise whatsoever, be imported or brought from beyond the Seas into this Kingdom of *England*, Dominion of *Wales* or Town of *Berwick* upon *Tweed*, That then it should and might be lawful for any Constable, Tithingman, Headborough, Church-warden or Overseers of the Poor, or any of them, within their respective Liberties, Parishes or Places, to take and seize the same; (3) and keep the same during the Space of eight and forty Hours, in some publick or convenient Place where such Seizure should be made; within which Time, if the Owner or Owners, or any for them or him, should make it appear unto some Justice of the Peace of the same County where the same should so be seized, by the Oath of two credible Witnesses, that the same were not imported from *Ireland* or from any other Place beyond the Seas not therein after excepted, after the said second Day of *February*, Then the same, upon the Warrant of such Justice of Peace, should be delivered without Delay; but in Default of such Proof and Warrant, then the same to be forfeited, one Half thereof to be disposed to the Use of the Poor of the Parish where the same shall be so found or seized, the other to be to his or their own Use that should so seize the same. 18 Car. 2. c. 2. Importation of Cattle from beyond Sea a Nusance. 3 & 4 *Ed.* 6. c. 19. 2 & 3 *P. & M.* c. 3. 7 *Jac.* 1. *c.* 8. 18 *Car.* 2. *c.* 2.

II. Notwithstanding which Act, and the good Provision thereby, great Number of Cattle, Sheep and Swine, and great Quantities of Beef, Pork and Bacon, have since the Time limited by the said Act been Imported from *Ireland* and other Places beyond the Seas, as well in Foreign as *English* Ships and Vessels, contrary to the good Intent of the said Act, and in Continuance of the said Nusance and in high Contempt of the Authority of Parliament: (2) And divers Church-wardens, Constables, Tithingmen and Overseers of the Poor living near the Sea, for their own private Lucre, having combined with the Owners of such Cattle, Sheep, Swine, Beef, Pork and Bacon, Imported as aforesaid, or with their Agents, have colourably seized, and afterwards privately and fraudulently sold the same at very low and inconsiderable Rates, to the said Owners or their Agents: (3) And other of the said Officers who have discharged their Duties in the due Execution of the said Act, have been molested therefore, and several Actions, Suits, Plaints and Informations have been brought and prosecuted against some of them in Counties and Places far distant from their Habitations, to their great Charge and Discouragement.' (4) For the Vindication therefore of the Authority of Parliament from such bold Affronts, and the Indemnifying as well of such Officers, who have faithfully endeavoured the Execution of the said Act (although they have not strictly pursued the same in every Circumstance) as of such other Person and Persons who have acted in their Aid and Assistance, and for the better and further Suppression of the said Nusance; (5) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That all and every Constable, Tithingman, Headborough, Church-warden and Overseer of the Poor, and every other Person or Persons who have acted in or concerning the Seizure, Keeping, Detaining or Disposing of any Cattle, Sheep, Swine, Beef, Pork or Bacon, imported contrary to the said Act, after the said second Day of *February*, shall be and are hereby saved harmless and indemnified in that Behalf, against the Owner or Owners thereof at the Time of such Importation, their Executors and Administrators, and every other Person or Persons claiming from, by or under their Gift, Grant or other Disposition, and against all and every Person and Persons to whom any fraudulent Sale hath been made after such Importation as aforesaid, and their and every of their Executors and Administrators. 18 Car. 2. c. 2. All Officers who have seised any imported Cattle, saved harmless. Importation of Bacon provided for by 5 & 6 W. & M. c. 2. §. 4.

III. And it is provided, and further enacted, That not only the Constables and Officers above-named, but every or any other Inhabitant or Inhabitants of or within the Liberties, Parishes and Places, where such Importation shall be made, shall and may take and seize the Cattle and Goods so imported, and after such Seizure shall forthwith deliver or cause them to be delivered to the Constable, Tithingman, Headborough, Church-warden or Overseers of the Poor, or any of them, within the respective Liberties, Parishes and Places aforesaid, to be kept, ordered and disposed in the Manner, and to the Uses and Purposes in this Act and in the said recited Act or either of them mentioned and directed. Any Person may seise imported Cattle, and deliver them to the Officer.

IV. And it is further enacted, That if no Seizure at all shall be made by the Officers or Inhabitants, nor any of them, within the Liberty, Parish or Place where such Cattle or Goods as aforesaid shall be first imported, then such Liberty, Parish and Place, and the Inhabitants thereof, neglecting to make such Seizure, for every Default shall forfeit the Sum of one hundred Pounds, which shall be employed for the Use of the House of Correction within the County or Liberty where such Default of Seizure shall be; (2) and the Monies so to be forfeited, and other the Penalties and Forfeitures which are to accrue to the Poor by Virtue of this Act and the said recited Act, or either of them, shall be accounted for to such Persons, at such The Forfeiture of such as neglect to seise.

Times; and in such Manner, as the Overseers of the Poor are appointed to account by the Statute made in the three and fortieth Year of the Reign of Queen *Elizabeth*, Chapter the Second.

43 Eliz. c. 2.

Ships bringing Cattle, &c. from beyond Sea shall be forfeited, seised and sold;

V. And be it further enacted by the Authority aforesaid, That every Ship or Vessel, with all her Tackle and Apparel, in which any great Cattle, Swine, Sheep, Beef, Pork or Bacon, from and after the four and twentieth Day of *March* in the Year of our Lord one thousand six hundred sixty and seven, shall be imported from *Ireland*, or any other Parts beyond the Seas, into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and out of which they or any of them shall be put on Shore there, shall be forfeited: (2) And that it shall and may be lawful to and for any Person or Persons, within the Space of one Year after such Importation, to take and seize the same Ship or Vessel, with all her Tackle and Apparel, and to make Sale thereof to the best Advantage; and that one Half of the Monies to be raised by such Sale shall be disposed of to the Use of the Poor of the Parish where the same shall be so seized, the other Half to be to his or their Use that shall so seize the same: (3) And also that it shall and may be lawful to and for any Justice of Peace of the County, or Chief Officer of the Port-Town in or near the Place where such Importation shall be made, or where any of the Cattle, Sheep, Swine, Beef, Pork or Bacon so imported shall be driven or brought, by Warrant under the Hand and Seal of such Justice of Peace or Chief Officer, to cause to be apprehended all and every the Masters, Mariners and Seamen, having Charge of or belonging to such Ship or Vessel in which such Importation shall be made, (4) and all and every other Person and Persons acting or imployed in the Landing, Driving, Attending on, or taking Care or Charge of the said Cattle, Sheep, Swine, Beef, Pork or Bacon imported as aforesaid, and them to commit to the common Gaol of the said County, there to remain without Bail or Mainprize for the Space of three Months.

The Money raised thereby, one Half to the Poor, the other to the Informer or Seisor.

The Seamen to be apprehended, and all others concerned, and sent to the common Gaol.

If any Officer neglect to seise, another may take them and have the one Half, giving the other to the Poor.

VI. And be it further enacted and declared by the Authority aforesaid, That whensoever and as often as it shall happen, either through any fraudulent Agreement or unfaithful Connivance of any Constable, Headborough, Tithingman, Church-warden or Overseer of the Poor, or that it shall happen any otherwise howsoever, that any great Cattle, Sheep, Swine, Beef, Pork or Bacon, after the first Seizure of them, or any of them, by Virtue of the aforesaid Act, shall be driven, brought, carried into or found in any other Parish or Place than where the same shall be first seized, as aforesaid; that then and so often, and from Time to Time, it shall and may be lawful to and for the Constable, Tithingman, Headborough, Church-warden or Overseer of the Poor of every or any such other Parish or Place where such great Cattle, Sheep, Swine, Beef, Pork or Bacon shall be brought, driven or carried into, or found, as aforesaid, to seize, take and dispose the same, and every or any of them as forfeited, the one Moiety thereof to the Use of the Poor of such other Parish or Place where such Seizure shall be made, the other to the Use of such Officer or Officers who shall seize the same, as aforesaid; any other or former Seizure or Seizures in any other Parish or Parishes, Place or Places notwithstanding.

Trial in the County where the Cause of Action arises.

VII. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, Suit or Information, is or shall be commenced or prosecuted against any Person or Persons, for any Seizure or other Thing made or done, or to be made or done, by Virtue or Colour of this or the aforesaid Act; and upon the Trial of such Action, Bill, Plaint, Suit or Information, it shall not be proved to the Jury that shall try the same, that the Cause of such Action, Bill, Plaint, Suit or Information, did arise within such County where such Action, Plaint, Suit or Information is laid and tried, the Defendant and Defendants shall be found Not guilty, without having Regard to any Evidence given by or for the Plaintiff, Informer or Prosecutor.

General Issue. Defendant to have treble Costs.

VIII. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, Suit or Information, hath been or shall be commenced or prosecuted against any Person or Persons, for any Seizure or other Thing done or made, or to be done or made, in Pursuance or Execution of this or the aforesaid Act; such Person or Persons so sued in any Court whatsoever, may plead the General Issue, and give this and the aforesaid Act, and the special Matter, in Evidence for their Excuse or Justification: (2) And if the Plaintiff or Prosecutor shall become nonsuit, or forbear Prosecution, or suffer Discontinuance, or if a Verdict pass against him in any such Action, Bill, Plaint, Suit or Information, as aforesaid, the Defendant shall have treble Costs, for which they shall have the like Remedy as in any Case where Costs by the Law are given to the Defendant.

Proviso to import Cattle from the Isle of Man.

IX. Provided always, That nothing in this Act shall be construed to hinder the Importation of Cattle from the *Isle of Man* into this Kingdom of *England*, so as the Number of the said Cattle do not exceed six hundred Head yearly, and that they be not of any other Breed than of the Breed of the *Isle of Man*, and that they be landed at the Port of *Chester*, or some of the Members thereof, and not elsewhere.

Confederacy to elude this Act incurs a Præmunire.

X. And it is lastly enacted, That if any Person or Persons shall wilfully and fraudulently conspire, confederate or agree together, to avoid or evade the Seizures or Forfeitures upon Importation of Cattle or Goods in this present Act particularly specified, and the same shall put in Execution; then every such Person and Persons, being thereof lawfully indicted or presented within one Year next after such Offence by him or them committed, and being thereof lawfully convicted or attainted at any Time after, according to the Laws of this Realm, shall incur the Dangers, Penalties, Pains and Forfeitures, contained and provided in and by the Statute of Provision and *Præmunire*, made in the sixteenth Year of the Reign of King *Richard* the Second.

16 R. 2. c. 5.

*Further Provisions concerning Cattle,* 22 *Car.* 2. *c.* 13. 32 *Car.* 2. *c.* 2. 3 *W. & M. c.* 8. 5 *W. & M. c.* 2. 31 *Geo.* 2. *c.* 40. *and* 32 *Geo.* 2. *c.* 11.

CAP.

## CAP. VIII.

### An Act for the Taxing and Assessing of the Lands of the Adventurers within the Great Level of the Fens.

'WHEREAS by an Act made in this present Parliament, intituled, *An Act for Settling the Dreining of the Great Level of the Fens called* Bedford Level; it is amongst other Things enacted, That the Governor, Bailiffs and Conservators of the Corporation in the said Act mentioned, and by Virtue of the same from Time to Time to be elected and appointed, for the Time being, or any five or more of them (whereof the Governor and Bailiffs for the Time being, or any of them, to be two) should and might from thenceforth use the Power and Authority of Commissioners of Sewers within the said Great Level, and from Time to Time lay and impose Taxes upon the ninety-five thousand Acres within the said Level in the said Act mentioned, for the Maintenance and Preservation of the same, as by the said Act appeareth: (2) And whereas since the making of the said Act, the Governor, Bailiffs and Conservators of the said Corporation, in Execution of the Power and Authority thereby to them given, have laid and imposed Taxes upon the said ninety-five thousand Acres, for the Purposes by the said Act specified and appointed, wherein they have proceeded by Way of an Acre-tax, at a certain Rate by the Acre, and have inforced the Payment of the same after that Manner, to the great Damage of divers the Adventurers and Participants, for that the said ninety-five thousand Acres are not only much different in the natural Richness and Barrenness of their Soil, but likewise some Parts of the said Lands are by frequent Inundations and otherwise, exceedingly pejorated and made worse, and the Corn, Hay, Seed or Grass thereupon often destroyed; yet the same Lands are equally taxed with the best and most secure Lands in the said Level, as aforesaid; (3) the which said Way of raising Dreining-taxes upon the said ninety-five thousand Acres, by an equal Acre-rate, hath been found to be inconvenient; and for Removing the said Inconvenience, the said Governor, Bailiffs and Conservators, have of late proceeded to a more indifferent Way of Taxing of the said ninety-five thousand Acres (that is to say) by a gradual Acre-tax of five Sorts, upon eighty-three thousand Acres, Part of the said ninety-five thousand Acres, and by a Medium of the twelve thousand Acres, Residue of the said ninety-five thousand Acres:' (4) And to the Intent that Encouragement may be given for the better Improving of the said ninety-five thousand Acres, and that a constant and certain Way of Taxing may be continued and established for the future;

15 Car. 2. c. 17.

Taxes imposed at a certain Rate per Acre.

Unequal and inconvenient.

II. Be it enacted by the King's most Excellent Majesty, by and with the Advice and Assent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the Authority of the same, That all Taxes hereafter to be set and imposed for the Maintenance and Preservation of the said Great Level, are hereby appointed and declared to be from Time to Time assessed and taxed by the said Governor, Bailiffs and Conservators, or their Successors, or any five or more of them, whereof the said Governor and Bailiffs for the Time being, or any of them, to be two, upon the said eighty-three thousand Acres, Part and Parcel of the said ninety-five thousand Acres, by a gradual Acre-tax of different Sorts and Values of Lands; the which said gradual Acre-tax set as aforesaid, and all future gradual Acre-taxes to be set, shall be received, paid and levied, with like Penalties in the said recited Act provided for Non-payment of Taxes, by such and the like Ways and Means as by the said recited Act are provided for to be paid and levied: (2) And the said eighty-three thousand Acres, for raising Taxes for Support and Maintenance of the Great Level, are not to be rated or assessed otherwise, or in any other Manner than according to a gradual Acre-tax of different Sorts and Degrees, and according to the respective Values and Rates thereby set and rated, and to be set and rated as is hereafter appointed, upon the said eighty-three thousand Acres; any Law, Statute or other Thing to the contrary thereof in any wise notwithstanding.

Taxes hereafter to be assessed by the Governor, &c. by a gradual Acre-Tax.

'III. And whereas the said twelve thousand Acres, Residue of the said ninety-five thousand Acres, are by the said gradual Acre-tax towards the raising of the Sum of six thousand one hundred and ten Pounds seven Shillings one Peny Half-peny, rated and taxed at one Shilling three Pence *per* Acre, being a *Medium*, as if the whole ninety-five thousand Acres had been rated, taxed and assessed at fifteen Pence *per* Acre;' (2) Be it further enacted by the Authority aforesaid, That when and so often as a Tax of the said Sum of six thousand one hundred and ten Pounds seven Shillings one Peny Half-peny, shall be taxed and assessed upon the said ninety-five thousand Acres, that then the said twelve thousand Acres shall be rated, taxed and assessed by the said Governor, Bailiffs and Conservators, and their Successors, or any five or more of them, whereof the said Governor and Bailiffs, or any of them, to be two, at fifteen Pence the Acre, and according to the Proportion, for the raising of any greater or lesser Sum than six thousand one hundred and ten Pounds seven Shillings one Peny Half-peny, to be received, paid and levied, together with Penalties, in such and the like Manner as the Taxes set and imposed, or to be set and imposed, upon the said eighty-three thousand Acres, are by this Act provided for to be received, paid and levied. (3) And be it further enacted and declared by the Authority aforesaid, That no Taxes to be set by Virtue of this Act shall be set or imposed upon the said ninety-five thousand Acres by the said Governor, Bailiffs and Conservators, or their Successors, or any five or more of them, but upon *Wednesday*, *Thursday* and *Friday* next after the first *Sunday* in *April*, or some or one of them three Days yearly for ever, and not at any other Time; any Law, Custom or Usage to the contrary thereof notwithstanding.

Fifteen-pence per Acre.

Wednesday, Thursday and Friday after the first Sunday in April.

'IV. And whereas by the said recited Act it is amongst other Things provided, That Sales for Non-payment of Taxes shall be made at *Ely* upon *Wednesday* and *Thursday* in *Whitsun-week* yearly, the which Season is found to be inconvenient:' (2) For Remedy whereof, be it further enacted by the Authority aforesaid, That from and after *Whitsun-week*, which shall be in the Year of our Lord one thousand six hundred sixty-eight, those Days for Sales shall be altered and changed unto the said *Wednesday*, *Thursday* and *Friday* after the said first *Sunday* in *April* in every Year; and all other Matters and Things concerning

Serjeant at Mace to deliver Poſſeſſion.

or relating to Sales for Non-payment of Taxes, by the ſaid recited Act provided, are to ſtand in Force, and to be obſerved; with this, that the Serjeant at Mace of the ſaid Great Level, ſhall from Time to Time by Precept under the Seal of the Corporation of the ſaid Great Level, in Nature of a Writ of *Habere fac' poſſeſſionem* at Common Law, deliver Poſſeſſion unto ſuch Perſon or Perſons as ſhall purchaſe any Part of the ſaid ninety-five thouſand Acres for Non-payment of Taxes; and the ſaid Governor, Bailiffs and Conſervators are hereby required and authorized to affix the Seal of the ſaid Corporation, from Time to Time, to ſuch Precept or Precepts, at the Charge of the Parties requiring the ſame; any Law, Statute, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Names of the Surveyors who are to digeſt the Land into ſeven Sorts.

'V. And to the End that the ſaid eighty-three thouſand Acres may be more equally rated by a gradual 'Acre-Tax, not under the Number of ſeven Sorts,' (2) Be it further enacted by the Authority aforeſaid, That *Edward Partheridge* Eſq; *Samuel Fortrey* Eſq; *Richard Mariot* Eſq; *John Mingay*, *Jonas Moore*, *Peter Diamond*, Eſquires; *Anthony Hamon* Eſq; *Mark le Pia* Gent. and *John Bridgman* junior, Gent. or any three or more of them, are hereby conſtituted and appointed to be Surveyors and Valuers of the ſaid eighty-three thouſand Acres, and are within twelve Months next after the paſſing of this Act to digeſt the ſaid eighty-three thouſand Acres into ſuch Number of Sorts or Degrees of Land, not under the Number of ſeven Sorts and Degrees; and to rate and tax ſuch Degrees, and digeſt the ſame into Schedules in Writing, and make Returns thereof upon their Oaths into the Fen-Office; the Form of which ſaid Oath ſhall be, *(viz.)*

Their Oath.

'(3) I *A. B.* do ſwear, That according to the beſt of my Skill and Knowledge I will faithfully diſcharge 'the Truſt of Surveying, Sorting, Dividing and Rating of eighty-three thouſand Acres, Parcel of ninety-'five thouſand Acres, within the Great Level of the Fens, known by the Name of *Bedford Level*, accord-'ing to ſeven Degrees or more, as I upon my Oath ſhall think moſt equal.'

Returns to be made and ſet up publickly in the Fen-Office.

VI. The which ſaid Oath the ſaid Governor, Bailiffs and Conſervators, or any three or more of them, are hereby authorized to adminiſter, and alſo to allow unto the ſaid Surveyors or Valuers ſuch reaſonable Charges for their Travel and Pains therein as they ſhall think fit; (2) and after the ſame are returned into the ſaid Fen-Office, and there publickly ſet up; which ſaid Return is hereby enacted to be made within one Month after the Survey taken, and the ſeveral Valuations by the Parties to that Purpoſe by this Act appointed and agreed upon, and all Parties aggrieved may take their Exceptions within thirty Days next after the ſame are ſet up; and within forty Days next after ſuch Exceptions taken, may appeal for Relief unto the ſaid Governor, Bailiffs and Conſervators, or any five or more of them, for altering the ſaid Schedules in the Rates and Values complained of, ſo as the Parties appealing ſhall proſecute the ſaid Appeal within the ſaid forty Days, and not at any Time after: (3) And in caſe the ſaid Governor, Bailiffs and Conſervators, ſhall not within the ſaid forty Days relieve the ſaid Parties grieved, or if the ſaid Parties ſhall not be ſatisfied with the Determination of the ſaid Governor, Bailiffs and Conſervators, That then the ſaid Parties may appeal unto Sir *Henry North* Bart. Sir *Levinus Bennet* Bart. Sir *Robert Brook* of *Yoxford* Knt. Sir *Edmond Pooley* Knt. *Henry Williams*, *Robert Appreece*, *Richard Nayler*, *Humphrey Orme*, *Morris Treſham*, *Laurence Oxborough*, *Henry Farrer* junior, *Edward Barber*, *Matthew Wren*, *Thomas Marſh*, *Henry Hitch* Doctor of Laws, *Thomas Steward*, *Anthony Fiſher*, *Matthias Tayler*, *John Towers*, Eſquires, and *Burrage Martin* Gent, or any three or more of them, who are hereby conſtituted and appointed Commiſſioners of Appeal to hear and determine ſuch Complaints, and to give Relief therein as they ſhall ſee Cauſe, and to award Coſts to either Parties as they ſhall ſee Cauſe; the which ſaid Coſts may be recovered by Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin or Wager of Law ſhall be allowed; which ſaid Appeals to the Commiſſioners ſhall be duly proſecuted by the ſaid Parties grieved, within two Months next after the Expiration of the forty Days, and not at any Time after: (4) The which ſaid Schedules, with all the Alterations, if any ſhall be made by the ſaid Corporation, wherewith the Parties ſhall reſt ſatisfied, or by the Determination of the ſaid Commiſſioners of Appeal, are hereby confirmed, and ſhall be a conſtant Rule and Foundation for the Rating and Taxing of the ſaid eighty-three thouſand Acres for the Future, for Maintenance and Preſervation of the Works made and to be made within or without the ſaid Great Level of the Fens; (5) And that the ſaid Governor, Bailiffs and Conſervators, nor their Succeſſors, nor any of them, ſhall tax or aſſeſs the ſaid eighty-three thouſand Acres otherwiſe than by and according to the ſaid Schedules, and to be returned or confirmed as aforeſaid. (6) And it is declared, That the ſaid twelve thouſand Acres, Reſidue of the ſaid ninety-five thouſand Acres, ſhall be rated and taxed by a *Medium* towards all Taxes hereafter to be laid, as by the ſaid Tax made the ſaid twentieth Day of *June* is provided, and not otherwiſe.

Parties grieved may appeal to Commiſſioners.

Their Power.

VII. And it is hereby further enacted, That a Tax of the ſaid Sum of ſix thouſand one hundred and ten Pounds ſeven Shillings one Peny Half-peny, ſhall and may be ſet by the ſaid Governor, Bailiffs and Conſervators, or any five or more of them, in *Whitſun-week* next, upon the ſaid eighty-three thouſand Acres, according to the ſaid gradual Acre-Tax of five Degrees, upon the ſaid twelve thouſand Acres, at fifteen Pence *per* Acre; and for Non-payment ſhall and may be levied by Sales on *Wedneſday*, *Thurſday* or *Friday*, after the ſaid firſt *Sunday* in *April* then next following; and that from thenceforth all future Taxes ſhall be laid and impoſed upon the ſaid eighty-three thouſand Acres by a gradual Acre-tax, not under ſeven Degrees, and twelve thouſand Acres, in ſuch Manner and Form as by this Act is provided, and not otherwiſe: '(2) 'And whereas Sir *Miles Sandys* the Elder, and Sir *Miles Sandys* the Younger, were Adventurers and Parti-'cipants with *Francis* late Earl of *Bedford* in the ſaid Level, and had an Intereſt in ſeveral Shares, Lots 'and Proportions, in the ſaid Great Level; the Right, Title and Intereſt in great Part of which ſaid Shares 'and Lots, were, as appears by Indenture bearing Date the twelfth Day of *June* in the firſt Year of his 'now Majeſty's Reign, made between Sir *Miles Sandys* the Younger, of the one Part, and *Thomas Sandys* 'Eſq; and *Robert Sandys* Clerk, *Humberſtone Marſh* Eſq; *Samuel Spalding* Gent. *William Wolſon* Clerk, and

Sales for Non-payment, when to be made.

'*John*

'*John Kirk*, of the second Part, and *Samuel Sandys* of *Ombersley*, Esq; on the third Part, settled in several 'Trustees therein named, in Trust for the Payment of all such Taxes as should be due for or in respect of 'the said Lands mentioned in the said Indenture, and after in Trust for the Securing of the said *Samuel* 'Sandys Esq; from all such Debts as he the said *Samuel Sandys* stood engaged for the proper Debts of the 'said Sir *Miles Sandys* the Elder, and Sir *Miles Sandys* the Younger: Since which said Indenture so had and 'made, the said *Samuel Sandys* the Elder has paid great Sums of Money for and towards the Satisfaction of 'the said Debts of Sir *Miles Sandys* the Elder, and Sir *Miles Sandys* the Younger, and yet hath reaped no 'Benefit by Virtue of the said Deed of Trust so as aforesaid made for his Security, although by an Act made 'by this present Parliament, intituled, *An Act for settling the Draining of the Great Level of the Fens, called* 15 Car. 2. c. 17. 'Bedford Level, the said *Samuel Sandys* ought to have had a Conveyance of the Shares and Lots mentioned 'in the said Indenture: But in regard the said *Samuel Sandys* Esq; nor any in Trust for him could procure 'any Conveyance, which hath proved very prejudicial to the said *Samuel Sandys* the Elder;'

VIII. Be it therefore enacted by the King's most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That all the said Lots and Shares in the said Indenture mentioned, (except only such Lands of the said Half Share as were really sold by Sir *Miles Sandys* the Elder, or Sir *Miles Sandys* the Younger, for full and valuable Considerations, and such of the said two Shares which have been sold for the Payment of Taxes or Debts, in Pursuance of the said Indenture, by the said Sir *Miles Sandys* and the Trustees Parties to the said Indenture) are hereby vested and settled in *Samuel Sandys* the Younger, Esq; and *Edwin Sandys* Gent. Sons of the said *Samuel Sandys* the Elder, their Heirs and Assigns, freed and discharged from all Manner of Taxes whatsoever to the Time of the Passing this Act: And by the Authority aforesaid, the Freehold and Inheritance of the said Lots and Shares aforesaid, except before excepted, shall be deemed and adjudged to be in the said *Samuel Sandys* the Younger and *Edwin Sandys*, their Heirs and Assigns for ever; nevertheless, the said Shares and Lots hereby vested shall be liable to the Payment of the Debts aforesaid, and to all Powers and Jurisdictions, together with the Residue of the said ninety-five thousand Acres, as the same are subject and liable by the said recited Act, for the Future, and of all such Taxes and Penalties as shall be hereafter assessed or laid for the Preservation of the said Great Level, in such Sort and Manner as the eighty-three thousand Acres, Parcel of the ninety-five thousand Acres, shall be assessed and taxed; any Law, Statute or Thing to the contrary in any wise notwithstanding.

Lands settled upon Samuel Sandys and Edwin Sandys free from Taxes.

IX. Provided also, and it is hereby further declared and enacted by the Authority aforesaid, That all and every of the Sale or Sales made, agreed or contracted for, for Non-payment of Taxes of any of the Lands of the said Sir *Miles Sandys* the Elder, or Sir *Miles Sandys* the Younger, or the said *Samuel Sandys* the Elder Esq; by the Governors, Bailiffs and Conservators, constituted and elected by Authority of an Act of this present Parliament, intituled, *An Act for settling the Draining of the Great Level of the Fens called* Bedford Level, to any Person or Persons whatsoever, by Virtue or Colour of the said Act, is, are and shall be null and void; and that the said Lands sold by the said Governors, Bailiffs and Conservators, (except before excepted) are and shall be vested and settled by this present Act, in the said *Samuel Sandys* the Younger and *Edwin Sandys*, their Heirs and Assigns, freed and discharged of and from all Taxes laid by the said Governors, Bailiffs and Conservators; any Thing in the said recited Act to the contrary notwithstanding.

Sales for Non-payment of Taxes in those Lands, void.

'X. And to the End the said *Samuel Sandys* and *Edwin Sandys* may have the Effect and Benefit hereby in-'tended them, and that the Occupiers and Possessors of the said Shares and Lots vested in them the said 'Samuel Sandys and *Edwin Sandys* as aforesaid, may not by their continuing in Possession, and Neglect of 'paying the Taxes hereafter to be imposed on the said Shares and Lots, or any Part of them, cause the 'same to be forfeited and sold for Non-payment of the respective Taxes that shall become due for the same;' (2) Be it therefore hereby further enacted by the Authority aforesaid, That in case any Occupier or Possessor of any the said Shares or Lots, in the said Deed of Trust mentioned as aforesaid, or any Part of them, pretending to claim under the said Deed of Trust or otherwise, that shall refuse to deliver or yield up the Possession of such Part of the said Shares or Lots, to them the said *Samuel Sandys* and *Edwin Sandys*, or their Assigns, and shall not duly pay the Taxes hereafter to be imposed on the same, before our Lady-day one thousand six hundred seventy-one; That then the Serjeant at Mace for the Time being, attending the said Corporation, is hereby authorized and impowered by Precept under the Seal of the Corporation of the said Great Level (who are hereby required to grant and issue out the same) in the Nature of a Writ of *Habere facias possessionem* at the Common Law, to deliver unto and put them the said *Samuel Sandys* and *Edwin Sandys*, their Heirs or Assigns, in the quiet and peaceable Possession of such Shares and Lots or any Part of them; and all and every such Occupier or Occupiers, Possessor or Possessors thereof, of and from the same to eject, expel and amove; They the said *Samuel Sandys* and *Edwin Sandys*, upon reasonable Notice, first paying or tendring such Taxes as shall become due for the same, from the Time of the Passing this Act one Month before the next Day of Sale for Non-payment of such Taxes hereafter to be imposed; which said *Samuel Sandys* and *Edwin Sandys*, and their Heirs, are thereupon hereby actually vested in the same.

Serjeant at Mace to remove Occupants not paying Taxes.

'XI. And whereas the said several Shares and Lots of the said ninety-five thousand Acres, herein before 'vested and settled in the said *Samuel Sandys* the Younger and *Edwin Sandys*, and their Heirs as aforesaid, 'ought to have been conveyed unto the said *Samuel Sandys* the Elder, or his Trustees, by the said Governor, 'Bailiffs and Conservators of the said Corporation, by Virtue of the said before-mentioned Act, as in and 'by the same they were required and directed, which they refused to do, whereby the Rents, Issues and 'Profits thereof have not been paid to, nor could be received by the said *Samuel Sandys* the Elder, or his 'Trustees, or by any other by, to or for his or their Use;' (2) Be it therefore hereby further enacted by the Authority aforesaid, That the said *Samuel Sandys* and *Edwin Sandys* shall and are hereby entitled to the said Rents, Issues and Profits of the said Shares and Lots, since the passing of the said recited Act, which have not really been paid to the said Corporation for Taxes, or to the said *Samuel Sandys* the Elder, and

the Occupiers and Possessors thereof are hereby appointed to pay the same accordingly; and in Default of Payment thereof or of any Part thereof, they the said *Samuel Sandys* and *Edwin Sandys* are hereby authorized and impowered to sue for, and by Virtue of this Act shall recover the same, wherein no Essoin, Protection or Wager of Law shall be allowed, and shall likewise have their Costs of Suit expended therein; any Thing herein to the contrary thereof in any wise notwithstanding.

XII. Provided always, and be it enacted, That after the said *Edwin* and *Samuel Sandys* shall have recovered and received Satisfaction for the mean Profits, or any Part of them, That then they, their Heirs and Assigns, shall pay so much of the said Arrears of the said gradual Acre-Tax imposed upon the said respective Lands, proportionably to what they shall receive, and no more.

Proviso for Thomas Lord Culpeper.

XIII. Provided always, and be it enacted by the Authority aforesaid, That whereas several Parcels of the said ninety-five thousand Acres ought to have been conveyed to *Thomas* Lord *Culpeper* or his Trustees, by the said Governor, Bailiffs and Conservators of the said Corporation, by Virtue of the said before recited Act, as in and by the same they were required and directed, which they delayed to do, whereby the Rents, Issues and Profits thereof have not been paid to, nor could be received by the said *Thomas* Lord *Culpeper* or his Trustees; That the said *Thomas* Lord *Culpeper* and his Trustees shall and are hereby entitled to the said Rents, Issues and Profits of the said Parcels, since the passing of the said recited Act, which have not been really paid to the Corporation for Taxes, or to him or them, and the Occupiers and Possessors thereof are hereby required to pay the same accordingly; and in Default of Payment thereof, or any Part thereof, he the said *Thomas* Lord *Culpeper* and his Trustees, are hereby authorized and impowered to sue for, and by Virtue of this Act shall recover the same, wherein no Essoin, Protection or Wager of Law shall be allowed, and shall likewise have their Costs of Suit expended therein; any Thing to the contrary hereof in any wise notwithstanding.

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# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo secundo.

'At the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and there continued by several Prorogations, to the fourteenth Day of *February* one thousand six hundred sixty-nine. From whence it was continued by Adjournment made the twenty-second * of *April* one thousand six hundred seventy, to the twenty-fourth Day of *October* following.'

'* It is the eleventh in former Editions.'

## CAP. I.

### An Act to prevent and suppress seditious Conventicles.

16 Car. 2. c. 4.

'FOR providing further and more speedy Remedies against the growing and dangerous Practices of seditious Sectaries and other disloyal Persons, who under Pretence of tender Consciences have or may at their Meetings contrive Insurrections (as late Experience hath shewn);' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That if any Person of the Age of sixteen Years or upwards, being a Subject of this Realm, at any Time after the tenth Day of *May* next shall be present at any Assembly, Conventicle or Meeting, under Colour or Pretence of any Exercise of Religion, in other Manner than according to the Liturgy and Practice of the Church of *England*, in any Place within the Kingdom of *England*, Dominion of *Wales* or Town of *Berwick* upon *Tweed*, at which Conventicle, Meeting or Assembly, there shall be five Persons or more assembled together, over and besides those of the same Household, if it be in a House where there is a Family inhabiting; or if it be in a House, Field or Place where there is no Family inhabiting, Then where any five Persons or more are so assembled as aforesaid; it shall and may be lawful to and for any one or more Justices of the Peace of the County, Limit, Division, Corporation or Liberty, wherein the Offence aforesaid shall be committed, or for the Chief Magistrate of the Place where such Offence aforesaid shall be committed, and he and they are hereby required and enjoined, upon Proof to him or them respectively made of such Offence either by Confession of the Party or Oath of two Witnesses, (3) (which Oath the said Justice and Justices of the Peace, and Chief Magistrate respectively, are hereby impowered and required to administer) or by notorious Evidence and Circumstance of the Fact, to make a Record of every such Offence under his or their Hands and Seals respectively: Which Record so made as aforesaid, shall to all Intents and Purposes be in Law taken and adjudged to be a full and perfect Conviction of every such Offender for such Offence; and thereupon the said Justice, Justices and Chief Magistrate respectively, shall impose on every such Offender so convict as aforesaid, a Fine of five Shillings for such first Offence; which Record and Conviction shall be certified by the said Justice, Justices or Chief Magistrate, at the next Quarter-Sessions of the Peace for the County or Place where the Offence was committed.

Conventicles, &c. forbidden after the 10 h of May 1670. See 1 W. & M. Sess. 1. c. 18.

How the Offenders must be convicted.

The Penalty for the first Offence.

The Record and Conviction to be returned to the next Quarter-Sessions.

II. And be it further enacted by the Authority aforesaid, That if such Offender so convicted as aforesaid, shall at any Time again commit the like Offence or Offences contrary to this Act, and be thereof in Manner aforesaid convicted; Then such Offender so convict of such like Offence or Offences, shall for every such Offence incur the Penalty of ten Shillings; (2) which Fine and Fines for the first and every other Of-

The Penalties for the second Offence.

fence

fence shall be levied by Distress and Sale of the Offender's Goods and Chattels; or in Case of the Poverty of such Offender, upon the Goods and Chattels of any other Person or Persons who shall be then convicted in Manner aforesaid of the like Offence at the same Conventicle, at the Discretion of the said Justice, Justices or Chief Magistrate respectively, so as the Sum to be levied on any one Person in Case of the Poverty of other Offenders, amount not in the Whole to above the Sum of ten Pounds, upon Occasion of any one Meeting as aforesaid: (3) And every Constable, Headborough, Tithingman, Church-wardens and Overseers of the Poor respectively, are hereby authorized and required to levy the same accordingly, having first received a Warrant under the Hands and Seals of the said Justice, Justices or Chief Magistrate respectively so to do; (4) the said Monies so to be levied to be forthwith delivered to the same Justice, Justices or Chief Magistrate, and by him or them to be distributed, the one third Part thereof to the Use of the King's Majesty, his Heirs and Successors, to be paid to the High Sheriff of the County for the Time being in Manner following; that is to say, the Justice or Justices of Peace shall pay the same into the Court of the respective Quarter-Sessions, which said Court shall deliver the same to the Sheriff, and make a Memorial on Record of the Payment and Delivery thereof, which said Memorial shall be a sufficient and final Discharge to the said Justice and Justices, and a Charge to the Sheriff, which said Discharge and Charge shall be certified into the Exchequer together, and not one without the other: And no Justice shall or may be questioned or accountable for the same in the Exchequer or elsewhere, than in the Quarter-Sessions: Another third Part thereof to and for the Use of the Poor of the Parish where such Offence shall be committed; and the other third Part thereof to the Informer and Informers, and to such Person and Persons as the said Justice, Justices or Chief Magistrate respectively shall appoint, having regard to their Diligence and Industry in the Discovery, dispersing and punishing of the said Conventicles.

The Penalty how to be levied.

Constables, &c. to levy the same, and pay it to the Justice immediately.

How the Penalties are to be divided.

Certificate into the Exchequer.

III. And be it further enacted by the Authority aforesaid, That every Person who shall take upon him to Preach or Teach in any such Meeting, Assembly or Conventicle, and shall thereof be convicted as aforesaid, shall forfeit for every such first Offence the Sum of twenty Pounds, to be levied in Manner aforesaid upon his Goods and Chattels; (2) and if the said Preacher or Teacher so convicted be a Stranger, and his Name and Habitation not known, or is fled and cannot be found, or in the Judgment of the Justice, Justices or Chief Magistrate, before whom he shall be convicted, shall be thought unable to pay the same, the said Justice, Justices or Chief Magistrate respectively, are hereby impowered and required to levy the same by Warrant as aforesaid upon the Goods and Chattels of any such Persons who shall be present at the same Conventicle; any Thing in this or any other Act, Law or Statute, to the contrary notwithstanding; and the Money so levied, to be disposed of in Manner aforesaid: (3) And if such Offender so convicted as aforesaid, shall at any Time again commit the like Offence or Offences contrary to this Act, and be thereof convicted in Manner aforesaid, then such Offender so convicted of such like Offence or Offences, shall for every such Offence incur the Penalty of forty Pounds, to be levied and disposed as aforesaid.

The Penalty of such as preach or teach in a Conventicle.

How to be levied and disposed.

IV. And be it further enacted by the Authority aforesaid, That every Person who shall wittingly and willingly suffer any such Conventicle, Meeting or unlawful Assembly aforesaid, to be held in his or her House, Out-house, Barn, Yard or Backside, and be convicted thereof in Manner aforesaid, shall forfeit the Sum of twenty Pounds, to be levied in Manner aforesaid upon his or her Goods and Chattels; or in Case of his or her Poverty or Inhability as aforesaid, upon the Goods and Chattels of such Persons who shall be convicted in Manner aforesaid of being present at the same Conventicle; and the Money so levied to be disposed of in Manner aforesaid.

The Forfeiture of such as suffer Conventicles in their Houses.

V. Provided always, and be it enacted by the Authority aforesaid, That no Person shall by any Clause of this Act be liable to pay above ten Pounds for any one Meeting, in regard of the Poverty of any other Person or Persons.

Proviso.

VI. Provided also, and be it further enacted, That in all Cases of this Act, where the Penalty or Sum charged upon any Offender exceeds the Sum of ten Shillings, and such Offender shall find himself aggrieved, it shall and may be lawful for him within one Week after the said Penalty or Money charged shall be paid or levied, to appeal in Writing from the Person or Persons convicting, to the Judgment of the Justices of the Peace in their next Quarter-Sessions; (2) to whom the Justice or Justices of the Peace, Chief Magistrate or Alderman, that first convicted such Offender, shall return the Money levied upon the Appellant, and shall certify under his and their Hands and Seals the Evidence upon which the Conviction past, with the whole Record thereof and the said Appeal: (3) Whereupon such Offender may plead and make Defence, and have his Trial by a Jury thereupon: (4) And in Case such Appellant shall not prosecute with Effect, or if upon such Trial he shall not be acquitted or Judgment pass not for him upon his said Appeal, the said Justices at the Sessions shall give treble Costs against such Offender for his unjust Appeal: (5) And no other Court whatsoever shall intermeddle with any Cause or Causes of Appeal upon this Act, but they shall be finally determined in the Quarter-Sessions only.

Appeals may be, and to whom, and in what Cases.

VII. Provided always, and be it further enacted, That upon the Delivery of such Appeal as aforesaid, the Person or Persons Appellant shall enter before the Person or Persons convicting, into a Recognizance, to prosecute the said Appeal with Effect: (2) Which said Recognizance the Person or Persons convicting is hereby impowered to take, and required to certify the same to the next Quarter-Sessions: (3) And in Case no such Recognizance be entred into, the said Appeal to be null and void.

Appellant to enter into a Recognizance.

VIII. Provided always, That every such Appeal shall be left with the Person or Persons so convicting as aforesaid, at the Time of the making thereof.

IX. And be it further enacted by the Authority aforesaid, That the Justice, Justices of the Peace and Chief Magistrate respectively, or the respective Constables, Headboroughs and Tithingmen, by Warrant from the said Justice, Justices or Chief Magistrate respectively, shall and may with what Aid, Force and Assistance they shall think fit, for the better Execution of this Act, after Refusal or Denial to enter, break open, and enter into any House or other Place, where they shall be informed any such Conventicle as aforesaid is or shall be held, as well within Liberties as without; (2) and take into their Custody the Persons

Justices of Peace, Constables, &c. upon Refusal, may break open Doors.

Lieutenants, Deputy-Lieutenants and Commissionated Officers of the Militia, must disperse Conventicles either with Horse or Foot.

there unlawfully assembled, to the Intent they may be proceeded against according to this Act: (3) And that the Lieutenants or Deputy-Lieutenants, or any Commissionated Officer of the *Militia*, or other of his Majesty's Forces, with such Troops or Companies of Horse and Foot, and also the Sheriffs, and other Magistrates and Ministers of Justice, or any of them, jointly or severally, within any the Counties or Places within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, with such other Assistance as they shall think meet, or can get in Readiness with the sooneſt, on Certificate made to them respectively under the Hand and Seal of any one Justice of the Peace or Chief Magistrate, of his particular Information or Knowledge of such unlawful Meeting or Conventicle held or to be held in their respective Counties or Places, and that he with such Assistance as he can get together, is not able to suppress and dissolve the same, shall and may, and are hereby impowered and enjoined to repair unto the Place where they are so held, or to be held, and by the best Means they can to dissolve, dissipate or prevent all such unlawful Meetings, and take into their Custody such and so many of the said Persons so unlawfully assembled as they shall think fit, to the Intent they may be proceeded against according to this Act.

Proviso for Peers of the Realm.

X. Provided always, That no Dwelling-house of any Peer of this Realm, where he or his Wife shall then be resident, shall be searched by Virtue of this Act, but by immediate Warrant from his Majesty, under his Sign Manual, or in the Presence of the Lieutenant, or one Deputy-Lieutenant, or two Justices of the Peace, whereof one to be of the *Quorum* of the same County or Riding.

The Penalty of all Justices of Peace, Constables and other Officers, Civil and Military, that omit their Duty in performing this Act.

XI. And be it further enacted by the Authority aforesaid, That if any Constable, Headborough, Tithingman, Church-warden or Overseer of the Poor, who shall know, or be credibly informed of any such Meetings or Conventicles held within his Precincts, Parish or Limits, and shall not give Information thereof to some Justice of the Peace, or the Chief Magistrate, and endeavour the Conviction of the Parties according to his Duty; but such Constable, Headborough, Tithingman, Church-warden, Overseers of the Poor, or any Person lawfully called in Aid of the Constable, Headborough or Tithingman, shall wilfully and wittingly omit the Performance of his Duty, in the Execution of this Act, and be thereof convicted in Manner aforesaid, he shall forfeit for every such Offence the Sum of five Pounds, to be levied upon his Goods and Chattels, and disposed in Manner aforesaid: (2) And that if any Justice of the Peace or Chief Magistrate shall wilfully and wittingly omit the Performance of his Duty in the Execution of this Act, he shall forfeit the Sum of one hundred Pounds; the one Moiety to the Use of his Majesty, the other Moiety to the Use of the Informer; to be recovered by Action, Suit, Bill or Plaint, in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Protection or Wager of Law shall lie.

All Persons indemnified that put this Act in Execution.

XII. And be it further enacted by the Authority aforesaid, That if any Person be at any Time sued for putting in Execution any of the Powers contained in this Act, otherwise than upon Appeal allowed by this Act, such Person shall and may plead the General Issue, and give the special Matter in Evidence; (2) and if the Plaintiff be nonsuit, or a Verdict pass for the Defendant, or if the Plaintiff discontinue his Action, or if upon Demurrer Judgment be given for the Defendant, every such Defendant shall have his full treble Costs.

This Act to be interpreted most beneficially for the suppressing Conventicles.

XIII. And be it further enacted by the Authority aforesaid, That this Act, and all Clauses therein contained, shall be construed most largely and beneficially for the suppressing of Conventicles, and for the Justification and Encouragement of all Persons to be employed in the Execution thereof; (2) and that no Record, Warrant or *Mittimus* to be made by Virtue of this Act or any Proceedings thereupon, shall be reversed, avoided or any way impeached by reason of any Default in Form. (3) And in Case any Person offending against this Act, shall be an Inhabitant in any other County or Corporation, or fly into any other County or Corporation after the Offence committed, the Justice of Peace or Chief Magistrate before whom he shall be convicted as aforesaid, shall certify the same under his Hand and Seal, to any Justice of Peace or Chief Magistrate of such other County or Corporation wherein the said Person or Persons are Inhabitants or are fled into; (4) which said Justice or Chief Magistrate respectively, is hereby authorized and required to levy the Penalty or Penalties in this Act mentioned, upon the Goods and Chattels of such Person or Persons, as fully as the said other Justice of Peace might have done, in Case he or they had been Inhabitants in the Place where the Offence was committed.

Offenders to be prosecuted within three Months after the Offence.

XIV. Provided also, That no Person shall be punished for any Offence against this Act, unless such Offender be prosecuted for the same within three Months after the Offence committed. (2) And that no Person who shall be punished for any Offence by Virtue of this Act, shall be punished for the same Offence by Virtue of any other Act or Law whatsoever.

Aldermen within London to have the same Power there as Justices of Peace.

XV. Provided, and be it further enacted by the Authority aforesaid, That every Alderman of *London* for the Time being, within the City of *London* and the Liberties thereof, shall have (and they and every of them are hereby impowered and required to execute) the same Power and Authority within *London* and the Liberties thereof, for the examining, convicting and punishing of all Offences within this Act committed within *London* and the Liberties thereof, which any Justice of Peace hath by this Act in any County of *England*, and shall be subject to the same Penalties and Punishments, for not doing that which by this Act is directed to be done by any Justice of Peace in any County of *England*.

Feme Covert.

XVI. Provided, and be it enacted by the Authority aforesaid, That if the Person offending and convicted as aforesaid, be a Feme Covert, cohabiting with her Husband, the Penalties of five Shillings and ten Shillings, so as aforesaid incurred, shall be levied by Warrant as aforesaid, upon the Goods and Chattels of the Husband of such Feme Covert.

Peers of the Realm.

XVII. Provided also, That no Peer of this Realm shall be attached or imprisoned by Virtue or Force of this Act; any Thing, Matter or Clause therein to the contrary notwithstanding.

Proviso for the King's Supremacy.

XVIII. Provided also, That neither this Act, nor any Thing therein contained, shall extend to invalidate or avoid his Majesty's Supremacy in Ecclesiastical Affairs; (2) but that his Majesty and his Heirs and Successors may from Time to Time, and at all Times hereafter, exercise and enjoy all Powers and Authority

rity in Ecclesiastical Affairs, as fully and as amply as himself or any of his Predecessors have or might have done the same; any Thing in this Act notwithstanding.

## CAP. II.

An Act for Repairing of the Haven and Piers of *Great Yarmouth*. A Rate imposed upon Sea-Coals, Wheat, Rye, Barley, Malt, &c. for ten Years towards the Repair of *Yarmouth* Haven and Pier. Bailiffs, Aldermen and Burgesses there may appoint Collectors of the said Rate. Commissioners appointed to have Inspection of the Receipts and Disbursements of all such Monies. When and by whom to be appointed. The Commissioners Power. Allowance to the Collectors, Receivers, &c. Collectors may at seasonable Times enter Ships to see what Goods are there. And for Non-payment of the Rate, distrain upon the said Ship, &c. Distresses to be sold. What is exempted from Payment of the said Duty. Ten Persons to be chosen to contract with Workmen for the Repair of the Haven. In Default of such Contract, who shall take Care of the said Reparations. The Continuance of this Act for ten Years. PR. and EXP. 29 Car. 2. c. 10. 9 Geo. 1. c. 10.

## CAP. III.

An Act for granting unto his Majesty an Imposition upon all Wines and Vinegar, imported between the four and twentieth Day of *June* one thousand six hundred seventy, and the four and twentieth Day of *June* one thousand six hundred seventy-eight. EXP.

## CAP. IV.

### An Act for the settling the Imposition on Brandy.

'WHEREAS by two Acts made in the twelfth Year of his Majesty's Reign, and confirmed by this present Parliament, there was laid upon every Gallon of Spirits, made of any Kind of Wine or Cyder imported, the Rate and Duty of Four-pence, namely, by each of the said Acts Two-pence: And upon every Gallon of strong-water perfectly made, imported from beyond the Seas, the Rate and Duty of Eight-pence; (2) and whereas some Doubts have been made and raised concerning a certain Liquor imported from beyond the Seas, called Brandy, whether the same should pay the Rate and Duty laid by the said Acts upon Spirits made of any Kind of Wine or Cyder imported, or the Rate and Duty thereby laid upon Strong-water perfectly made, imported from beyond the Seas:' 12 Car. 2. c. 23. 12 Car. 2. c. 24.

II. Be it therefore declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the said Liquor called Brandy was at the Time of making and confirming the said Acts, and is a Strong-water perfectly made, and being imported from beyond the Seas, was and is charged and chargeable in and by the said Acts, with the Rate and Duty of Eight-pence *per* Gallon, set and imposed in and by both the said Acts upon Strong-water perfectly made and imported from beyond the Seas, and was not, nor is not chargeable with the Rate and Duty of Four-pence only *per* Gallon by the said Acts set and imposed upon Spirits made of Wine or Cyder imported. Brandy and Strong-water chargeable by the said two Acts.

III. Provided always, and it is hereby enacted, That in regard it doth not appear that the Rate or Duty of Eight-pence *per* Gallon was by his Majesty's Commissioners, Farmers or other Officers in that Behalf claimed or demanded by Virtue of the said Acts before the first Day of *November* in the Year of our Lord one thousand six hundred sixty and six, That no Person or Persons, who have imported any Brandies before that Time, shall be charged or chargeable with any more than the Rate and Duty of Four-pence *per* Gallon for any of the said Liquor called Brandy, imported from beyond the Seas before the said first Day of *November* in the Year of our Lord one thousand six hundred sixty and six; any Thing in the said Acts, or in this present Act, to the contrary notwithstanding. Eight-pence per Gallon not demanded before the first of November 1666. No Person before that chargeable for more than Four-pence.

IV. Provided always, and be it further enacted, That no Penalty inflicted by the two aforesaid or any other Act or Acts of Parliament, for Non-payment of the said Duties since the first Day of *November* one thousand six hundred sixty and six, shall be levied upon any Person now in arrear, until the said Person so in arrear shall upon Demand to be made after the passing of this Act, refuse to pay the said Duties, or to secure the same to be paid within three Months after such Demand; and upon such Payment or Security given, all former Bonds or Obligations given for the Payment of the Four-pences formerly in Controversy, shall be delivered up by the several Person or Persons in whose Custody the same or any of them are; and that no Jury shall be subject to any Attaint by reason of any Verdict heretofore by them given concerning any Matter relating to this or any of the aforesaid Acts. Penalties, how and when to be levied.

*Farther Provisions relating hereto, 2 W. & M. stat. 2. c. 9. 3 & 4 W. & M. c. 15. 7 & 8 W. 3. c. 30.*

8 & 9 *W.* 3. *c.* 19. 10 & 11 *W.* 3. *c.* 4 & 21. 12 *W.* 3. *c.* 11. 1 *Ann. stat.* 2. *c.* 14. 4 *Ann. c.* 12. 12 *Ann. stat.* 2. *c.* 3. 3 *Geo.* 1. *c.* 4. 6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18. 11 *Geo.* 1. *c.* 30. 2 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 17. 7 *Geo.* 2. *c.* 14. 9 *Geo.* 2. *c.* 23. 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 26. 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

## CAP. V.

### An Act for taking away the Benefit of Clergy from such as steal Cloth from the Rack, and from such as shall steal or imbezil his Majesty's Ammunition and Stores.

'WHEREAS many evil-disposed Persons have of late more frequently than in former Times used and practised the cutting of Cloth and other Woollen Manufactures in the Night-time off from the Racks or Tenters, where the said Cloth is put for the drying thereof, and feloniously steal and carry away the Enforced by 1 Geo. 1. Stat. 2. c. 25. §. 11. 15 Geo. 2. c. 27.

'the same, to the utter undoing and impoverishing of many Clothiers, and the great Hindrance of the Trade 'of Clothing:

31 Eliz. c. 4. 21 & 23 Car. 2. c. 23. s. 11. 9 & 10 W. 3. c. 41. 1 Geo. 1. c. 25. 9 Geo. 1. c. 8.

'II. And whereas by an Act made in the one and thirtieth Year of the Reign of the late Queen *Elizabeth*, it is amongst other Things enacted, That if any Person having the Charge or Custody of any Armour, Ordnance, Munition, Shot, Powder or Habiliments of War of the said Queen's, her Heirs or Successors, or of any Victuals provided for the victualling of any Soldiers, Gunners, Mariners or Pioneers, 'shall for any Lucre or Gain, or willingly, advisedly and of Purpose to hinder or impeach her Majesty's 'Service, imbezil, purloin or convey away any the same Armour, Ordnance, Munition, Shot or Powder, 'Habiliments of War, or Victuals, to the Value of twenty Shillings, at one or several Times, that then 'every such Offence shall be adjudged Felony, and the Offender therein to be proceeded on, and suffer as 'in Case of Felony; (2) unto the committing of which several Offences many Persons are the more emboldened, in Respect that in those Cases the Benefit of Clergy is allowed by Law:'

Persons stealing Cloth from the Rack, or imbezilling his Majesty's Stores to the Value of 20 s. and thereof found guilty, shall be excluded from the Benefit of Clergy. 31 Eliz. c. 4.

III. Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and the Authority thereof, That no Person or Persons who shall from and after the five and twentieth Day of *May* in the Year of our Lord one thousand six hundred and seventy, be indicted for felonious Cutting and Taking, Stealing or Carrying away of any Cloth or other Woollen Manufactures from the Rack or Tenter in the Night-time, or for any Offence committed against the said recited Act made in the said one and thirtieth Year of Queen *Elizabeth*, or shall feloniously steal or imbezil any of his Majesty's Sails, Cordage, or any other his Majesty's Naval Stores, to the Value of twenty Shillings, and thereupon found guilty by Verdict of twelve Men, or shall confess the same upon his or their Arraignment, or will not answer directly to the same according to the Laws of this Realm, or shall stand wilfully or of Malice and obstinately Mute, or challenge peremptorily above the Number of twenty, or shall be upon such Indictment outlawed, shall from and after the said five and twentieth Day of *May* not be admitted to have the Benefit of his or their Clergy, but utterly be excluded thereof, and shall suffer Death in such Manner and Form as they should if they were no Clerks.

Judges may reprieve and transport them.

IV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Judges or Justices of the Court before whom such Offender shall be arraigned and condemned, at their Discretion to grant a Reprieve for the Staying of Execution of such Offender, and to cause such Offender to be transported to any of his Majesty's Plantations beyond the Seas, there to remain for the Space of seven Years, to be accounted from the Time of such Transportation, and during all that Time there to be kept to Labour: (2) And if such Offender shall refuse to be so transported, or after such Transportation shall return or come again into this Kingdom of *England*, or the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, within the Time aforesaid, that then and in every such Case the Person so returning shall be put to Execution upon the Judgment so given and pronounced against him.

Penalty for refusing to be transported, or afterwards to return.

## CAP. VI.

### An Act for advancing the Sale of Fee-Farm Rents, and other Rents.

'WHEREAS his Majesty is seised of several Fee-Farm Rents, and other Rents in Right of his Crown, 'some whereof are Parcel of his Highness Duchy of *Cornwall*, and is also seised of several Fee-'Farm Rents, and other Rents in Right of his Highness Duchy of *Lancaster*;

22 & 23 Car. 2. c. 24.

'II. And whereas it is convenient that some special Privileges and Advantages should be granted unto the 'Purchasers, which cannot well be transferred unto them without Authority of Parliament; (2) and 'whereas the better to enable his Majesty to pay such Debts owing at Interest, whereof his Majesty shall 'find Reason to hasten the Discharge, his Majesty is minded to grant and convey to certain Persons, and

Fee-Farm Rents, Rent-Service, Chauntry-Rents, &c.

'their Heirs and Assigns for ever, as Trustees for Sale thereof, divers Fee-Farm Rents, Rents-Service, 'Rents-Seck, or Dry-Rents, Chauntry Rents, Rents reserved, Guild-Rents, Pensions, Vicontiel-Rents, 'Assart-Rents, Rents for Purprestures arented, Rents certain, or divers other Rents of what Nature or 'Kind soever they be, due and payable to his Majesty, his Heirs and Successors, as his Majesty shall think 'fit to mention and express in the said Letters Patents, whether the same be due to his Majesty in Right 'of his Crown of *England*, or in Right of his Duchy of *Lancaster*, or be Parcel of, or annexed unto the 'Duchy of *Cornwall*; (3) except and always reserved and foreprized out of such Letters Patents, all

Except Quit-Rents, Copy-hold-Rents, Tenths, First-Fruits, &c.

'Quit-Rents and Copy-hold Rents standing in Charge as Parcel of or belonging to any Manor or reputed 'Manor; (4) and also all Tenths and First-Fruits, and Rents reserved *nomine Decimæ*, due and payable 'by any Archbishop, Bishop, Dean, Dean and Chapter, Archdeacon, Prebendary, Parson, Vicar, or any 'other Spiritual or Ecclesiastical Corporation;

'III. And also all Rents reserved upon any Leases or Estates, whereof the Reversion is now in his Majesty, and which are incident to such Reversion; (2) and also all Rents reserved upon any Lease or 'Farm made or granted, or to be made or granted, of his Majesty's Customs or Excise; (3) And also except all Rents or Sums of Money due and payable to his Majesty, his Heirs and Successors, for or in Respect of any Fire-Hearths or Stoves:'

Letters Patents granted by the King, of certain Rents before the 24th of June 1672. confirmed.

IV. Be it therefore enacted by the King's most Excellent Majesty, with the Advice and Assent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That all and every Letters Patents to be granted by his Majesty before the four and twentieth Day of *June* in the Year of our Lord one thousand six hundred seventy-two, under his Great Seal, or under the Seal of his Duchy of *Lancaster*, or under the Seal of the County Palatine of *Lancaster*, of all or any of the Rents aforesaid (except before excepted) shall be and are hereby declared and enacted to be good, sufficient, and effectual in the Law, for the Granting and Assuring the several Rents aforesaid, or any

any of them (except before excepted) and for vesting the same in such Persons and their Heirs, as shall be therein nominated as Trustees for the Sale thereof, against his Majesty, his Heirs and Successors, and against the Dukes of *Cornwall* for the Time being, and against all Person and Persons that shall have or inherit or enjoy the Dukedom of *Cornwall* by Force of any Act of Parliament, or other Limitation whatsoever, according to the Tenor and Effect of the said Letters Patents; (2) and the same shall be expounded, construed, deemed and adjudged most beneficially for the Patentees and Grantees of the same, and their Heirs, Successors, Executors, Administrators and Assigns, according to the Words and Purport of the said Letters Patents, without any Confirmation, Licence, or Toleration of his Majesty, his Heirs or Successors; any Mis-naming, Mis-recital, or Non-recital of any the Honours, Manors, Castles, Lands, Tenements or Hereditaments subject and liable to, or charged with the Payment of such Rents, or any Mis-recital or Non-recital of any Estate-tail formerly made, or of the Reversion thereupon Expectant, or any Mis-naming, or not true Naming of the Towns, Hamlets, Parishes or Counties where the same Honours, Manors, Lands, Tenements or Hereditaments charged or chargeable with the said Rents do lie, or any lack of the true naming of the Corporation, or any lack of Attornment, or any Mis-naming, or not naming of any of the Tenants or Farmers of the Lands charged or chargeable with such Rents or any Part thereof, to the contrary notwithstanding;

V. And notwithstanding any other Defect or Imperfection which shall happen therein, of what Nature or Kind soever it shall be: (2) And the said Rents so to be granted, shall be afterwards conveyed and disposed by the said Patentees and Trustees, according to the Directions and Instructions herein after mentioned.

VI. And be it further enacted by the Authority aforesaid, That the said Patentees and Trustees, and the Survivor and Survivors of them, shall make and execute to all and every Person and Persons, Bodies Politick and Corporate, their Heirs, Successors and Assigns, who shall become Purchaser or Purchasers of the said Rents, or of any Part thereof, an Indenture or Indentures of Bargain and Sale which shall be inrolled in any of the four Courts at *Westminster*, within six Months after the Date thereof, and shall contain a Conveyance and Assurance of the Rents so purchased, and transfer the same by Words of Bargain and Sale, or by Words of Grant, Release or Confirmation, or by such other apt Words and Clauses as by the said Purchaser or Purchasers, their Heirs, Successors or Assigns, shall be reasonably devised or required, and shall be thought most suitable and convenient to and for the several Cases and Titles of such Purchaser or Purchasers respectively; (2) and such Conveyance or Assurance shall also recite the Consideration in Money paid or given, and thereof and of every Part and Parcel thereof shall exonerate, acquit and discharge the said Purchaser or Purchasers, his and their Heirs, Successors, Executors and Assigns.

The Patentees and Trustees may sell the same Rents to any Purchaser, by Indenture of Bargain and Sale inrolled. Such Rents, how to be described in Deeds and Pleadings. 10 Ann. c. 18. §. 21.

VII. And be it further declared and enacted by the Authority aforesaid, That all and every Person and Persons, Bodies Politick and Corporate, his and their Heirs, Successors and Assigns, having and taking any such Conveyance and Assurance as aforesaid, and causing the same to be inrolled as aforesaid within the Space of six Months next after the Date thereof, shall be and is hereby adjudged in actual Seisin and Possession of the Rents so purchased and conveyed; (2) and shall hold and enjoy the same in perfect Peace, freed and discharged of and from all Claims and Demands which can or may be made by his Majesty, his Heirs or Successors, either in Right of his Crown, or any the Duchies aforesaid, or otherwise howsoever, or by any Dukes of *Cornwall* for the Time being, or by any Person or Persons that shall have, inherit or enjoy the Dukedom of *Cornwall*, by Force of any Act of Parliament, or other Limitation whatsoever, and also freed and discharged of and from any Breach of Trust which can or may be pretended to be committed by the said Trustees, in not strictly pursuing the Powers given by this Act, or the Instructions herein after mentioned, or any other Instructions whatsoever, or the Orders to them directed at the Time of the making and executing such Conveyance; and shall also hold and enjoy all and every the Rents so purchased, as fully, freely and amply, as his Majesty at the Time of the passing of this Act did or might have held or enjoyed the same.

Purchasers by Virtue of such Deed peaceably to enjoy against all Claims.

VIII. And be it further enacted, That all and every Person and Persons, Bodies Politick and Corporate, who shall purchase any of the said Rents, and their and every of their Heirs, Successors and Assigns respectively, shall be and are hereby enabled to have, sue for and recover the same, by such and the like lawful Ways and Means, as his Majesty or any of his Royal Progenitors could or might have recovered the same, be it by distraining in all or any of the Lands of the Tenant or Tenants for the Time being, that shall hold any Lands charged with the said Rent, or by having Power to detain or sell all such Distresses after the Space of fifteen Days after such Distress taken, in Case the said Rent shall not be then or before paid, returning the Overplus of what shall be so sold, to the Party distrained; or by having the full Benefit and Advantage of all Sums of Money reserved *nomine Pœnæ*, or as a Penalty for Non-payment of the said Rent, or by using the like Action or Suit as his Majesty might have used for the Recovery of the same before such Patent granted, so as the same extend not to any such Process of Extent, or other Prerogative Process out of the Court of Exchequer, as his Majesty might have had before such Patent granted. (2) 'And forasmuch as upon divers Commissions of defective Titles, Inquisitions, or Suggestions of Concealments, divers Patents have formerly passed the Great Seal of *England*, or under the Seal of the Duchy of *Lancaster*, or under the Seal of the County Palatine of *Lancaster*, of divers Manors, Lands, Tenements and Hereditaments, whereupon divers Fee-farm Rents, or other Rents have been reserved, and sometimes put in Charge, where in Truth nothing hath passed by the said Letters Patents, nor have the Manors, Lands and Tenements, Liberties or Hereditaments mentioned to have been granted, been enjoyed or held under the said Letters Patents, but under other Titles, or by Virtue of other Letters Patents whereupon other Rents are reserved:'.

And to sue for and recover the same as his Majesty might have done.

IX. Be it therefore enacted, That such Fee-farm Rents, or other Rents, which have not been usually paid by the Owners or Occupiers of the Manors, Lands or Tenements charged, or mentioned to be charged, therewith by the greater Space of forty Years now last past, shall not be inserted or mentioned in any such

Fee-Farm and other Rents not paid for 40 Years

Last past, not to be inserted in the Patents.

Letters Patents to be hereafter granted to Trustees, as aforesaid: And further, That where any Person or Persons, Bodies Politick or Corporate, have held any Manors, Lands, Tenements or Hereditaments subject to the Payment of any Fee-farm Rent, or other Rent which hath been usually paid or answered by the Owners or Occupiers of such Lands so charged; and that by Colour or Pretence of some Patent of Concealment, or by Pretence of Commissions for defective Titles passed of the same Lands, some other or greater Rent hath been reserved or put in Charge, but the same hath not been usually answered or paid by the Owners or Occupiers of the said Lands by the greater Space of forty Years before mentioned; that then and in such Case the Tenant of the Lands shall hold the same discharged of the said Rent so reserved by Virtue of the said Patent of Concealment, or by Commission of defective Titles, and also discharged of all Seizures and Distresses for the same, until the same shall have been recovered by due Course and Proceedings of Law. (2) And if any Letters Patents of any Manors, Lands, Tenements or Hereditaments, have been heretofore granted, whereupon any Fee-farm Rents, or other Rents have been reserved, which at any Time after the passing of this Act, shall be sold to any Purchaser or Purchasers, if such Letters Patents whereupon such Rents so sold have been reserved, shall at any Time hereafter be adnulled, defeated, repealed, cancelled, avoided or otherwise determined, whereby the Lands shall return to his Majesty, his Heirs or Successors; then and in every such Case, all and every the Purchaser and Purchasers of such Rents, their Heirs, Successors and Assigns, shall have and receive out of the same Lands, Tenements and Hereditaments, the like Rent, and for the like Estate therein, with that which was by them so purchased, and shall enjoy such like Rent during such Estate against his Majesty, his Heirs and Successors, and against all Persons, Bodies Politick and Corporate, claiming by, from or under his Majesty, his Heirs and Successors, by any Grant or Conveyance made or granted by his Majesty, his Heirs or Successors, subsequent to such Purchase made; and shall have like Remedy for Recovery thereof, (any such Adnulling, Defeating, Repeal, Cancelling, Avoidance or other Determination of such Letters Patents to the contrary notwithstanding.)

Letters Patents of Manors, Lands, &c. heretofore granted.

(3) And whereas by certain Covenants or Agreements on the King's Part contained in the original Reservation of some of the said Fee-Farm Rents or by the true Intent thereof, or by some Decrees in the Court of Augmentation, or Exchequer, made before the three and twentieth Day of *October* in the Year of our Lord one thousand six hundred forty and two, or since the nine and twentieth Day of *May* in the Year of our Lord one thousand six hundred and sixty, divers Fee-Farmers were to be discharged, and Allowances to be made of divers Pensions, Portions, Rents Resolute or other Things of the like Nature, and the Charge thereof hath been since allowed by his Majesty out of the said Fee-Farm Rents, upon the Accounts of Bailiffs, Ministers and Receivers; it is hereby provided and declared, That this Act, or any Thing herein contained, shall not be construed to annul or void any such Covenants or Decrees, but that the same shall be allowed against the said Purchaser or Purchasers, as it should have been against his Majesty, his Heirs and Successors, if the Letters Patents or Grants of such Fee-Farm Rents hereby intended to be confirmed, had not been made; (4) Saving unto the Queen's Majesty, and to all and every other Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and every of them (other than the King's Majesty, his Heirs and Successors, and other than the Dukes of *Cornwall* for the Time being, and other than such Person as shall have, inherit or enjoy the said Dukedom of *Cornwall*, by Force of any Act of Parliament or other Limitation whatsoever) all such Right, Title and Interest, Possession, Leases or Estates, as they or any of them had, or should or might have, or of Right ought to have had, in or to the said Rents or any of them, or any of the Lands charged or chargeable with them or any of them, as fully and amply as they should or might have had before the Letters Patents thereof made, as if this Act had never been had or made; any Thing herein before contained to the contrary notwithstanding.

Fee-Farmers before the 24th of Octob. 1642. and since the 29th of May 1660. their Discharges confirmed.

Corporations may buy and enjoy the Rents notwithstanding the Statute of Mortmain.

X. And be it further enacted, That it shall and may be lawful to and for any Bodies Politick or Corporate, to purchase any the Fee-Farm Rents or other Rents so to be conveyed as aforesaid, and the same Rents so purchased to retain and keep to them and their Successors; any Statutes of *Mortmain* to the contrary notwithstanding.

Principality of Wales.

XI. Provided always, That neither this Act, nor any Thing therein contained, shall extend or be construed to extend to the Sale of any the Fee-Farm Rents, Tenths, Chantry-Rents, Rents-Seck, or any dry or other Rents whatsoever, due or payable to his Majesty or the Prince of *Wales* for the Time being, issuing or arising within the Principality and Dominion of *Wales*; this Act or any Thing therein contained to the contrary in any wise notwithstanding.

'XII. Instructions enacted to be observed in the Sale of Fee-Farm Rents; yet so as the Breach or Non-'pursuance of these Instructions, shall not invalidate or weaken the Title of any Purchaser.'

Contracts to be signed by the Lord Treasurer.

1. ALL Contracts touching the Sale of any Fee-Farm Rents or other Rents before mentioned, shall be signed by the Lord Treasurer, or Lords Commissioners of the Treasury for the Time being or any two of them.

2. The Trustees shall convey to such Persons, as by Order from the Lord Treasurer, or Lords Commissioners of the Treasury, or any two of them, they shall be directed.

Purchase-Money how to be paid.

3. Every Contracter shall at or before the Time of the Sealing of his Conveyance, pay down one Moiety at least of his Purchase-Money into the Exchequer, and shall also before he shall receive his Deed of Conveyance, give Security, such as the Lord Treasurer or Lords Commissioners of the Treasury shall approve, for the Payment of the second Moiety at the Time appointed.

Allowance.

4. Such Contracters as will pay down their whole Purchase-Money, shall receive such Allowance for their present Payment of their second Moiety, as shall be thought fit, so as the same exceed not the Rate of ten *per Cent.*

Tenants to be preferred in Point

5. The immediate Tenant liable to the Payment of any Rent, shall be preferred in the Purchase of it before any other, so as such immediate Tenant tender himself to the Lord Treasurer or Lords Commissioners

sioners of the Treasury, to contract, within six Months after the passing of the said Patent, and Notice thereof published by his Majesty's Proclamation, and perfect his Contract, and pay or secure his Money as aforesaid, within six Months after, at such Rate as shall be agreed, not exceeding twenty Years Purchase. of Purchase. Within what Time Contracts to be perfected.

6. If the immediate Tenant, or some on his Behalf do not tender, and perfect his Contract, as in the last precedent Article, all Benefit of Preference or Pre-emption is to be lost.

7. The Purchaser may have his Conveyance in the Names of any Person or Persons he shall desire.

8. If any Fee-Farm Rent or other Rent, be subject to or charged with any Payment or other Incumbrance, Consideration shall be had of it at the Time of the Contract, and Reprize allowed for it accordingly; and where such Reprize is allowed, the Purchaser is to covenant to take upon him such Incumbrance so reprized. Incumbrance.

9. The Trustees are to hold the Rents conveyed to them for the Benefit of his Majesty, his Heirs and Successors, until Sale.

10. The Trustees in all Conveyances to be made by them shall covenant with the Purchasers in usual Form, to free the Premisses, and save the Purchaser harmless, from any Act done or suffered by them, which may any way incumber the Premisses. Covenant.

XIII. Provided always, and be it further enacted by the Authority aforesaid, That all Fee-farmers of any Mills formerly belonging to the Crown or Parcel of his Majesty's Duchy of *Lancaster*, shall have the Protection and Privilege of his Majesty's Courts of Exchequer and Duchy of *Lancaster*, and all Suits to Mill, and Aids of the said Courts, and enjoy all other former Privileges and Advantages, notwithstanding the Sale of the said Fee-Farm Rents issuing out of the said Mills, to all Intents and Purposes, and in as large and beneficial Manner, as when the said Fee-Farm Rents, or any of them, were payable to his Majesty, his Heirs and Successors. Fee-Farmers of Mills.

XIV. Provided always, and be it enacted by the Authority aforesaid, That such and so much of the said Fee-farm Rents and Premisses, and such Sums of Money, Rents resolute, Pensions, Stipends, Salaries, Annuities, Alms, Corodies, Profits and Allowances as are due and payable or which are chargeable upon, have been or ought to be paid or allowed to or for the Maintenance of any Grammar School or Scholars, or for or towards the Reparation of any Church, Chapel, Highway, Causeway, Bridges, Schools, Alms-houses, Castles or any other Uses, upon, out of or for the Premisses, or any of them, to be settled upon Trustees according to this Act as aforesaid, shall be and continue to be paid and allowed as they were and have been heretofore. (2) And the said Trustees are hereby authorized and required to set out, convey and assure unto such Person and Persons, and their Heirs, Bodies Politick and Corporate, and their Successors and Assigns, as they the said Trustees shall think, in Trust for the Performance of the Uses aforesaid, or any of them, such of the said Fee-Farm Rents, Duties or Sums of Money payable as aforesaid as shall amount to any of the Sums so charged, limited or allowed, to or for the Uses or Purposes aforesaid; any Thing in this Act or Instructions to the contrary notwithstanding. And after such Conveyance, the Purchasers of the Residue of the said Fee-Farm Rents shall be discharged of the said Duties and Payments. All Sums of Money, Rents, &c. to be allowed to maintain a School, &c. to remain as heretofore.

## CAP. VII.

An Act to enable the King's Majesty to make Leases, Grants and Copies of Offices, Lands, Tenements and Hereditaments, Parcel of his Highness Duchy of *Cornwall*, or annexed to the same. All Leases, Grants, *&c.* of Land, *&c.* in the Duchy of *Cornwall* made or to be made within three Years, confirmed. The Term for such Leases and Grants. Rents to be reserved. Covenants, Conditions and Reservations. Proviso. Compositions for increased Rents. 13 Car. 2. Stat. 2. c. 4.

## CAP. VIII.

### An Act for ascertaining the Measures of Corn and Salt.

'WHEREAS there is a great Variety of Bushels and other Measures of different Contents and Gages used in several Counties, Cities, Boroughs, Ports and other Places of this Realm, for the Measuring, Buying and Selling of all Sorts of Grain, Salt, and other Commodities usually bought and sold by the Bushel, to the great Defrauding and Oppressing of the People, contrary to the Great Charter, and sundry of the good Laws formerly made and enacted, That there shall be but one Measure to be used throughout all the Realm:' Enforced by 8 Ann. c. 18. §. 12. 9 H. 3. Stat. 1. c. 25. 14 Ed. 3. Stat. 1. c. 12. 27 Ed. 3. Stat. 2. c. 10.

II. For future Redress whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That this ensuing Clause contained in a Statute made in the seventeenth Year of King *Charles* the First, intituled, *An Act for the better Ordering and regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute, and for the Reformation of False Weights and Measures*, (by way of Proviso, *viz.*) That such Measure as is commonly called Water-Measure, in any Ports, Maritime Towns, or other Places, shall be still used and continued as formerly the same hath been (any Thing in this Statute contained to the contrary hereof in any wise notwithstanding) shall from and after the nine and twentieth Day of *September* one thousand six hundred and seventy, be and stand nulled and repealed, as as to the Measuring, Selling, or Buying of any Sort of Corn or Grain ground or unground, or Salt, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*: (2) And that if any Person or Persons after the Time aforesaid shall sell any Sort of Corn or Grain, ground or unground, or any Kind of Salt, usually sold by the Bushel, either in open Market, or any other Place, by any other 16 Car. 1. c. 19. A Clause therein repealed.

Bushel or Measure, than that which is agreeable to the Standard, marked in his Majesty's Exchequer, commonly called the *Winchester* Measure, containing eight Gallons to the Bushel, and no more or less, and the said Bushel struckен even by the Wood or Brim of the same by the Seller, and sealed as this Act directs, he or they shall forfeit for every such Offence the Sum of forty Shillings; (3) to be levied in such Manner, and such other Penalties for Want of Distress to be inflicted, as in and by the said former Act is directed by the Warrant or Order of any one or more of his Majesty's Justices of the Peace within the County, City or Place, where such Offence shall be committed; which said Justices respectively are hereby required and enabled to see this Statute duly executed.

Winchester Measure only to be used. For the Bushel of Salt, see 7 & 8 W. 3. c. 31. §. 44.

Forfeiture for offending against this Act.

Penalty enlarged by 22 & 23 Car. 2. c. 12.

The Penalty of Mayors and all other Officers permitting the Use of any other Measure.

III. And be it likewise further enacted by Authority aforesaid, That if any Mayor or other Head Officer of any City, Borough or Corporation or Liberty within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, shall knowingly and wilfully permit or suffer any Person or Persons within their respective Limits or Jurisdictions, to sell or buy any Sort of Corn or Grain ground or unground, or Salt, by any other Bushel or Measure, or struckен in any other Manner than is hereby prescribed; (2) or shall suffer within their respective Limits or Jurisdictions any other Measure to be used, than is of the Contents aforesaid, and sealed as this Act directs; (3) or if upon Complaint of the Breach of this Statute, he or they shall not duly punish and reform the same according to the Purport thereof; (4) Then he or they so offending, for every such Offence upon due Proof and Conviction thereof by Presentment or Indictment before the Justices of the Peace of the County where such Offence shall be committed, at the General Sessions of the Peace held for the same, shall forfeit the Sum of five Pounds; (5) the one Moiety thereof to the Informer or Prosecutor, the other Moiety to the Use of the Poor of the Parish where such Offence shall be committed, to be levied by Distress and Sale of the Offender's Goods and Chattels, and for Default of such Distress, by Imprisonment of the Person or Persons so offending, till Payment thereof made, by Warrant of the said Justices.

Clerk of the Market, &c. refusing to seal or mark any Measure, his Forfeiture.

Exacting Fees, how punished.

IV. And be it further enacted, That if the Clerk of the Market of his Majesty's House within the Verge, or the Mayor, or other Head Officer, Lord of the Liberty, or other Person authorized by the Laws of the Realm, to mark or seal Measures within their respective Jurisdictions, shall neglect or refuse, being required, to seal or mark any Bushel, Half-Bushel or Peck duly gaged, as is hereby before directed and appointed, shall forfeit for the first Offence five Pounds, and for every other Offence ten Pounds, to be levied as aforesaid; (2) or if the Clerk of the Market of his Majesty's House within the Verge, shall take more than the lawful and accustomed Fees; or if any other Person or Persons shall exact or take from any Person more than one Peny for the Sealing and Marking of a Bushel, or more than one Half-peny for the Sealing or Marking of a Half-Bushel or Peck, or more than one Farthing for the Sealing or Marking of any Measure containing one Gallon, Pottle, Quart, Pint or Half-Pint; he or they shall for every such Offence, upon due Proof and Conviction thereof, incur the Penalties mentioned and contained in the aforenamed Statute for the said Offence, made in the seventeenth Year of King *Charles* the First.

16 Car. 1. c. 19.

14 E. 3. Stat. 1. c. 12.
16 R. 2. c. 3.

A Measure of Brass to be chained in every publick Market-place.

V. And to the End that there may be a just and certain Measure (to determine all Controversies) gaged as this Act directs, (2) Be it further enacted, That at the Charge of such Person or Persons respectively, who shall have the Toll or Profit of the Market, where Toll is not taken within any City, Corporation or Market-Town, within this Realm in their respective Jurisdictions, there shall be before the said nine and twentieth Day of *September*, one Measure of Brass provided, and chained in the publick Market-place; (3) upon Pain to forfeit and lose for every Person so neglecting respectively, the Sum of five Pounds, to be recovered and levied as is by this Act directed; one Moiety to the Poor of the Parish where such Offence shall be committed; the other Moiety to him or them that shall sue for the same.

Constables to search if any Persons use other Measures.

VI. And be it further enacted by the Authority aforesaid, That all and every Constable or Constables within this Realm of *England*, in their respective Precincts, are hereby impowered and required to search and examine if any Person or Persons use any other Measure than according to the Proportions aforesaid, or shall strike the same in any other Manner than this Act directs, or sell or buy by a Measure unsealed: (2) And in case he or they shall find any such unsealed Measure, to seise and break the same; and for that and every other Offence against this Act, shall present such Offender at the next private or quarterly Sessions to be held for such County or Place where such Offence shall be committed.

Once punished.

VII. Provided always, and be it enacted, That no Person or Persons punished for any Offence by Virtue of this Act, shall be again questioned or punished for the same Offence, by Virtue or Colour of any other Act.

Toll.

VIII. Provided always, and be it further enacted and declared, That no Person or Persons whatsoever shall take any Toll, or any Thing in Lieu thereof, but respectively according to such Proportion as the Measures in this Act limited and appointed bear unto the Measures whereby the same have been heretofore usually taken; any Law, Custom or Usage to the contrary notwithstanding.

## CAP. IX.

1 J. c. 11. c. 2.

An Act authorizing certain Commissioners of the Realm of *England*, to treat with Commissioners of *Scotland* for the Weal of both Kingdoms.

## CAP. X.

Accountant.

An Act for Sale of Part of the Estate of Sir *John Prittiman*, for Satisfaction of a Debt by him due to the King's Majesty.

CAP.

## CAP. XI.

### An additional Act for the Rebuilding of the City of *London*, Uniting of Parishes, and Rebuilding of the Cathedral and Parochial Churches within the said City.

'WHEREAS by Virtue and in Pursuance of an Act of this present Parliament, intituled, *An Act for Rebuilding the City of* London, several Streets in the said Act particularly mentioned and described, have been enlarged and made wider by the Mayor, Aldermen and Commons of the said City, by and with the Approbation of the King's most Excellent Majesty; and forasmuch as certain other Streets within the said City, not particularly mentioned in the aforesaid Act, did also require some Regulation and Enlargement, (that is to say) the Street called *Pater-noster-row*, the Lane called *Warwick-lane* at the North-side thereof, *Watling-street*, *Candlewike-street*, *Eastcheap*, *St. Swithin's-lane*, *Little Wood-street*, *Milk-street*, *Tower-street*, *Water-lane*, situate on the East-side of *London-Bridge* near the *Custom-house*, *Rood-lane*, *St. Mary-hill*, *Thames-street* from *London-Bridge* to *Puddle-dock*, *Pye-corner* next to *Smithfield*, and *Threadneedle-street*; and to that End and Purpose the same by Order and Direction of the Mayor, Aldermen and Commons of the said City in Common Council assembled, by and with his said Majesty's Approbation, have been surveyed, and are found necessary to be enlarged:' 19 Car. 2. c. 3. Streets requiring Enlargement and Regulation.

II. Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Streets and Lanes in this Act before nominated and appointed to be enlarged, and every of them, shall be enlarged and regulated in such Parts and Places thereof, and in such Manner, and according as the same are marked and staked out for that Purpose, and not otherwise. 'And to the End that fit and commodious Places within the said City and Liberties thereof may be set out and appointed for the rebuilding and keeping of Markets with more Convenience than heretofore they were, so as the principal Streets may not be pestered and obstructed thereby, as heretofore hath been accustomed: And that the *Royal Exchange*, *Guild-hall*, the *Sessions-house* in the *Old-bailey*, and the Common Gaols and Prisons within the said City, may be enlarged and made more commodious for the publick Use and Ornament of the City, and better secured from the Danger and Casualty of Fire; and that some convenient Distance, Interval and Circuit of Ground may be left between the *Royal Exchange*, and other Houses to be built within the said City:' They shall be enlarged as they are now staked out. Royal Exchange, Guildhall, Sessions-house in the Old-baily.

III. Be it further enacted by the Authority aforesaid, That the Mayor, Aldermen and Commons of the said City in Common Council assembled, shall and may, and are hereby impowered to imploy such Places and Portions of Ground within the said City and Liberties thereof, as by and with his said Majesty's Approbation now are, or before the tenth Day of *March* one thousand six hundred sixty-nine shall be set out and adjudged necessary and convenient, as well for the publick Market-places there, as also for the Ornament, Enlargement and Convenience of the said *Royal Exchange*, and other Places afore-mentioned, and every or any of them respectively; Ground to be assigned for publick Market-places.

IV. And to the Intent that reasonable Satisfaction may be given to the Owners and others, having any Estate or Interest in the Grounds and Places which have been or shall be set out to be taken and imployed for publick Market-places, or for the Ornament and Convenience of the *Royal Exchange*, *Guild-hall*, and other Places in this Act mentioned, or any of them, or for enlarging the said Streets, or any Part thereof, called *Pater-noster-row*, *Warwick-lane*, *Watling-street*, *Candlewike-street*, *Eastcheap*, *St. Swithins-lane*, *Little Wood-street*, *Milk-street*, *Tower-street*, *Water-lane*, *Rood-lane*, *Saint Mary Hill*, *Thames-street*, *Pye-corner* next unto *Smithfield*, and *Threadneedle street* before-mentioned; the said Mayor, Aldermen and Commons shall and may (by themselves or others in that Behalf to be appointed and authorized) treat and agree with the Owners, and others interested therein: (2) And in Case of wilful Refusal, or any such Disability or Impediment as in the aforesaid Act are mentioned, or other Incapacity whatsoever in the Owners thereof, or others interested therein, to treat and agree, the said Mayor and Court of Aldermen shall and are hereby authorized and required to cause a Jury to be impanelled in such Manner and Form as by the aforesaid Act is directed and appointed, so as no two of the said Jurors so to be impanelled, shall come out of one and the same Ward, to adjudge and assess what Recompence and Satisfaction in every of the Cases aforesaid ought to be awarded and given to the respective Owners, and others interested in the Grounds and Places so set out, to be taken and imployed for any the Uses or Purposes aforesaid, in Pursuance of this Act, according to such their respective Estates and Interests; (3) and the Verdict of such Jury in that Behalf to be taken, and the Judgment of the said Mayor and Court of Aldermen thereupon, and the Payment of the Money so awarded or adjudged, at or in the Office of the Chamberlain of the said City of *London* for the Time being, to the said Chamberlain, there to remain by the Space of six Months, for the Owners or others interested therein, as aforesaid, and after that Time to be paid unto them by the said Chamberlain upon Demand, (if that within that Time there shall not arise any Controversy touching the Payment thereof, by Reason of different Claims made thereunto as hereafter is expressed) shall be binding and conclusive to and against the Owners, and all others having or claiming or to claim any Estate, Right, Title or Interest of, in, to or out of the same, their Heirs, Executors, Administrators, Successors and Assigns, and every of them; and shall be a full Authority for the said Mayor, Aldermen and Commons, to cause the same to be converted and used to and for the respective Uses and Purposes aforesaid: (4) And in Case any Controversy shall arise between any Person or Persons, Bodies Politick or Corporate, or his or their Assigns, or Under-tenants, or other Persons, claiming any Estate, Right, Title or Interest in Law or Equity, Trust, Charge or Incumbrance, of or in the said Ground so to be purchased or converted as aforesaid, who shall find him or themselves aggrieved, for or by Reason that the said Monies so given in Satisfaction to Owners for Ground taken away. The Mayor, Aldermen and Commons, to treat and agree with Owners, and in Case of wilful Refusal, to impanel a Jury, whose Verdict and the Judgment of the Mayor and Court of Aldermen thereupon, with Payment of the Money so awarded into the Chamberlain's Office, shall be binding and conclusive. Controversies to be decided by the Judges, and in what Manner.

Satisfaction for the said Ground, is not or shall not be equally or indifferently apportioned, according to the true Value of his or their Interests in the said Grounds; That then the Justices of the Courts of King's Bench and Common Pleas, and Barons of the Coif of the Court of Exchequer for the Time being, or any three or more of them, sitting together at the same Time and Place, upon the Petition of the said Party or Parties grieved, to be preferred to any one of them within six Months after the said Verdict so had and given, and not after, are hereby authorized to hear and finally determine the same, and to order and award such Distribution of the Monies so paid unto the Chamberlain as aforesaid, to the said Person or Persons, Bodies Politick or Corporate respectively, according to his and their several and respective Interests in the same, in such Manner and Form as the said Justices and Barons, or any three of them, may determine any Differences or Demands which have arisen, or shall arise between any Landlord or Tenant, touching Repairing or Rebuilding any of the Houses burnt down, or demolished by the late Fire, by Virtue of an
19 Car. 2. c. 2. Act of this present Parliament, intituled, *An Act for Erecting a Judicature for Determination of Differences, touching Houses burnt down or demolished by the late Fire which happened in* London; according to which Order and Distribution the said Sum and Sums shall be paid by the said Chamberlain to the several Persons respectively.

Where several Persons having several Estates in one House or Ground, and some delay to build, to the Prejudice of others, the Rest may rebuild the Whole, if they will, and enjoy it to their own Use, till reimbursed.

V. And be it further enacted by the Authority aforesaid, That in Case it shall happen that where there were two or more Copartners, Jointenants, or Tenants in Common, of any House or Houses burned or demolished by the said late Fire, or that two or more Persons, Bodies Politick or Corporate, had several Estates or Interests in several Rooms, Stories or Parts of any such House or Houses burned or demolished, and that some or one of them is desirous and willing to build the same, or such Part, Room or Story of or in the same, as to him or them doth or may appertain, according to his or their Estate or Interest, as aforesaid, and that any other of the said Copartners, Jointenants or Tenants in Common, or others having such Estate or Interest as aforesaid in any of the Rooms, Stories or Parts thereof, shall delay or refuse to join in Rebuilding of the same, or to contribute his and their reasonable Part and Proportion towards the Charge thereof; that then it shall and may be lawful to or for any one or more of such Copartners, Jointenants, Tenants in Common, or others having Estate or Interest in any the Rooms, Stories, or Parts thereof, as aforesaid, that will rebuild the said House or Houses, to cause such House or Houses to be wholly rebuilt in such Sort and Manner as the same was or were before the said late Fire, or as near thereunto as conveniently may be, (the present model of Building considered) and Respect being had to the different Interests of the Parties concerned, as aforesaid, and the same House or Houses so rebuilt, to hold and enjoy to his and their own proper Use and Benefit, until that he or they shall be fully satisfied and reimbursed all such and so much of the Charge of such Building as in a due Proportion ought to have been contributed or allowed towards the Building thereof by such Copartners, Jointenants, Tenants in Common, or others having such Estate or Interest as aforesaid, according to his or their Estate or Interest therein, as aforesaid, together with Damages for the same, after the Rate of six Pounds *per Cent. per Annum*, for the Forbearance thereof, to be accounted from the Covering of the said Building. (2) And in Case of Neglect or Refusal to satisfy and pay such Proportion of the Charge of Rebuilding thereof by the Space of two Years, to be accounted from the Covering as aforesaid, that then it shall and may be lawful to and for such Rebuilders, from and after the End and Expiration of the said two Years, to be accounted as aforesaid, paying to such Copartners, Jointenants, Tenants in Common, or others having such Estate or Interest as aforesaid therein, so much as such their Estate or Interest shall be reasonably worth, or upon Tender and Refusal thereof, to hold and enjoy such House or Houses so rebuilt, as aforesaid, wholly and intirely against the Parties so refusing, their Heirs, Executors, Administrators, Successors and Assigns, for and during the Continuance of such joint or other Estate or Interest aforesaid, as the Party and Parties, by whom such House or Houses shall be so rebuilt, had in the same, or in any Room, Story, or other Part thereof: (3) And in Case any Difference shall happen between such Builders, and any the Parties refusing to build as aforesaid, concerning the Charge of Rebuilding the same, or concerning the Value of the Estate or Interest of the Parties so refusing to build as aforesaid, and what Money ought to be paid or given for the same by such Rebuilder after such Time and in Manner as aforesaid, that then the same shall be referred to the Surveyors to be appointed for the said City for the Time being, who, or any two of them, shall and may upon their View adjudge, estimate and determine the same respectively: And in Case the said Parties, or either of them, shall refuse to submit to such the Judgment and Determination of the said Surveyors, that then the said Matters shall be referred to the Examination of the said Mayor and Court of Aldermen, who shall hear and finally determine the same without further Appeal.

Difference about Charge of Building to be determined by the City-Surveyors.

Party-walls.

VI. And be it further enact and declared, That where there were several Owners or others interested of or in several Rooms, Stories, or other Parts of any House or Houses, which shall or may obstruct or hinder the making of the Party-walls intire and upright, and that the Parties therein concerned cannot or will not come to an Agreement touching the same; that then it shall be referred to the said Surveyors for the Time being, or any two of them, to determine the Difference thereby arising, (if they can) who shall and may order and appoint an indifferent Exchange to be made betwixt the said Parties, by dividing their Ground, Rooms or Stories, or otherwise, as to them shall seem most meet and reasonable, for accommodating of their several Interests, or otherwise shall and may award Satisfaction to be given in Money to such of the said Parties as there shall be Cause, to the Intent the Walls may be made upright according to the Direction of the aforesaid Act for Rebuilding; (2) and in Case the Parties therein concerned, or either or any of them, shall refuse to submit to such the Order and Determination of the said Surveyors, that then the said Matter shall be referred to the said Mayor and Court of Aldermen to hear and finally determine the same without further Appeal.

Holborn-bridge Passage to be enlarged.

'VII. And whereas the Way or Passage of *Holborn-bridge* is now too strait and incommodious for the 'many Carriages and Passengers daily using and frequenting the same, and is therefore necessary to be en-'larged;' (2) Be it therefore likewise enacted, That it shall and may be lawful for the said Mayor, Alder-

men and Commons, so to enlarge and make wider the same, as that the said Way and Passage may run in a Bevil-Line, from a certain Timber-house on the North-side thereof, commonly called or known by the Name or Sign of the *Cock*, unto the Front of the Buildings of a certain Inn called the *Swan* Inn, situate on the North-side of *Holborn-hill* as aforesaid.

VIII. And to prevent any Doubts that may hereafter arise concerning Corner-piers, and with what Materials the same ought to be made; (2) Be it enacted and declared by the Authority aforesaid, That all Corner-piers of Stone or Brick hereafter to be erected, shall be of the Dimensions of the Piers of Stone mentioned in the said Act. The Dimension of Corner-piers.

IX. And that it be left to the Liberty of all and every the Builders of Corner-houses, to use a substantial Post of Oak-Timber, to prevent the Danger that may happen by Carts and Carriages, instead of the Corner-pier of Brick or Stone, of such Dimensions and Scantlings, as the Surveyors of the said City shall direct or appoint; the said Act, or any Thing therein contained, to the contrary notwithstanding.

X. And be it enacted, That the Water from the Tops of all Houses already built since the late Fire, and hereafter to be built, and Fronting or that shall Front upon any the Streets, Lanes or Passages, within the said City and Liberties, shall be carried and conveyed into the Channels by Pipes and Party-pipes (as the Case shall require) to be brought down on the Sides or Fronts of the said Houses. Water from the Tops of the Houses to be carried down by the Sides in Pipes.

'XI. And whereas by the said Act for the Rebuilding of the City of *London*, it is also enacted for the 'Preventing of Inundations, and for Easiness of Ascent, That the Street called *Thames-street*, and all the 'Ground between the said Street and the River of *Thames*, should be raised and made higher by three Foot 'at the least, above the Surface of the Ground as then it lay; and also that the Lord Mayor and Aldermen 'of *London* should and might open and enlarge a Street or Passage to the River of *Thames* from *Cheapside* 'through *Soper-lane*, and thence to *Thames-street*, and thenceforth to the River of *Thames*; and from the '*Three-Cranes* to the *Thames* aforesaid, and to make the same Streets and Passages four and twenty Foot in 'Breadth:' (2) Now for Prevention of any Doubt that may arise touching the Manner of Cutting the said Streets, and ordering the same; and to the End the said Street called *Thames-street*, and the Ground between the same and the River of *Thames*, may be raised according to the Intent of the said Act, and that other Streets and Passages leading to and from the same, may be answerable to their Levels thereunto, and that the Steepness and Difficulty of the Rising and Ascent from the said River may with the more Ease be abated; (3) Be it enacted by the Authority aforesaid, That the said Streets or Passages from *Cheapside* through *Soaper-lane* to *Thames-street*, and thenceforth to the River of *Thames*, and also from the *Three-Cranes* to the said River, shall be and remain in such Manner and Form as now they are; any Matter or Thing to the contrary in any wise notwithstanding. Thames-street to be raised three Foot at least. The enlarged Passage from Cheapside to the Thames confirmed.

XII. And all Owners, Occupiers, and all other Person and Persons, any Way interested of or in any Grounds so staked and set out for the Cutting, Opening and Enlarging of the said Streets, Lanes or Passages, or any of them, are hereby required to take Notice thereof, and to conform thereunto accordingly; (2) and also that the Levels and Marks for Raising or Sinking as well of the said Street called *Thames-street*, and the Ground between the same and the River of *Thames*, as all other Streets in and about the said City and Liberties thereof, in such Manner as the same are or shall be appointed to be done before the twenty-ninth Day of *September* one thousand six hundred seventy-one, by the Commissioners of Sewers and Pavements appointed by Act of Parliament, be henceforth observed in all Places within the same.

XIII. Provided nevertheless, That where any House or Houses for Habitation have been built, or were in Building, within the said City and Liberties thereof, on or before the fourteenth Day of *May* in the Year of our Lord one thousand six hundred sixty and eight, at which Time the said Rules and Levels, for Raising or Sinking of the said Streets, were either not published, or not generally known; that it shall and may be lawful for the said Surveyors (who are hereby authorized and required so to do) with as little Variation from the said Rule as conveniently may be, so to alter the said Levels or Marks, or any of them, as that the said Buildings so erected may receive as little Damage thereby as may be: And if the said Surveyors or either of them, upon Request and due Notice to be given by the Owner or Occupier of such House, shall refuse to do his or their Duty herein, or the said Owner or Occupier shall have any just Exceptions to their Determination in the Premisses; that then and in such Case, it shall and may be lawful for the said Owner or Occupier of such House, (so thereby grieved) to appeal by his Petition in Writing to the Lord Mayor and Court of Aldermen, who upon deliberate Hearing of both Sides shall finally determine such Controversy without further or other Appeal.

'XIV. And whereas in and by the said Act for Rebuilding of the said City, it is further provided, That 'the Surveyors by Virtue of the said Act appointed, and every of them, within their several Precincts, shall 'take Care for the equal setting out of all Party-walls and Party-piers, and that they permit no Person 'to build either on the said Party-walls, or on his own contiguous Ground, till the same be performed ac-'cordingly:'

XV. Now to the Intent that all Exaction in taking the said Surveys, and that all Differences which may hereafter arise between any the said Builders, may be prevented; (2) Be it enacted, That no Builders be permitted by the said Surveyors to lay his or their Foundations, until the said Surveyors, or one of them, according to the true Intent of the said Act, have first viewed the same, and seen the said Party-walls and Piers equally set out accordingly: For the Defraying whereof, and all incident Charges of Measuring, Staking out, taking the Level, and Surveying the said Streets and Grounds;

XVI. Be it further enacted, That all and every the said Builders, before his or their Foundation shall be laid, or such Survey taken, shall repair to the Chamberlain of *London*, and there enter his Name, together with the Place where the said Building is so to be set out, and pay down to the said Chamberlain the Sum of six Shillings and eight Pence for every Foundation so to be built respectively, upon Receipt whereof the said Chamberlain shall give his Acquittance; which said Acquittance being produced to the said Surveyors, or any Builders must pay to the Chamberlain of London 6s. 8d. before they lay their Foundation.

any of them, they and every of them are hereby required within three Days next after such Request, to survey and set out all and every the said Foundations accordingly.

XVII. And be it further enacted, That all and every the said Builders, who have at any Time since the making of the said Act for Rebuilding the said City, laid any Foundations to be built upon, shall forthwith pay unto the Chamberlain aforesaid, for every the Foundations severally erected to be inhabited, the Sum of six Shillings and eight Pence, unless the same hath been formerly paid; and in Default thereof, it shall and may be lawful to and for the said Chamberlain for the Time being, by Action of Debt, to be commenced in the Name of the said Chamberlain in the King's Majesty's Court, to be holden in the Chamber of the *Guild-hall* of the said City, before the Lord Mayor and Aldermen of the same City, to recover the same, in which Action no Essoin or Wager of Law shall be allowed.

Difference about the true Value of Party-walls to be decided by the Aldermen of the Ward, or else upon Appeal, by the Lord Mayor and Court of Aldermen.

'XVIII. And whereas it is provided in and by the said Act, That all Differences arising between any the Builders within the said City or Liberties thereof, concerning the true Value of Party-walls, and all Differences arising between the said Builders or any others, concerning the Placing or Stopping up of any Lights, Windows, Water-courses or Gutters, which may hinder or retard the said Buildings, shall and may be heard, mediated and determined (if it may be) by the Alderman of the Ward where the Cause of any such Difference shall arise, and his Deputy; (2) and where the said Alderman and his Deputy, or any of them, be concerned as Parties in the Controversies, or that they cannot determine the said Differences, That then and in every such Case the same be certified by the said Alderman or his Deputy unconcerned therein to the said Mayor and Court of Aldermen, who upon deliberate Hearing of all Parties shall finally determine the same without further Appeal. (3) Nevertheless, in the said Act there is no certain Penalty provided for such as shall obstinately refuse to obey the said Determination:'

Penalties for Disobedience.

XIX. Now to the End there may be a due Obedience yielded to such Determinations as have been or shall be made in any of the Cases last mentioned, and in all other Cases hereby left to the final Determination of the said Mayor and Court of Aldermen; (2) Be it enacted by the Authority aforesaid, That all and every Party and Parties any Way concerned to give Obedience to any such Determination as aforesaid, shall obey and perform the same, under such Pains and Penalties as by the said Act are or may be inflicted upon the Builder or Levier of any irregular built House, contrary to the Meaning of the same late Act.

XX. And be it further enacted, That all Differences which shall or may arise concerning the Misplacing, Straitning or Stopping up, or any Ways obstructing any common or private Entries, Allies, Ways, Stairs, Landing-places or Passages, Houses of Office, Tunnels, Draughts and other Easements, heretofore used and enjoyed within the said City of *London* or the Liberties thereof, shall and may by Virtue of this Act be heard, mediated and determined (if it may be) by the Alderman of the Ward where the Cause of any such Difference shall arise, and his Deputy: (2) And where the said Alderman and his Deputy, or one of them, be concerned as Parties in the said Controversy, or that they cannot determine the same Differences, That then upon Complaint of the Party or Parties concerned, to the said Mayor and Court of Aldermen, they shall hear and finally determine the same in such Manner, as by the aforesaid Act for the Rebuilding of the said City of *London* is appointed, in Case of Differences concerning Placing and Stopping of Lights, Windows and Watercourses; and all Parties concerned are hereby required to obey and submit to such their Determination, under such and the like Penalties, as by the aforesaid Act are or may be inflicted upon such irregular Builders as aforesaid: (3) And that all such Obstructions, as well where any Lights, Windows, Water-courses or Gutters, are or shall be hindred and stopped up, as whereby any common or private Allies, Entries, Ways, Stairs, Landing-places or Passages, are or shall be stopped up, straitned or misplaced as aforesaid, shall and may by Order of the said Mayor and Court of Aldermen be abated and removed by Virtue of this Act.

Rates for Wharfage and Cranage to be assessed by his Majesty and Privy Council.

'XXI. And forasmuch as great Exactions have been and are exercised by Wharfingers and others employed about the Wharfage and Cranage of Goods landed or shipped off, at or from the said City of *London*:' (2) For Remedy thereof, be it enacted, That such Rates and no other shall from Time to Time be taken for Wharfage and Cranage, as well of Timber and other Materials for Building, as of Coals and other Goods and Merchandizes, as by his said Majesty with the Advice of his Privy Council shall for that Purpose be assessed and allowed to be taken, a Table of which Rates shall be hanged up at every of the said Wharfs respectively; (3) and if any Wharfinger or other shall exact or demand, or directly or indirectly take or receive for Wharfage or Cranage, or by Colour thereof, more than according to the Rates which shall be so assessed, or shall refuse to suffer any Goods or Merchandize to be landed or shipped at, off or from any Wharf or Wharfs within the said City or the Liberties thereof at the Rates aforesaid, such Offender shall forfeit for every such Offence the Sum of ten Pounds to the Party or Parties thereby grieved, to be recovered with full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or within the said City of *London*, as the Cause shall arise, wherein no Essoin, Protection or Wager of Law shall be allowed, nor any more than one Imparlance.

19 Car. 2. c. 2. revived, with an additional Authority to the Judges.

'XXII. And whereas the aforesaid Act for erecting a Judicature for Determination of Differences touching Houses burned or demolished by Reason of the late Fire which happened in *London*, is expired; and for that there were many Causes brought before the said Judicature which are yet undetermined, and divers other Causes proper to receive a Determination before the said Justices and Barons, which they found not to be within the Authority given them by the aforesaid Act; and that many more Differences do and may arise, which could not be heard and determined within the Time limited by the said Act;' and for a further and additional Authority to the said Justices and Barons, to hear and determine all the aforesaid Differences, and for a more easy Execution of the said Authority; (2) It is hereby further enacted and declared, That the same Act, and the Judicature thereby erected, and all and every the Powers and Authorities thereby given to the Justices of the Court of King's Bench, and Common Pleas, and Barons of the Coif of the Exchequer for the Time being, or any three or more of them, and all other Matters and Things therein contained, shall from henceforth stand and be revived, and remain in full Force until the twenty-

twenty-ninth Day of *September* one thousand six hundred seventy-one; any Clause, Matter or Thing in the said Act contained to the contrary notwithstanding.

XXIII. Provided always, and be it enacted, That the Term of forty Years shall not be added to any Estate for Life, or Term of Years in Being so as thereby to make the whole Term exceed the Number of sixty Years, by any Decree hereafter to be made by Virtue of this or the said former Act. No Term to exceed sixty Years.

XXIV. Provided always, and it is hereby declared, That the said Judges and Barons of the respective Courts aforesaid, or any of them, shall not take Cognizance of, nor proceed to hear or determine, any Differences or Demands which have arisen, or may in any wise arise, between any Landlords, Proprietors, Tenants, Lessees, Under-Tenants, or late Occupiers of any the said Houses or Buildings, or any other Matter or Things by the aforesaid Act in that Behalf made, referred to the Determination of the said Judicature, upon any Complaint or Request, unless the same shall be exhibited, or depending before the said Judicature, at or before the twenty-ninth Day of *September* one thousand six hundred and seventy: (2) And that in all such Cases where no Complaint or Request shall before that Time be exhibited or depending before the said Judges and Barons, it shall and may be lawful to and for all Landlords and Proprietors, from and after the said twenty-ninth Day of *September* one thousand six hundred and seventy, to re-enter upon the Ground or Soil to be rebuilt upon, and to avoid the Interest and Term as well of the Tenants in Possession, as of all other Mean-Tenants, and to rebuild thereupon, whereby to preserve his or their Estate or Interest therein from being sold by the said Mayor, Aldermen and Common Council, by Virtue of the said late Act for Rebuilding the City of *London*. Complaints to be exhibited before the 29th Sept. 1670.

'XXV. And whereas divers Lessees for Years, having Terms to come at the Time of the said Fire, have 'omitted to Rebuild, and their Landlords for saving their Inheritances from Forfeiture have rebuilt or be-'gun to rebuild Houses thereupon, and many of them have Let the same to other Tenants, who with their 'Trades and Families are settled therein:' (2) To the End the said Rebuilders and their Assigns may not be disquieted in their Possessions, Be it enacted, That where any Termor for Years to come at the Time of the said Fire hath so omitted to rebuild, and the Landlord or his Assignee or Assignees hath rebuilt or begun to rebuild, that the Leases of such Termors who have omitted to rebuild, be from henceforth absolutely void; Nevertheless, the said Judges are hereby authorized to award such Contribution or Recompence to the said Termors as they shall think fit. Lessees omitting to build, lose their Term.

XXVI. And be it further enacted by the Authority aforesaid, That if after any Order, Judgment or Decree hath been or hereafter shall be pronounced by any three or more of the said Justices or Barons, any one or more of the said Justices or Barons so pronouncing the same are already dead, or shall die before such Order, Judgment or Decree shall be signed according to the said recited Act, the Signing thereof by the Survivor or Survivors of the said Justices and Barons shall be as good and effectual to all Intents and Purposes, as if the same were signed by three or more of the said Justices and Barons; any Thing in the said recited Act contained to the contrary thereof notwithstanding. Decrees signed by two Judges, effectual.

XXVII. And be it enacted by the Authority aforesaid, That where any Person or Persons concerned in any of the demolished Premisses, is or shall be beyond the Seas, or cannot be found, or summoned to appear in the said Court, That upon the Complaint or Petition of the Party agrieved, Filed in the said Court for the Space of three Months or more, and Oath in Writing made of the Endeavour to summon such absent Person or Persons; That then the said Court shall or may after the End of the said three Months proceed to hear and determine the said Cause: And that such Order, Judgment or Decree, as the said Justices and Barons, or any three or more of them, shall make in such Case, shall be binding to such absent Person or Persons, their Heirs, Executors, Administrators and Assigns, as if he or they were actually summoned and present at the making such Decree. Persons Absent, or beyond Sea.

XXVIII. And also be it enacted by the Authority aforesaid, That for the avoiding Difficulties in the Recovering of Rents, and for the Ascertaining of Covenants, Terms and Conditions, Ordered or to be Ordered or Decreed according to this or the said recited Act, all and every Person and Persons, Bodies Politick and Corporate respectively, bound by such Order or Decree, their respective Heirs, Successors and Assigns, shall and may execute Leases and Counter-parts thereof, according to the Tenor of the said Orders and Decrees, and they are thereunto required by Virtue of this present Act: All which Leases shall be binding and good in Law; any Law, Statute or Inability whatsoever to the contrary notwithstanding. (2) And that where Leases in Reversion or additional Terms are or shall be Ordered or Decreed by Force of this or the said recited Act, the respective Parties concerned shall or may at their Pleasure unite and join together both the present and additional Terms into one Lease, which shall be good and effectual against the Lessors, their Heirs, Executors, Successors and Assigns; any Law, Statute, Usage or Custom whatsoever to the contrary thereof notwithstanding. Leases to be made according to Decree of the said Judicature, good.

XXIX. And be it enacted by the Authority aforesaid, That the said Justices and Barons, or the greater Number of them, shall or may appoint a Seal to be and remain with the Register of the said Court for the Sealing of all Warrants, and that all such Warrants which shall be sealed with the said Seal and signed by the said Register for the Summoning or Warning any Persons, Bodies Politick and Corporate, concerned in the late demolished Houses and Premisses, or Witnesses, shall oblige them to appear according to the Tenor of such Warrants; any Thing in the said former Act to the contrary thereof notwithstanding. Justices and Barons may appoint a Seal.

XXX. And be it enacted by the Authority aforesaid, That where the Inheritance or other Estate of or in any of the said Houses or Premisses are or shall be in any Infant or Infants under the Age of one and twenty Years, or in any Trustees for them or any of them; It shall be in the Power of the said Justices and Barons or any three or more of them, upon the Petition of the Father, Mother or next of Kin, or other Friend to such Infant or Infants, to Order or Decree a Lease or Leases against such Infant or Infants, and their Trustees, for any Term or Terms of Years, not exceeding fifty-one Years in the whole, to such Father, Mother or other Person that shall or will undertake the Rebuilding of such Houses, at and under such Rent or Rents, and under such Covenants, Conditions and Agreements, as they the said Justices and Barons, Infants, how Decrees may be made against them.

Barons, or any three or more of them, shall think fit and adjudge; which said Leases and Terms so Decreed, shall and may be held and enjoyed accordingly, by Virtue of this present Act; and that such Infant or Infants, upon Request, after they shall attain to their respective Ages of one and twenty Years, and in Case of the Death of such Infant or Infants, his and their Heirs, Executors or Administrators, shall and are hereby required to execute such Leases accordingly, and the respective Tenants the Counter-parts thereof.

Terms ordered by Decrees of the Judges shall be accordingly enjoyed.

XXXI. And be it enacted by the Authority aforesaid, That for the Encouragement of Builders, and securing their Estates, every Order, Judgment and Decree that hath been or shall hereafter be made by the said Justices and Barons or any three or more of them, by Force of this or the said recited Act, touching the Interests and Estates of Tenants in Tail, shall conclude and bind as well Tenants in Tail and their Issues, as also the Estates in Remainder and Reversion, according to the Tenor of such Order, Judgment or Decree.

'XXXII. And for better securing the Estates of the said Builders,' Be it further enacted by the Authority aforesaid, That all and every Person and Persons, and their Executors, Administrators and Assigns, who are or shall be Decreed by the said Judicature, to build any Messuages or Tenements, or any the said demolished Premisses, upon any Term or Estates, rendring an annual Rent, have or shall build the same accordingly, shall hold and enjoy such their several and respective Terms and Estates, under the Rents and Covenants Decreed, notwithstanding any other Estate, Right, Title, Interest in Law or Equity, Trust, Charge or other Incumbrance whatsoever.

Actions may be brought to enforce the Performance of the Judges Decrees.

XXXIII. And for the better obliging of all Persons to the Performance of the Orders and Decrees made or to be made by the said Judicature; (2) Be it enacted by the Authority aforesaid, That where any Person or Persons are or shall be ordered or decreed to pay any Rate, Contribution, Sum or Sums of Money, in Pursuance of this or the said recited Act for erecting the said Judicature; it shall be lawful for the Parties concerned, upon Non-payment thereof, to sue for and recover the same by Action of Debt or upon the Case in any of his Majesty's Courts of Record at *Westminster* or within the City of *London*, and to give such Order or Decree in Evidence to prove the same: In which Action, no Essoin, Protection or Wager of Law shall be allowed. (3) And where any Person or Persons are or shall be ordered, adjudged or decreed to build, seal a Lease, give Security, or do any other Act in Pursuance of this or the aforesaid Act, it shall and may be lawful for the Party or Parties concerned in Default of Performance thereof, by Action upon his Case to be brought in any of his said Majesty's Courts of Record aforesaid, to recover Damages for such Non-Performance, or to have or bring his Bill in any Court of Equity, to enforce the actual Performance of of the same.

Administer Oaths.

XXXIV. And be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Justices and Barons or any of them, out of Court, to administer Oaths and take Affidavits in Writing, concerning any Matter relating to the Proceedings in the said Judicature, which Affidavits shall or may be made use of in Court, as the said Justices and Barons or any three or more of them shall think fit.

'XXXV. And whereas some Orders and Decrees in the late Court of Judicature erected by the late Act 'of Parliament, touching the Houses burnt in *London*, were made the same Week that the Power of the 'said Court of Judicature determined, whereby the Parties concerned had not the same Time and Liberty 'of Exception and Appeals others had;' (2) Be it therefore provided and enacted by this present Parliament, and the Authority thereof, That where any such Order or Decree was made by a lesser Number of Justices and Barons than seven, if the said Order or Decree were made since the one and twentieth Day of *December* in the Year of our Lord one thousand six hundred sixty and eight; It shall be lawful for any Persons agrieved by such Order or Decree, to present their Exceptions to the same in Writing, within seven Days next after the first Sitting of the said Justices and Barons, by Virtue of this present Act; and that the same Examination, Proceedings, Review and Determination, shall be thereupon had and made, and as effectually to all Intents, as if the said Exceptions had been presented within the due Time limited and appointed by the said late Act of Parliament; any Thing in this or the said late Act or Parliament to the contrary in any wise notwithstanding.

Appeals allowed, and in what Cases.

'XXXVI. And whereas there were several Houses in the City of *London* consumed by Fire within three 'Years next before the said late dreadful Fire, which by reason of some Differences and Doubts arising in 'Point of Title, the same were not nor are likely to be rebuilt, unless some Course be taken for the deciding 'of such Differences:' (2) For Remedy whereof, Be it further enacted by the Authority aforesaid, That the said Judges and Barons or any three or more of them be and are hereby authorized and impowered, to hear and determine all such Cases for all such Houses and Tenements, as fully and amply, and in like Manner to all Intents and Purposes, as they can or may hear and determine any other Matter herein mentioned: And all Decrees and Orders in such Cases to be made, shall bind and be obeyed by all Parties therein concerned, and shall be of like Effect, as if the same were made for any other Matter or Thing herein mentioned.

Further Power given to the Judges.

'XXXVII. And whereas by reason of inlarging several Streets, and of making the new Streets called '*King-street*, leading from *Guild-hall* into *Cheapside*, and *Queen-street*, leading from *Soaper-lane* to the River 'of *Thames*, there are divers Slips and small Parcels of Ground remaining altogether useless to the Owners 'thereof, in regard the same are not capable of any House being built thereupon:' (2) It is therefore hereby further provided and enacted, That for the making the said Streets and Buildings conformable, and for the better determining of all Controversies concerning the same, that the said Justices and Barons, or any three or more of them, be and are hereby authorized and impowered to hear and determine all Controversies and Differences arising by Reason or Occasion thereof, in like Manner as they can or may hear or determine any other Matter or Cause referred to their Judgment by Virtue of this or the aforesaid Act for erecting the said Judicature, and may make such Orders and Decrees, either for the transferring the Propriety of such Parcels of Ground left next the said Streets to the Owners of the backward Ground, or by

transferring

transferring the Propriety of a Proportion of the backward Ground to the Owners of any the said small Parcels of Ground, or by annexing it to the next adjoining and contiguous Ground, in order to the regular Building thereupon: (3) And for all such Parcels of Ground, the Propriety whereof shall be so transferred by such Order or Decree of the said Justices and Barons, or any three or more of them, as aforesaid, and for all Charges and Damages concerning the same, such Recompence and Satisfaction shall be given by the Builders to the respective Proprietors and others interested therein, as shall be awarded by a Jury for that Purpose to be impanelled by the Lord Mayor and Court of Aldermen, in like Manner as by the aforesaid Act for rebuilding the said City of *London* is appointed in Case of Satisfaction to be given for Grounds taken and employed for the Uses in that Act mentioned, in Case the Parties concerned will not, or by reason of Infancy or other Impediment cannot, come to Agreement touching the same: (4) Which Orders and Decrees in that Behalf to be made, shall bind all Parties therein concerned, their Heirs, Executors, Administrators, Successors and Assigns, and shall be of like Effect as other Decrees made by the said Justices and Barons, or any three or more of them, by Virtue of this or the aforesaid Act; to the Intent that the Building thereupon may extend to the said Streets in a right Line with other Houses there built, and the Owners and others interested of and in the said adjacent and contiguous Grounds, paying to the Owners and others interested of and in the said small Slips and Parcels of Ground, such Satisfaction as shall be ordered and awarded by the said Justices and Barons, or any three or more of them, upon hearing of the Parties concerned (who are hereby authorized and impowered to hear and determine the same, and therein to make such Orders and Decrees as in other Causes referred to their Judgment and Determination by this or the aforesaid Act) shall and may for ever hold and enjoy the same by Virtue of this present Act. A Jury.

'XXXVIII. And whereas for the further enabling of the said Mayor and Commonalty and Citizens of 'the said City of *London*, and their Successors, to perform and accomplish the Works in the said Act for 'rebuilding the said City mentioned; it was thereby enacted, That for all Sorts of Coals, which from and 'after the twenty-fourth Day of *June* one thousand six hundred sixty-seven, and before the twenty-fourth 'Day of *June* one thousand six hundred seventy-seven, should be brought into the Port of *London*, or River 'of *Thames*, within the Liberties of the said City, upon the said River to be sold, there should be paid by 'way of Imposition thereupon for every Chaldron or Ton of Coals, the Sum of twelve Pence, to be answered to the said Mayor and Commonalty, Citizens, and their Deputies and Assigns, and to be applied 'and disposed unto and for the Satisfaction of such Persons, whose Grounds should, by Virtue and in Pursuance of the said Act, be taken and employed for the enlarging of the Streets and narrow Passages within 'the said City, and other Uses and Purposes in the said Act mentioned: (2) But forasmuch as it doth and 'will require far greater Sums of Money to give Satisfaction for the Ground to be taken and employed for 'the enlarging of the Streets, by this and the aforesaid Act appointed to be enlarged, and for publick Mar'ket-Places, and other the publick Uses and Purposes in this Act mentioned, than at the Time of the pas'sing of the said Act was or could be foreseen:' Therefore for the further enabling of the said Mayor, Commonalty and Citizens of the said City, and their Successors, to perform the Works in this and the said Act for Rebuilding mentioned; and also for the Rebuilding of the respective Parish Churches by this Act appointed to be rebuilt: (3) Be it enacted by the Authority aforesaid, That for all Sorts of Coals which (from and after the first Day of *May* one thousand six hundred and seventy, and before the twenty-ninth Day of *September*, which shall be in the Year of our Lord one thousand six hundred eighty-seven) shall be imported and brought into the said Port of the City of *London*, or the River of *Thames*, within the Liberties of the said City, upon the same River, there shall be paid by way of Imposition thereupon, according to the Rates hereafter mentioned, (that is to say) for all such Coals as shall be there Imported and brought in from and after the said first Day of *May* one thousand six hundred seventy, and before the twenty-fourth Day of *June* one thousand six hundred seventy-seven, there shall be paid for every Chaldron or Ton thereof two Shillings, over and beside the aforesaid Imposition of twelve Pence the Chaldron or Ton, by the said Act for the rebuilding the City of *London* appointed to be paid; (4) and for all such Coals which shall be there Imported and brought in from and after the said four and twentieth Day of *June* one thousand six hundred seventy-seven, and before the said twenty-ninth Day of *September* one thousand six hundred eighty-seven, there shall be paid for every Chaldron or Ton thereof three Shillings; (5) and the same shall by Virtue of this Act be collected, levied and paid in such Sort and Manner, in all and every respect, as in and by the said Act is limited and appointed for the collecting and levying the Duty of twelve Pence the Chaldron or Ton of Coals imposed by the said Act: And all and every the Powers, Authorities, Directions and Provisions, in or by the said Act mentioned or provided for the levying and collecting thereof, or for the ordering or regulating the Payments of the said Coal-meters or others in the Discharge of their respective Offices and Duties, or for the preventing of Fraud and Covin, and Discovery of the just Quantities of all Sorts of Coals to be Imported as aforesaid, and all other Things relating thereunto, shall remain and be in Force, and by Virtue of this present Act shall and may be exercised and put in ure, for the collecting and levying the several Duties aforesaid, and of either of them respectively, according to the Purport and Effect of the aforesaid Act in all and every respect, and that for and during all the Time by this Act limited and appointed for the Payment of the said Impositions or either of them respectively, as if the same were expressly mentioned in this present Act, with Reference to the said Impositions thereby imposed; (6) all which Monies so to be received upon Account of the said respective Impositions or either of them, shall from Time to Time be paid into the Receipt of the Chamber of the City of *London*, and from thence shall be issued and paid according to the Direction and Appointment of this present Act, and not otherwise. And the said Chamber of the City of *London* shall stand and be charged with all the Residue of the said Monies there paid in, which shall not be issued out and paid accordingly. An Imposition on Sea-Coals, &c. to be received by the Mayor, &c. and employed for inlarging the Streets and other publick Works, from the first of May 1670. to 29 Sep. 1687. 19 Car. 2. c. 3. §. 35. Rules and Authorities for collecting the said Impositions.

XXXIX. And be it further enacted, That all and every Sum and Sums of Money which shall be raised upon the Receipt of the several and respective Impositions aforesaid, or by such Additional Duty in case of Concealment thereof, as by the aforesaid Act is appointed, shall be imployed and disposed in Manner and How the Money received by Means of the several Impositions

sions shall be disposed.

Form following, (that is to say) three fourth Parts of all the Monies which from and after the said first Day of *May* one thousand six hundred seventy, and before the said twenty-fourth Day of *June* one thousand six hundred seventy and seven, shall be raised or payable upon the Receipt of the aforesaid Imposition of two Shillings for every Chaldron or Ton of Coals, or in case of Concealment thereof as aforesaid, shall be imployed and disposed for and towards the Rebuilding, Erecting or Repairing of the said Parish Churches respectively, according to such Order and Direction as by the Lord Archbishop of *Canterbury*, the Lord Bishop and Lord Mayor of *London* for the Time being, or any two of them, shall be given in that Behalf; and the same shall from Time to Time be issued out and paid accordingly, unto such Person and Persons as they or any two of them shall by Warrant under their Hands and Seals for that Purpose direct and appoint: (2) And the other fourth Part, Residue thereof, shall be imployed for and towards the giving Satisfaction for Grounds set out and imployed for inlarging of the Streets, making of Wharfs, Keys, Publick Market-Places and other Publick Uses, in this and the foresaid Act mentioned and appointed: (3) And that one Moiety of all Monies which from and after the said twenty-fourth Day of *June* one thousand six hundred seventy and seven shall be raised or payable upon the aforesaid Imposition of three Shillings the Chaldron or Tun of Coals, or in case of Concealment thereof as aforesaid, shall be imployed and disposed for and towards the Rebuilding, Erecting and Repairing of the said respective Parish Churches, by such Order and Direction, and to be issued and paid by such Warrant, of the said Lord Archbishop of *Canterbury*, Lord Bishop and Lord Mayor of *London* for the Time being as aforesaid; and the other Moiety thereof shall from Time to Time be imployed and disposed for the Giving of Satisfaction for Ground set out and imployed as aforesaid, and such other publick Uses and Purposes as in this and the aforesaid Act are mentioned and appointed.

Ten Shillings out of every hundred Pound to be defalked for the Mayor, &c.

XL. And be it further enacted and declared by the Authority aforesaid, That for all Monies arising upon the Receipt of the several Impositions aforesaid, or either of them respectively, which in Pursuance of this Act shall be paid into the Chamber of the City of *London*, It shall and may be lawful for the Chamberlain, or such other Person or Persons who shall be appointed to issue out and pay the same, thereout to defaulk and retain for the Use of the said Mayor and Commonalty and Citizens of the said City and their Successors, the Sum of ten Shillings for every hundred Pounds, and so after that Rate for any greater or lesser Sum thereof, in Lieu of the Trouble, Hazard and incident Charges attending the Receipt and Payment thereof.

One fourth Part of the Whole may be imployed in the Repair of St. Paul's Church.

XLI. Provided always, and be it enacted, That it shall and may be lawful for the Lord Archbishop of *Canterbury*, the Lord Bishop of *London* and Lord Mayor of *London* for the Time being, or any two of them as aforesaid, to imploy or dispose for and towards the Building or Repairing the Cathedral Church of St. *Paul*, one fourth Part of the Money by this Act given and appointed for the Building, Erecting or Repairing of the Parish Churches aforesaid.

Farther Provisions relating hereto, 1 Jac. 2. c. 15.

' XLII. And forasmuch as the Monies to be raised by such Receipt of the Impositions aforesaid for ' every Chaldron or Ton of Coals, by Virtue of this and the aforesaid Act, will not at present raise such a ' Stock or Sum of Money as may be sufficient for the Effecting the Ends and Purposes in this and the afore- ' said Act mentioned and intended;'

The Profits arising from the Impositions may be ingaged to raise a present Stock of Money.

XLIII. It is hereby further enacted and declared, That the Lord Archbishop of *Canterbury*, the Lord Bishop of *London*, and Lord Mayor of *London* for the Time being, shall be and are hereby impowered by Indenture under their Hands and Seals, to engage the Profits arising of the respective Impositions by this Act imposed, and thereby appointed to be imployed for and towards the Rebuilding and Erecting, or Repairing of the Cathedral and Parish Churches within the said City respectively, or any Part or Parts thereof, as a Security for any Sum or Sums of Money by them to be borrowed for that Purpose, to any Person or Persons that shall or will advance any Sums of Money upon that Security: All which Monies so to be borrowed shall be imployed for and towards the Rebuilding and Erecting, or Repairing of the said Cathedral and Parish Churches respectively, according to the true Intent and Meaning of this Act; (2) and in like Manner also are hereby further impowered, to assign such Proportion or Proportions of the Monies, to be paid in Course out of the said Impositions, to the Parishioners of any of the respective Parish Churches, or any other Person or Persons who shall and will secure the Advancement of present Monies for the Rebuilding of their respective Parish Churches, and shall be willing to accept of such Assignments for his or their Satisfaction of the Monies to be disbursed and laid out in the Rebuilding thereof; (3) and that the said Mayor, Commonalty and Citizens of the City of *London* and their Successors, shall be and are hereby enabled to engage the Residue of the Profits arising of the said Imposition, either by Virtue of this or the aforesaid Act respectively, as a Security for any Sum or Sums of Money by them to be borrowed and taken up for that Purpose, by Indenture under their Common Seal, to any Person or Persons that shall or will upon that Security advance any present Sum or Sums of Money: All which Sum or Sums of Money so to be borrowed, shall be imployed for and towards the Making of such Satisfaction, and other the Uses, Intents and Purposes whereunto the said respective Impositions are by this and the aforesaid Act appointed to be converted and imployed, and not otherwise; and also in like Manner shall and may assign any Sum or Sums of Money to be paid in Course out of the said Imposition, to any Person or Persons whose Grounds shall be taken as aforesaid, who are or shall be willing to accept thereof for his or their Satisfaction.

A new Key or Wharf to be made from London-bridge to the Temple forty Foot bread.

XLIV. And be it further enacted by the Authority aforesaid, That for the better Benefit and Accommodation of Trade, and for other great Conveniences, there shall be left a continued Tract of Ground all along from *London-Bridge* to the *Temple*, of the Breadth of forty Foot of Assize from the North-side of the River of *Thames*, to be converted to a Key, or publick and open Wharf; and that in Order thereunto, all Buildings, Sheds, Pales, Walls, Inclosures, and other Obstructions and Impediments whatsoever, now standing or being within forty Foot Northward of the said River of *Thames* between the Places aforesaid, (Cranes, Stairs and Docks only excepted) shall within eight Months now next ensuing be taken down and removed, and the said Ground cleared and levelled, and that from henceforth there shall be no Building or Erection

Erection whatsoever (except only Cranes, Stairs and Docks as aforesaid) placed or set within or upon the said forty Foot of Ground or any Part thereof between the Places aforesaid; (2) and that all Buildings that shall hereafter immediately border upon any Part of the said Ground, upon the North-side thereof, shall front and be placed in the Line that shall be set out for the Bounds of the Breadth of the said forty Foot of Ground Northward; and that the same Building shall be of the second or third Sort or Rate of Buildings mentioned in a former Act of this present Parliament, intituled, *An Act for the Rebuilding the City of* 19 Car. 2. c. 3. London, at the Election of the Rebuilder thereof; wherein such Regularity of Building shall be observed, and under such Penalties, as are contained in the said Act in that Behalf, and wherein such Uniformity also shall be had, as in other Streets of the said City, except Common Halls for Companies, and other Buildings which shall be otherwise allowed of by his Majesty.

XLV. And be it further enacted, That all the said Tract of Ground of the said Breadth of forty Foot from the said River shall lie open and at large, without any Division or Separation, and that the Bounds of each Proprietor's Ground therein shall be distinguished only by Denter-stones to be placed in the Pavement thereof; and that the Line of the whole Key or Wharf between the Places aforesaid, and also the several Cranes and Stairs within the same Places, shall be ascertained by the Direction of the Lord Mayor and Court of Aldermen, and set out by their Surveyor accordingly, with his Majesty's Approbation, on or before the four and twentieth Day of *June* one thousand six hundred and seventy: (2) And further, That no Lighter, Boats or other Vessels, shall lie before any the said Wharfs or Keys between the Places aforesaid, on the North-side of the said River, longer than shall be necessary for the Lading or Unlading of Goods, without the Consent and Permission of the Wharfingers or Proprietors thereof.

XLVI. And be it further enacted and declared, That it shall and may be lawful for any Person or Persons to lade or unlade any Goods or Merchandizes at any of the said Wharfs or Keys for Wharfage and Cranage, whereof every Proprietor, Wharfinger or other Person concerned, shall and may demand and receive such Rates, and no other, for the same, as shall from Time to Time be set out and appointed by his Majesty, with the Advice of his Privy Council.

The Chanel of Bridewell-Dock from the Thames to Holbourn-Bridge to be made navigable. 6 Geo. 2. c. 22.

XLVII. And be it further enacted by the Authority aforesaid, That for the further Convenience of Trade, the Chanel of *Bridewell-Dock* from the Chanel of the River of *Thames* to *Holbourn-Bridge* shall be sunk to a sufficient Level, whereby to make it navigable; and that the Ground to be set out for the Breadth of the said Chanel, and of the Wharfs on each Side thereof, shall not be less in Breadth than one hundred Foot; nor shall exceed one hundred and twenty Foot in Breadth: And that the Line of the said Chanel, and Wharfs and Levels thereof, together with the Cranes and Stairs to be placed thereon, shall be ascertained by the said Lord Mayor and Court of Aldermen, with his Majesty's Approbation, and set out by the Surveyors accordingly at or before the first Day of *May* next ensuing; and that all the said Wharf-Ground on each Side of the said intended River shall lie open and at large (Cranes and Stairs only excepted) without any Division or Separation, and each Person's Propriety therein to be distinguished only by Denter-stones in the Pavement thereof: (2) And that all Buildings that shall hereafter immediately border upon each Side of the said Wharfs, shall front and be placed in the Line that shall be set out for the Bounds of the Breadth of the Wharfs from the Chanel; and that the said Buildings shall be of the second Rate of Buildings mentioned in the said Act for Rebuilding, wherein such Regularity of Building shall be observed, and under such Penalties, as are contained in the said Act: (3) And that no Lighter, Boat or Vessel shall lie before any the said last mentioned Wharfs or Keys, longer than shall be necessary for the Lading or Unlading of Goods, without the Consent or Permission of the Wharfingers or Proprietors thereof: (4) And that it shall and may be lawful for any Person or Persons to land any Goods or Merchandizes at any of the said Wharfs or Keys within the intended Chanel or Cut so to be made for Wharfage or Cranage; whereof every Proprietor, Wharfinger or other Person concerned shall demand and receive such Rates, and no other, for the same, as shall from Time to Time be set and appointed by his said Majesty, with the Advice of his Privy Council as aforesaid: (5) And that certain reasonable Rates for Tolls and other Profits arising by the Navigation of the said Chanel or Cut, shall be set and appointed by the Lord Mayor and Court of Aldermen, with Approbation of the Barons of the Exchequer, or two or more of them, and the same Tolls or Profits vested in the Mayor, Commonalty and Citizens of the City of *London*, for Preservation of the said Navigation, Sluces, and other incident Charges thereof.

How the Charge shall be defrayed.

XLVIII. Provided always, and be it further enacted and declared, That the Sinking and Making of the said intended Chanel of *Bridewell-Dock* and *Fleet-Ditch* from the Chanel of the *Thames* to *Holbourn-Bridge*, and the Sasses and Sluces for the better Navigation thereon, and the Raising and Sinking other Wharfs or Keys on each Side of the said *Bridewell-Dock* and *Fleet-Ditch*, (whereby to bring the same to a Level) shall be born and first defrayed by the Mayor and Commonalty and Citizens of the said City of *London*, out of the said fourth Part of the Imposition to be raised upon Coals by Virtue of this Act: (2) And that the said Mayor and Commonalty and Citizens shall cause the said Chanels to be sunk, and Wharfs or Keys to be reduced to such a Level, as may be proper for the Proprietors of the Ground immediately bordering upon the said Wharfs or Keys to build upon, with convenient Access thereto, before the first of *August* one thousand six hundred and seventy: And in the next Place after the Charge before mentioned shall be born out of the said fourth Part, Satisfaction shall be made out of the same fourth Part to the Proprietors whose Ground hath been or shall be laid open, or from whom any Ground hath been or shall be taken for the said publick Use.

'XLIX. And whereas some Parts of the said Ground so as aforesaid designed for Publick Wharfs on the 'North-side of the said River of *Thames*, and on each Side of the said Chanel or Cut, will be much im-'proved, and some other Parts thereof will be much impaired in Value, by reason of converting the same 'to the Uses aforesaid:' To the End therefore, that an equal and reasonable Course may be held and used on each Hand, without Wrong to any Party therein concerned; (2) Be it enacted by the Authority aforesaid, That as well for the giving Satisfaction to such Persons, whose Ground shall be employed as aforesaid,

or thereby impaired or lessened in Value; as also for the Assessing and Raising of Monies upon those that shall by the Means aforesaid make Improvement or Melioration of any of the said Ground so imployed; the same Powers, Authorities, Form and Course of Proceedings, shall in all Things be used, exercised, put in Practice and observed, as are by the said recited Act (made for the Rebuilding of *London*) ordained, provided and appointed for Satisfaction to be made for Ground employed for the Enlargement of Streets and Passages, and for Assessments to be made in Consideration of Improvements and Melioration of Houses and Ground; and that the Return of the Key about *White-Friers Dock* shall not exceed the Breadth of twenty Foot.

White-Friers Dock.

Provision for such as shall rebuild, against secret Charges and Incumbrances.

L. And for the Security and Encouragement of such as have or shall rebuild upon the Site of any House or Houses burned or demolished by reason of the said late Fire, against secret Charges and Incumbrances, wherewith or whereunto the same shall or may be charged or liable; (2) Be it further enacted by the Authority aforesaid, That no such House or Houses already built or to be rebuilt within the said City of *London* or Liberties thereof, nor the Owners or others interested therein, shall after the Rebuilding thereof be further liable to the Satisfaction of any Charge or Charges, Incumbrance or Incumbrances, wherewith or whereunto the same are or may be liable, by any Matter or Thing before the said late Fire, than the Value of the Ground or Soil, in Case the same had not been rebuilt upon, might or would extend to satisfy; unless such Charges or Incumbrances as were contracted thereupon by the now Owners or others interested therein, who shall themselves be and remain liable to satisfy the same, as if this present Act had never been had or made.

One and twenty Years Possession or more, shall enable the Owner to make Leases.

'LI. And whereas many Deeds, Evidences and other Writings were in the said Fire lost, burnt or imbezilled, by which Misfortune many Persons who have Land in the said City are rendred unable to make 'their Right and Title so apparent as can satisfy such as would take Leases of their said Lands, and build 'upon them;' (2) Be it enacted, That if any Person or Persons, who have been lawful Possessors and esteemed Owners of any Ground within the said City, for the Space of one and twenty Years or more, shall grant a Lease to any Person or Persons of the said Land upon a valuable Ground-Rent, so to be esteemed by the said Mayor and Aldermen or any three of them, if the said Land shall afterward be recovered from the said Person so granting, That the Lease shall be good and valid, the Builders only paying the aforesaid Ground-Rent to the Person unto whom the Ground shall rightly belong, shall be freed from all Charge and Trouble; any Law or Custom to the contrary notwithstanding.

Water-house at Broken-Wharf.

'LII. And whereas the Water-house at or near *Broken-Wharf* was wholly burnt down and consumed in 'the Time of the late dreadful Fire, which being found impossible to be rebuilt with Brick, the Owners 'thereof have at their very great Charge lately rebuilded the said House with Timber, and made the same 'useful for serving the Inhabitants of the City with Water;' (2) Be it therefore enacted and declared by the Authority aforesaid, That the said Owners and their Assigns are hereby and shall for ever hereafter be saved harmless and indemnified from all Trouble or Penalties, for or by Reason of their building the said House with Timber as aforesaid; any Thing in this Act or in the former Act for rebuilding the City of *London* to the contrary thereof in any wise notwithstanding.

LIII. Provided, That no Continuance of the said Restraint from Building shall extend to the Water-house at *London-Bridge*, but that the same may be built according as in the former Act is provided.

LIV. Provided always, That it may be lawful for any Person or Persons, Bodies Politick or Corporate, Owners and Proprietors of any such Ground meant or contained within this Act, to leave any old Foundations of his or theirs unbuilt, to make any new Street or Passage, or to enlarge any old ones, the said Owners or Proprietors taking Care within convenient Time after their Building, sufficiently to pave and amend all such Street and Passages; any Thing in this Act or any other Act, intituled, *An Act for rebuilding the City of* London, to the contrary notwithstanding.

19 Car. 2. c. 3.

A Street to open fourteen Foot wide from Threadneedle-street to Loathbury.

LV. Provided also, and be it enacted, That the Lord Mayor and Court of Aldermen shall be hereby impowered to cause a Street to be opened fourteen Foot wide, if they shall so think fit, from the West-end of *Threadneedle-street* down to *Loathbury*, in case the Proprietors do not voluntarily so open it before the four and twentieth Day of *June* next, making such Allowances to the Owners and others interested, as by the former Act for opening of Streets is directed; which Street shall be and continue an open Street for ever.

Bury-street in Beavis-Marks.

LVI. Provided always, and be it hereby enacted, That the Remainder of *Bury-street* in *Beavis-Marks* which is not yet new-built, may be built after the Pattern and Model of the other new Building in the said Street; any Thing in this or the said former Act to the contrary notwithstanding.

'LVII. And whereas many Builders of Houses within the said City, and the Liberties thereof, have (for 'the more Regularity of Building, and making many of the Streets and Lanes more straight and beautiful 'than otherwise they would have been) by and with the Appointment and Approbation of the said Surveyors, advanced their Foundations in many Places further into the Streets and Lanes thereof, upon the 'Soil of the said Streets and Lanes, than the same formerly stood, whereby some Difference may hereafter 'possibly arise, either between our Sovereign Lord the King, his Heirs and Successors, or between the 'Mayor, Commonalty and Citizens of the said City, or other Proprietors of the Ground so built upon, 'and the said Builders, or such Person or Persons, Bodies Politick and Corporate, to whom the Inheritance 'of the said Houses so built, now doth or hereafter shall belong:' (2) For Prevention whereof, Be it further enacted, That all Ground and Soil so taken, or which hereafter shall or may be so taken out of the said Streets or Lanes or any of them, shall from henceforth for ever be united and annexed to the said Houses: And that all and every Person and Persons whatsoever, Bodies Politick and Corporate, giving such Satisfaction to his Majesty, or to the said Mayor, Commonalty and Citizens of the said City, or other the respective Owners or Proprietors of the Ground so built upon, and according to such Rates as are or ought to be given and allowed for Ground taken and employed for the Enlarging of Streets, by Virtue of the aforesaid Act for rebuilding of the said City, shall and may hold and enjoy the said respective Parcels of

Proviso to save harmless Builders.

of Ground or Soil so built upon, united and annexed to such Buildings, for and during such Terms and Estates as he and they respectively have, or hereafter shall have, of and in the said Houses and Buildings; any Matter or Thing to the contrary in any wise notwithstanding.

'LVIII. And whereas the Wardens and Commonalty of the Mystery of the Mercers of the City of 'London are now building, pursuant to a Design approved of by by his Majesty, a new School-house with 'Houses thereto adjoining, for the Accommodation of the Master, Sub-Master and Chaplain thereof, partly 'upon the Sites and Tofts of the late School called St. *Paul*'s School, and the former Houses of the said 'Masters and Chaplain, and partly upon some Ground next adjoining, being Part of the Church-yard 'belonging to the Cathedral Church of St. *Paul*'s, *London*: And whereas other Parts of the former Site 'of the said late School and of other Houses adjoining, have been also by his Majesty's Directions cut off 'and laid into the said Church-yard, for the Enlargement and Accommodation of the Passage at the East-'end of the said Cathedral;' (2) Be it therefore enacted, That so much of the said Ground adjoining to the Site of the said late School and former Houses, as is comprized within the Foundation of the said new School and Houses now building for the said Masters and Chaplain, be and are hereby vested and settled on the said Wardens and Commonalty and their Successors for ever, as the said late School and former Houses were before the said Fire; and that the said other Parts of the former Site of the said late School and other Houses adjoining, laid unto the Church-yard as aforesaid for the Enlargement of the late Passage, shall continue a Passage for ever, and be and are hereby vested and settled on the Dean and Chapter of the Cathedral Church of St. *Paul*'s aforesaid, and their Successors for ever, as the Residue of the said Church-yard is and was heretofore; any Thing in this Act to the contrary notwithstanding.

Paul's School now built by the Company of Mercers upon Part of St. Paul's Church-yard, and confirmed to them.

LIX. Provided always, That nothing in this Act contained shall extend or be taken to vest or settle the Church of St. *Paul* and St. *Faith*, or any Part thereof, or the Church of St. *Gregory* by St. *Paul*'s, or any of them, or the Church-yards to any of them belonging or appertaining, or any Part of any of them, in the Mayor, Aldermen and Commons of the City of *London*, or any of them, or in any other Person or Persons, Bodies Politick or Corporate, other than the Ground whereupon St. *Paul*'s School and Houses thereunto belonging, are by this Act appointed to be rebuilt; any Thing in this Act notwithstanding.

Proviso for the Churches of St. Faith and St. Paul, and St. Gregory.

LX. Provided always, and be it enacted by the Authority aforesaid, That whereas the Alley called *Whites-Alley* in *Coleman-street*, *London*, was not wholly burnt down in the said late Fire, but the one Half-part thereof, or near thereabouts, is yet standing; neither was the said Alley ever any through Passage, nor will the Enlarging thereof be any Ornament or Advantage to the said City; therefore it shall and may be lawful to and for the several Proprietors of and in the said Alley, to rebuild their several Houses on both Sides thereof, which were burnt or demolished by Reason of the said late Fire, upon their old Foundations respectively; This present or the said former Act for rebuilding the City of *London*, or any Thing therein contained, or any other Matter or Thing, to the contrary notwithstanding.

Whites-Alley in Coleman-street;

LXI. And further, be it enacted by the Authority aforesaid, That for ever hereafter the said Mayor and Commonalty and Citizens of *London*, may and shall have a Market to be kept three or four Days in the Week, as to them shall seem convenient, upon the Ground now set out by the Assent of the Dean and Chapter of the Cathedral Church of St. *Paul*, *London*, for a Market-place within *Newgate*: (2) And that the said Dean and Chapter shall make and give one or more Lease or Leases of the said Ground, to the said Mayor, Commonalty and Citizens, and also of the Wall of the said Church-yard, abutting severally upon *Pater-noster-row* and the *Old-Change*, for the Term of forty Years, reserving the yearly Rent of four Pounds for the Ground of the said Market-place, and two Pence for every superficial Foot of the Ground or Soil of the said Wall, as it is now set out by the Surveyors of the City, and of the said Dean and Chapter; and so from forty Years to forty Years for ever, at the like yearly Rent, and one Year's Rent after the Rates aforesaid to be paid by way of Fine for each of the said Grounds respectively, upon the Making every new Lease thereof: Which said Lease and Leases shall be good and effectual in the Law, as against the said Dean and Chapter, and their Successors, and all Persons claiming by, from or under them: And that no House, Shed or other Building shall stand, or hereafter be erected and fixed upon the said Market-place, other than the Market-house already built, without the Consent of the said Dean and Chapter; any Thing in this or any other Act to the contrary notwithstanding.

Market-place within Newgate to be granted to the City by Lease or otherwise.

'LXII. And whereas by a late Act of this present Parliament, intituled, *An Act for rebuilding the City of* 'London, it was enacted, That the Parishes to be rebuilded within the said City of *London*, in Lieu of those 'which were demolished by the late dreadful Fire, should not exceed the Number of thirty-nine: But for-'asmuch as upon an exact Survey taken of the Number of Houses to be rebuilded, and of the Extent of 'the respective Parishes necessary to be settled and continued within the said City, It doth appear that the 'Parishes to be settled and continued, and the Parish Churches to be rebuilded within the said City of '*London*, in Lieu of those demolished or consumed by the said late Fire, cannot conveniently, by Union or 'otherwise, be reduced to a less Number than fifty-one:' (2) Be it further enacted by the Authority aforesaid, That the Number of Parishes to be settled, and of Parish Churches to be rebuilded, within the said City of *London*, shall be fifty-one; the aforesaid Act, or any Thing therein contained, to the contrary notwithstanding.

19 Car. 2. c. 3. §. 31.

Fifty-one Parishes to be within the City of London.

LXIII. And that the fifty-one Parishes so to be continued shall be as hereafter followeth, That is to say, *Alhallows Lombard-street*, *St. Bartholomew Exchange*, *St. Bridget*, alias *Brides*, *St. Bennets Fink*, *St. Michaels Crooked-lane*, *St. Christophers*, *St. Dionis Back-Church*, *St. Dunstans* in the East, *St. James Garlick-hithe*, *St. Michael Cornhill*, *St. Michael Bassishaw*, *St. Margaret Loathbury*, *St. Mary Aldermanbury*, *St. Martin Ludgate*, *St. Peters Cornhill*, *St. Stephens Coleman-street* and *St. Sepulchres*, shall remain and continue as heretofore they were: (2) And that the respective Parish Churches to each of the said Parishes belonging shall be rebuilded and continued for the Use of the said Parishes, and that the several Parishes hereafter mentioned shall be respectively united into one Parish, in Manner hereafter following, that is to say, The Parishes of *Alhallows Bread-street* and *Saint John Evangelist* shall be united into one Parish, and the Church heretofore

The Names of the fifty-one Parishes.

Parishes united and joined, and which shall be Parish Churches.

fore belonging to the said Parish of *Alhallows Bread-street* shall be rebuilded, and shall be the Parish Church of the said Parishes so united: The Parishes of *Alhallows the Great* and *Alhallows the Less* shall be united into one Parish, (3) and the Church heretofore belonging to the said Parish of *Alhallows the Great* shall be the Parish-Church of the said Parishes so united: (4) The Parishes of *Saint Albans Woodstreet* and *Saint Olaves Silver-Street* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Albans Woodstreet* shall be the Parish-Church of the said Parishes so united: (5) The Parishes of *Saint Anne* and *Agnes* and *Saint John Zachary* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Anne* and *Agnes* shall be the Parish-Church of the said Parishes so united: (6) The Parishes of *Saint Austins* and *Saint Faiths* shall be united into one Parish, and the Church hereofore belonging to the said Parish of *Saint Austins* shall be the Parish-Church of the said Parishes so united: (7) The Parishes of *St. Andrew Wardrobe* and *St. Anne Black-Friars* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Andrew Wardrobe* shall be the Parish-Church of the said Parishes so united: (8) The Parishes of *St. Antholins* and *St. John Baptist* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Antholins* shall be the Parish-Church of the said Parishes so united: (9) The Parishes of *St. Bennet Grace-church* and *St. Leonard Eastcheap* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Bennet Grace-church* shall be the Parish-Church of the said Parishes so united: (10) The Parishes of *St. Bennet Pauls-wharf* and *St. Peter Pauls-wharf* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Bennet Pauls-wharf* shall be the Parish-Church of the said Parishes so united: (11) The Parishes of *Christ-Church* and *Saint Leonard Foster-lane* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Christ-Church* shall be the Parish-Church of the said Parishes so united: (12) The Parishes of *Saint Edmond the King* and *Saint Nicholas Acons* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Edmond the King* shall be the Parish-Church of the said Parishes so united: (13) The Parishes of *Saint George Botolph-lane* and *Saint Botolph Billingsgate* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint George Botolph-lane* shall be the Parish-Church of the said Parishes so united: (14) The Parishes of *Saint Lawrence Jury* and *Saint Magdalens Milk-street* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Lawrence Jury* shall be the Parish-Church of the said Parishes so united: (15) The Parishes of *Saint Magnus* and *Saint Margaret New Fish-street* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Magnus* shall be the Parish-Church of the said Parishes so united: (16) The Parishes of *Saint Michael Royal* and *Saint Martins Vintry* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Michael Royal* shall be the Parish-Church of the said Parishes so united: (17) The Parishes of *Saint Matthew Friday-street* and *Saint Peters-cheap* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Matthew Friday-street* shall be the Parish-Church of the said Parishes so united: (18) The Parishes of *Saint Margaret Pattens* and *Saint Gabriel Fenchurch* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Margaret Pattens* shall be the Parish-Church of the said Parishes so united: (19) The Parishes of *Saint Mary Atthill* and *Saint Andrew Hubbord* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mary Atthill* shall be the Parish-Church of the said Parishes so united: (20) The Parishes of *Saint Mary Wolnoth* and *Saint Mary Woolchurch* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mary Wolnoth* shall be the Parish-Church of the said Parishes so united: (21) The Parishes of *Saint Clement Eastcheap* and *Saint Martins Orgars* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Clement Eastcheap* shall be the Parish-Church of the said Parishes so united: (22) The Parishes of *Saint Mary Ab-church* and *Saint Lawrence Pountney* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mary Ab-church* shall be the Parish-Church of the said Parishes so united: (23) The Parishes of *Saint Mary Aldermary* and *Saint Thomas Apostles* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mary Aldermary* shall be the Parish-Church of the said Parishes so united: (24) The Parishes of *Saint Mary le Bow*, *Saint Pancras Soaper-lane* and *Alhallows Honey-lane* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mary le Bow* shall be the Parish-Church of the said Parishes so united: (25) The Parishes of *Saint Mildreds Poultry* and *Saint Mary Cole-Church* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mildreds Poultry* shall be the Parish-Church of the said Parishes so united: (26) The Parishes of *Saint Michael Wood-street* and *Saint Mary Staining* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Michael Wood-street* shall be the Parish-Church of the said Parishes so united: (27) The Parishes of *Saint Mildred Bread-street* and *Saint Margaret Moses* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Mildred Bread-street* shall be the Parish-Church of the Parishes so united: (28) The Parishes of *Saint Michael Queen-Hith* and *Trinity* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *Saint Michael Queen-Hith* shall be the Parish-Church of the said Parishes so united: (29) The Parishes of *St. Mary Magdalens Old Fish-street* and *St. Gregories* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Mary Magdalen Old Fish-street* shall be the Parish-Church of the said Parishes so united: (30) The Parishes of *St. Mary Somerset* and *St. Mary Munthaw* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Mary Somerset* shall be the Parish-Church of the said Parishes so united: (31) The Parishes of *St. Nicholas Cole-Abby* and *St. Nicholas Olaves* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Nicholas Cole-Abby* shall be the Parish-Church of the said Parishes so united: (32) The Parishes of *St. Olaves Jury* and *St. Martins Pomroy*, *alias Ironmonger-lane*, shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Olaves Jury* shall be the Parish-Church of the said Parishes so united: (33) The Parishes of *St. Stephen Walbrook*

and *St. Bennet Sherhog* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Stephen Walbrook* shall be the Parish-Church of the said Parishes so united: (34) The Parishes of *St. Swithin* and *St. Mary Bothaw* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Swithin* shall be the Parish-Church of the said Parishes so united: (35) The Parishes of *St. Vedast* alias *St. Fosters* and *St. Michael Quern* shall be united into one Parish, and the Church heretofore belonging to the said Parish of *St. Vedast* alias *St. Fosters* shall be the Parish-Church of the said Parishes so united.

The same Parish-Churches shall be rebuilt according to Models appointed by the Archbishop of Canterbury, Bishop of London, and Lord Mayor of London, with King's Approbation.

LXIV. And it is hereby further enacted and declared, That the said respective Churches to be rebuilded within the said City of *London* and Liberties thereof shall be built and erected according to such Models, and of such Dimensions, and in such Manner and Form in all Respects, as by the said Lord Archbishop of *Canterbury*, Lord Bishop of *London*, and Lord Mayor of *London* for the Time being, (with his Majesty's Approbation thereof) shall be directed and appointed. (2) And the said respective Parishes herein before mentioned and appointed to be united as aforesaid, shall for ever hereafter remain and continue so united and consolidated and annexed unto the several and respective Parish-Churches by this Act appointed to be rebuilded as aforesaid; and the respective Parishioners, and the Inhabitants of the said several Parishes so to be united as aforesaid by Force of this present Act, shall hereafter resort to the said Churches respectively, as to their proper Parish-Church: And all Tithes and other Duties heretofore due and payable to the respective Incumbents of the said Parish-Churches respectively, shall hereafter be paid and payable to the Incumbent of that Church only, which by this Act is appointed to be rebuilded and established for the Parish-Church of the Parishes so united as aforesaid.

Plate and Goods belonging to Churches not to be rebuilt, shall be enjoyed by the Church-wardens, &c. of those rebuilded.

LXV. And be it further enacted, That all Plate and Goods heretofore belonging to any of the Church-wardens of any the Parishes of those Parishes burnt down, which are not now to be rebuilded, for the Use of the said Churches, shall be enjoyed by the respective Church-wardens, and their Successors, of the respective Parishes of such Churches to be rebuilded respectively, whereunto the said other Churches burnt down are united by this Act, to the Use of the said Churches and Parishes respectively.

Church-yards to be inclosed with Walls to make Burial-places.

LXVI. Provided always, That the Sites of the Churches to be demolished, and the Church-yards belonging to the same, shall be inclosed with Brick or Stone-walls for Burial-Places for the Parishes formerly belonging to the same, and the Parishes to which they are respectively united as aforesaid, and not used or imployed for any other Purpose whatsoever; excepting such of the Sites and Church-yards, or Parts of Sites and Church-yards of the said Parish-Churches so demolished as aforesaid, as are already laid into the Streets and Market-places so set out for that Purpose, or such other as shall within two Years now next following be thought fit by the Mayor and Aldermen of the said City, with the Consent of the Lord Archbishop of *Canterbury* and Lord Bishop of *London*, and by his Majesty's Approbation, to be laid into the Streets and Markets for Inlargement and Accommodation thereof, or for publick Store-places.

LXVII. Provided always, That where any Part of the Churches or Church-yards of any of the said Parish-Churches hereby appointed to be rebuilt and continued, have been thought fit by the Mayor and Court of Aldermen of the said City, to be laid into any of the Streets within the said City for Inlargement thereof; and by Order of the said Mayor and Court of Aldermen, shall have been before the five and twentieth Day of *March* one thousand six hundred and seventy, staked and set out accordingly: It is hereby further enacted and declared, That the Grounds so staked out shall be made Use of for the Inlarging of the said Streets, according as the same were for that Purpose staked and set out as aforesaid; this present Act, or any Thing therein contained, to the contrary notwithstanding.

Notwithstanding the Union, the Parishes as to all Rates, Charges and Privileges, to remain distinct.

LXVIII. Provided always, and it is hereby enacted and declared, That notwithstanding such Union as aforesaid, each and every of the Parishes so united, as to all Rates, Taxes, Parochial Rights, Charges and Duties, and all other Privileges, Liberties and Respects whatsoever, other than what are herein before mentioned and specified, shall continue and remain distinct, and as heretofore they were, before the Making of this present Act: (2) And that the several and respective Patrons of the said Churches so united shall and may present by Turns to that Church only which by this Act is appointed to be rebuilded and established for the Parish-Church of the Parishes so united as aforesaid: The first Presentment to be made by the Patron of such of the said Churches, the Endowments whereof are of the greatest yearly Value.

Proviso for the present Incumbents of Churches not to be rebuilded.

LXIX. Provided always, and it is hereby declared, That this Act, or any Thing therein contained, shall not extend or be construed to deprive the present Incumbents, which at the Time of the said late Fire were or now are in Possession of any of the said Parish-Churches not to be rebuilded, or any of them, of the Tithes or other Profits heretofore belonging to their respective Churches, so long as they shall assist in serving the Cure, and other Offices belonging to their Duty in the Parish-Church whereunto their respective Parishes shall be united and annexed by Virtue of this Act, according to the Direction of the Ordinary; any Thing in this present Act contained to the contrary notwithstanding: (2) Saving to the King's Majesty, his Heirs and Successors, the Tenths and First-fruits of all such Parish-Churches as by Force of present Act shall be united and consolidated as aforesaid, according to such Rates and Valuations as the same do respectively stand rated and valued at, in his Majesty's Court of First-fruits and Tenths; any Thing in this present Act notwithstanding: (3) Saving also to all other Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil, their Heirs and Successors, all Pensions, Annuities and Payments whatsoever, heretofore due from and payable by any of the Rectors, Vicars and Curates of any of the said Churches united or consolidated as aforesaid; any Thing in this present Act notwithstanding.

LXX. Provided always, That it shall and may be lawful to and for the Warden and Minor Canons of *Saint Paul's* Church *London*, Parson and Proprietors of the Rectory of the Parish of *Saint Gregories* aforesaid, to receive and enjoy all Tithes, Oblations and Duties arising or growing due within the said Parish, in as large and beneficial Manner as formerly they have or lawfully might have done; any Thing herein to to the contrary notwithstanding.

'LXXI. And

Saint Mary Cole-Church. A Free-school.

'LXXI. And whereas the Wardens and Commonalty of the Mystery of the Mercers of the City of 'London, at the Time of the said Fire, were seised in Fee of the Rectory and Parish-Church impropriate 'of *St. Mary Cole-Church*, (the said Church being an Upper-Room about ten Foot higher than the Street, 'and lying over certain Rooms and arched Vaults or Cellars of the said Wardens and Commonalty) upon 'the Site of which Church they have designed to build a Free-school, and other Buildings conformable to 'the Rules of the said former Act, and to remove the dead Bodies and Bones of such as have been buried 'upon the Arches, and to cause them to be decently reposed within the Body of their Chapel, commonly 'called *Mercers-Chapel*;' (2) Be it therefore hereby enacted, That the Site of the said Parish-Church, and the Materials thereof remaining upon the said Site, be and are hereby settled upon the said Wardens and Commonalty, and their Successors for ever: And that the said Wardens and Commonalty shall pay to the Lord Mayor and Aldermen of the City of *London* for the same, such Sum of Money towards the Rebuilding of the Church whereunto the same is by this Act appointed to be united, as shall be agreed upon between the said Lord Mayor and Aldermen, and the said Wardens and Commonalty, or be assessed by a Jury impanelled and sworn, as by the said former Act is directed in any other Case; any Thing in this Act to the contrary notwithstanding.

Provision that Parsons may not be sued for Dilapidations.

'LXXII. And whereas several Parish-Churches, Chancels, Parsonage and Vicarage Houses were con-'sumed in the late dismal Fire; to the End therefore the Incumbents, Parsons and Vicars may not be liable to 'the Rebuilding of their Chancels, Parsonage and Vicarage Houses, nor to be sued for Dilapidations;' (2) Be it enacted by the Authority aforesaid, That the Incumbents, Parsons and Vicars of the aforesaid Churches, their Executors and Administrators, shall be and are hereby indemnified, as to the Rebuilding of their respective Chancels, Parsonage and Vicarage Houses, and shall not be liable to any Suits, Troubles or Molestations that may arise for Dilapidations aforesaid; and that no Process shall be issued out of any Court whatsoever against the Persons aforesaid, for their not Rebuilding their respective Chancels and Parsonage and Vicarage Houses; any Law or Statute to the contrary in any wise notwithstanding.

Parsons and Vicars exempted from First-fruits, Tenths and Pensions.

'LXXIII. And whereas First-fruits, Tenths and several Pensions are from the said Parsons and Vicars 'to be yearly paid to his Majesty, and several Duties to the Ordinary and Archdeacon,' That his Majesty will be graciously pleased, that it may be enacted; and be it further enacted by the Authority aforesaid, That the said Parsons and Vicars be indemnified, and are hereby indemnified, from the Payment of all First-Fruits, Tenths and Pensions due and which shall be due to his Majesty, and from all Dues to the Ordinary and Archdeacon, and all other Dues whatsoever chargeable upon them respectively, until such Time as they shall receive the Profits arising from the same as formerly: (2) And that no Process shall be issued out of any Court whatsoever against the Persons aforesaid, for their Non-payment of First-fruits, Tenths, Pensions or any other the Dues aforesaid; any Law or Statute to the contrary in any wise notwithstanding.

Indemnified for not reading the thirty nine Articles.

'LXXIV. And whereas divers Ministers have been already since the Fire, and may be from Time to 'Time presented and instituted, and being so are liable to the Forfeitures of their several Livings for not 'reading the thirty-nine Articles, and for not doing other Things enjoined by Law in their several Parish-'Churches;' (2) Be it enacted by the Authority aforesaid, That all such Ministers as have been or shall be from Time to Time presented and instituted since the said Fire, be and are hereby indemnified from the several Penalties and Forfeitures incurred and to be incurred by or for not Reading of the thirty-nine Articles, or not doing other Things enjoined by Law as aforesaid, until such Time as the said several Churches be re-edified or made fit for publick Worship.

Impowered to let Leases of their Glebe-Lands.

'LXXV. And whereas the said Parsons and Vicars, or some of them, are interested in several Glebe 'Lands or Grounds, the which they cannot rebuild themselves, nor let such Lease or Leases as may be an 'Encouragement for others to rebuild the same;' (2) Be it enacted by the Authority aforesaid, That the said Parsons and Vicars and every of them respectively, be impowered and are hereby impowered to let such Lease or Leases of their said Glebe Lands or Grounds, with the Consent and Approbation of the Patron or Patrons and Ordinary, for any Term not exceeding forty Years, and at such yearly Rents without Fine, as can be obtained for the same; (3) and that no Lapses incurred upon any Non-presentation in due Time of any of the Patrons of the said Livings since the said Fire shall any Ways prejudice or make void the Presentations that the said Patrons have since made, whereupon any Incumbent is since instituted and inducted; any Law or Statute to the contrary in any wise notwithstanding.

LXXVI. Provided always, and it is hereby declared and enacted, That if the Mayor and Commonalty and Citizens of the said City of *London* shall be concerned in Estate or Title in any Controversy or Difference, whereof the Determination is by this or the aforesaid Act referred to the Hearing and Judgment of the said Mayor and Court of Aldermen; that then and in every such Case the Justices of the Courts of King's Bench and Common Pleas and the Barons of the Coif of the Exchequer for the Time being, or any three or more of them, upon Complaint to them made, shall be and are hereby authorized to hear and finally order and determine the same; any Thing in this or the aforesaid Act to the contrary notwithstanding.

Two Posterns at Ludgate, and the Gate to be enlarged.

LXXVII. Provided always, and be it enacted, and the Lord Mayor and Court of Aldermen are hereby authorized and required to cause to be made two Posterns, one on either Side of the Gate commonly called *Ludgate*, for the better Ease and Convenience of Foot-Passengers, and in order hereunto are also impowered to enlarge the said Gate as they shall find Cause.

'LXXVIII. And whereas by the said Act for the rebuilding the City of *London*, it was enacted, That 'where any Ground formerly builded upon (the Houses whereupon built were demolished at the Time of 'the said late Fire) should not within three Years then next ensuing be rebuilded upon, Then after Pro-'clamation publickly made, and Inquiry and Valuation made and taken of the Ground whereupon such 'Houses were situate, by Inquest of a Jury, in such Sort and Manner as in and by the said Act is men-'tioned and appointed, the said Mayor and Aldermen, and Common Council might make Sale thereof:'

(2) It

(2) It is hereby declared and enacted, That the said Mayor, Aldermen and Common Council shall not by Virtue of the said Act proceed to the Sale of any such Ground or Soil whereupon any such Houses were situate, for not rebuilding thereupon, before the four and twentieth Day of *March* which shall be in the Year of our Lord one thousand six hundred seventy and one; nor shall any Ground be sold by Virtue of this or the aforesaid Act, in Case any Person for the making of any Court, Yard, Garden or other Easement, shall leave some Part of the ancient Foundation unbuilt upon backwards. Salvo for not Rebuilding.

LXXIX. And be it further enacted and declared, That all Persons seised or interested of any House or Houses burned or demolished by reason of the said late Fire, in Tail, for Life or Lives, or Years determinable upon Life, with Remainder to their Heirs or Issue Male or Female, or to their first or other Son or Sons, Daughter or Daughters, in Tail, or other like Estate; That it shall and may be lawful to and for such Tenant in Tail, for Life or Years, with such Remainder as aforesaid, by Indenture under their respective Hands and Seals, to demise the Ground or Soil of such burned or demolished Houses, without any Fine or Fines, and at the most improved annual Rent, to any Person or Persons that shall or will rebuild thereupon, for any Term of Years not exceeding fifty Years: Which Leases so made shall bind and conclude as well all and every the Heirs and Issue of such Tenant in Tail as the first and every other Son and Sons, Daughter or Daughters, or other Issue of such Tenant for Life or Years, as those in Reversion or Remainder; and the Houses thereupon built shall be held and enjoyed by the respective Lessees thereof and their Assigns, (paying the said Rent to the Persons in Reversion or Remainder) during the Term, and according to the Purport of such Leases by Virtue of this present Act. Tenant in Tail, &c. may demise their Ground at the most improved Rent.

LXXX. Provided always, and be it further enacted by the Authority aforesaid, That as to the House called *Serjeants-Inn* in *Fleet-street*, of which the Society of Judges and Serjeants at Law were Tenants at the Time of the late Fire and many Years before; That the King's most Excellent Majesty, his Heirs and Successors, and his or their Privy Council, shall be and are hereby impowered to hear and determine all Differences and Demands whatsoever touching the said House with the Appurtenances, and all Things else to do relating to the Rebuilding thereof and to make Orders and Decrees concerning the same, as fully to all Intents and Purposes as the Judges of the Courts of King's Bench and Common Pleas, and Barons of the Exchequer might, could or may do concerning any other Houses burnt down by the late Fire, by Virtue of this and the said former Act or either of them. (2) And his said Majesty and Council are hereby also impowered to Order and Decree such Satisfaction and Recompence unto *Robert Mellish* of the *Inner Temple* Esquire, as to them shall seem just and reasonable; and to Order and Decree one Lease of the Premisses, whereof the Inheritance belongeth to the Dean and Chapter of *York*, not exceeding in the whole sixty Years, for the Use of the said Society; and the said Dean and Chapter and their Successors are hereby enabled and enjoined to make accordingly: And what shall be so ordered or decreed by his said Majesty and Council as aforesaid, shall be good and effectual in Law to all Intents and Purposes by Virtue of this Act; and the said Judges and Barons of the Exchequer are hereby excluded from making any Order or Decree touching the said House with the Appurtenances. Serjeants-Inn in Fleet-street.

'LXXXI. And whereas a great Number of Houses heretofore erected and built upon or very near to 'the *Tower-Ditch* of the City of *London*, were at or a little Time after the said late great Fire, pulled or 'blown down for Safeguard of the said *Tower*, and are not thought fit to be rebuilt there: And whereas 'some Houses are yet standing which were in Lease for several Years yet to come, with other Houses pul-'led down, at and for certain intire yearly Rents; which said Rents are wholly now claimed by divers 'Landlords, as if the said Houses were yet standing; and divers Suits in Law are and will be daily brought 'against Tenants for Breach of Covenants of the said Leases incurred since that Time:' (2) Be it therefore enacted by the Authority aforesaid, That the said Justices and Barons, or any three or more of them, shall have full Power and Authority to hear and determine all Differences that may arise between the said Landlords and Tenants, as if the said Houses had perished by the late dreadful Fire. The Houses pulled down near Tower-Ditch, never to be rebuilt. Differences about the same referred to the Judges.

'LXXXII. And whereas several Sheds, Shops and other Buildings have been erected (since the late 'dreadful Fire) in *Smithfield*, *Moor-fields* and other void Places within the said City and Liberties thereof, 'by Licence of the Lord Mayor, Aldermen and Common Council of the said City, for the Accommoda-'tion of such Inhabitants whose Houses were then burnt or demolished, for the better carrying on of their 'respective Trades; which if they should be suffered to have longer Continuance than the present Exi-'gence of the Occupiers thereof doth require, would be an Occasion to divert the Trade of the City, and 'to discourage such as have rebuilt Houses within the said City:' (2) Be it therefore enacted by the Authority aforesaid, That the Lord Mayor and Court of Aldermen for the Time being shall be and are hereby impowered and required to cause all and every the said Sheds, Shops and other Buildings aforesaid, to be taken down and removed at or before the nine and twentieth Day of *September* which shall be in the Year of our Lord one thousand six hundred seventy-four. Shops in Smithfield, Moorfields, and other void Places, to be taken down and removed before the 29th of Sept. 1674.

LXXXIII. Provided always, and be it enacted by the Authority aforesaid, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any Matter or Thing done, committed or executed by Virtue of this or the aforesaid Act for rebuilding the said City of *London*, or of any Clause or Article in this or the aforesaid Act contained; That then and in every such Case the Defendant or Defendants may plead the General Issue, (Not guilty) and give this Act and the special Matter in Evidence at any Trial thereupon to be had; and if a Verdict shall pass for the Defendant, or the Plaintiff shall be nonsuit or discontinue his Action after the Defendant hath appeared, the Defendant shall recover double Costs, to be awarded for his or their wrongful Vexation in that Behalf. In any Action brought for putting this Act in Execution, the General Issue may be pleaded, and this Act, &c. given in Evidence.

LXXXIV. Provided always, That this Act or any Thing therein contained shall not extend or be construed to alter or make void any Matter or Thing done or to be done by Virtue of any Commission or Commissions given or granted or to be given or granted by his Majesty, his Heirs or Successors, in Pursuance of two Acts of Parliament; *viz.* one in the first Year of Queen *Elizabeth*, and another in the fourteenth Year of his now Majesty's Reign, or of either of them, or of any other Law or Right, whereby his Majesty, 1 El. c. 11. 13 & 14 Car. 2. c. 11. §. 14.

*See farther* 22 & 23 *Car.* 2. *c.* 15.

Majesty, his Heirs and Successors may or ought to appoint such and so many open Places to be Keys and Wharfs within the City of *London*, and may also declare the Bounds, Limits, Extents and Privileges of the Port of *London* and all other Ports of *England*, with several other Powers and Privileges for the Preservation of his Majesty's Revenue of the Customs collected there; any Thing in this Act contained to the contrary notwithstanding.

## CAP. XII.

### An Additional Act for the better Repairing of Highways and Bridges.

13 *Ed.* 1. *stat.* 2. *c.* 5. 2 & 3 *P. & M. c.* 8.

'FOR the better Repairing and Amending of the Highways, now generally spoiled by the extraordinary and unreasonable Lading of Waggons and other Carriages, and the Neglect of repairing and preserving the same;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament assembled, and by the Authority of the same, That all Constables and Surveyors of the Highways from Time to Time during their Continuance in such their Office or Offices shall cause the several Acts of Parliament heretofore made and yet in Force for or touching the Repairing, Amending or Enlarging of Highways, not hereby in any Part altered or repealed, to be put in Execution within the Limits of their respective Parishes and Places, and the Penalties thereby imposed to be levied and disposed of as by the said several Acts is directed: (3) And every Constable or Surveyor of the Highways, refusing or neglecting to put the said Acts in Execution, or wilfully suffering any Waggons or Carts to pass through his respective Limits with any more Horses or other Cattle, or in other Manner, than by this Act is allowed, shall upon Complaint thereof made to any Justice of the Peace of the Place or Division where such Neglect shall be proved to be done, by the Oath of any one credible Witness (which Oath such Justice is hereby impowered to administer) or upon View of the Justice himself, be thereof convicted; (4) and shall incur such Fine as the same Justice shall think fit to impose on such Officer, not exceeding the Sum of forty Shillings for any one Offence; the same Fine to be levied by the High Constable of such Place or Division or any other Officer, by Warrant under the Hand and Seal of such Justices of the Peace, upon the Goods and Chattels of the Persons so offending (rendring the Overplus to the Owner thereof, all necessary Charge in levying the same being first deducted) to be employed for the amending of the Highways of the Parish or Place where such Neglect shall be found, as the said Justice or Justices shall appoint for the doing thereof.

All the several Acts of Parliament for repairing the Highways, to be put in Execution.

*Burn, V.* 1. 536. 1 *Haw. P. C. ch.* 76.

Penalty for Neglect.

Lands given for the Maintenance of Causeys, Highways, Bridges, &c. to be farmed at the most improved yearly Value.

II. And be it further enacted, That where any Lands have been or shall be given for the Maintenance of Causeys, Pavements, Highways and Bridges, all such Persons that are or shall be enfeoffed or trusted with any such Lands shall let them to Farm at the most improved yearly Value without Fine; (2) and that the Justices of the Peace in their open Sessions shall and may enquire by such Ways and Means as they think fitting, into the Value of all such Lands so given or to be given, and order the Improvement and Employment of the Rents and Profits thereof, according to the Will and Direction of the Donor of such Lands, if they find that the Persons so intrusted have been negligent or faulty in the Performance of their Trust (except such Lands as have been given to the Uses aforesaid, to any College or Hall in either of the Universities of this Kingdom which have Visitors of their own;) any Law, Statute, Usage or Custom to the contrary notwithstanding.

13 & 14 *Car.* 2. *c.* 6. §. 9.

III. And it is hereby enacted, That one Clause contained in the Act of this present Parliament, intitu'ed, *An Act for enlarging of Highways*, concerning the Breadth of the Tyre of all Waggon and Cart-wheels, is and shall hereby stand repealed and be void; (2) and it is further enacted, That in Case any Person or Persons shall resist or make forcible Opposition against any Person or Persons employed in the due Execution of this Act or any the Acts before mentioned, or shall make any Rescue of any Cattle or other Goods distrained by Virtue of this or any of the said Acts; That every such Person being convicted thereof in Manner aforesaid, shall for every such Offence forfeit the Sum of forty Shillings: (3) And in Case he do not pay the said Sum within seven Days after Notice of such Conviction, Then it shall and may be lawful for any Justice of the Peace residing near the Place where such Opposition or Rescue shall be made, to commit such Person or Persons to the Common Gaol of the County where such Offence shall be committed, there to remain until the said Forfeiture shall be paid to the Surveyor or Surveyors of the Highways for that Parish where the Offence was committed, to be employed for the Amendment of the Highways of the same Parish; (4) and if any Action or Suit shall be brought against any Person or Persons for or by reason of any Matter or Thing done by Means of this Act, the same shall be laid in the proper County where the Fact was done and not elsewhere; and the Defendants may plead the General Issue and give the special Matter in Evidence: (5) And if it appear at the Trial that the Fact was done by Authority of this Act, and the Jury shall find for the Defendant, he thereupon (as also in Case the Plaintiff be nonsuit or discontinue his Action) shall recover his Treble Costs sustained by reason of such Action or Suit. (6) Provided, That in such Places where the Highways cannot be sufficiently repaired before the Feast of the Nativity of Saint *John Baptist* yearly, the same may and shall be sufficiently repaired before the Feast of Saint *Luke* yearly, without incurring any Penalty for the not doing thereof before the said Feast of the Nativity of Saint *John Baptist*, according to the said former Act.

Forfeiture for resisting the Officers.

Treble Costs.

Times for repairing the Highways.

IV. And be it further enacted by the Authority aforesaid, That all Defects of Repairs of Causeys, Pavements, Highways or Bridges shall be presented in the County only where such Causeys, Pavements, Highways or Bridges do lie, and not elsewhere; (2) and that no such Presentment or Indictment shall be removed by *Certiorari*, or otherwise, out of the said County, till such Indictment or Presentment be traversed, and Judgment thereupon given.

Defects to be presented where the Places defective lie.

See 5 & 6 W. & M. c. 11.

V. Provided always, and be it enacted, That the several Occupiers and Inhabitants, or where there are no Inhabitants or Occupiers, the respective Owners of all and singular the Lands, Houses, Out-houses,

Lands, Houses, &c. in the Suburbs of London,

Walls and Buildings, fronting and adjoining to any of the Highways, Streets or Lanes within the Suburbs of *London* and the Liberties thereof, and the Borough of *Southwark*, and the City and Liberty of *Westminster*, or Precincts thereof, which are or shall be paved, shall and are hereby liable to all Rates, Assessments, Penalties and Distresses which shall be had or made towards the Scavengers Rates for the Places aforesaid, in such Manner as by an Act of this present Parliament, made and enacted in the fourteenth Year of his Majesty's Reign for repairing of the Highways and Sewers, is directed and appointed: (2) And that where any Ground shall lie at the End of any of the said Streets or Lanes, or any other Place of which there may be a Dispute who ought to pave or amend the same, that in such Case the Justices of Peace for the said Places respectively, shall have hereby full Power and Authority in their Quarter-Sessions, to order and determine the same; which Order shall be binding to all Persons whatsoever therein concerned; any Law or Statute to the contrary in any wise notwithstanding.

Southwark and Westminster, made liable to Assessments for the Scavengers. 13 & 14 Car. 2. c. 2.

VI. And be it further enacted by the Authority aforesaid, That from and after the four and twentieth Day of *June* next ensuing, no Travelling Waggon, Wain, Cart or Carriage, wherein any Burthens, Goods or Wares are or shall be carried (other than such Carts and Carriages as are employed in and about Husbandry and Manuring of Lands, and in the carrying of Hay, Straw, Corn unthresht, Coal, Chalk, Timber for Shipping, Materials for Building, Stones of all Sorts, or such Ammunition or Artillery which shall be for his Majesty's Service) shall at any one Time travel, or be drawn, or go in any common or publick Highway or Road, with above five Horse-Beasts at Length; and if any shall draw with a greater Number of Horses or Oxen, they shall all draw in Pairs, that is to say, two abreast for such Number as they shall use, except one Horse; any Law, Statute or Usage to the contrary notwithstanding.

Travelling Waggons, Wains, &c. carrying Goods, &c. shall be drawn but with five Horses at length. See 6 Ann. c. 29. 9 Ann. c. 18. 1 Geo. 1. Stat. 2. c. 11. and 5 Geo. 1. c. 12. 14 Geo. 2. c. 42. 15 Geo. 2. c. 2. 16 Geo. 2. c. 29.

VII. And be it further enacted, That every Owner of any Waggon, Cart, Carriage, Horse-Beasts or Oxen, offending contrary to this Act, shall forfeit for every of the said Offences the Sum of forty Shillings; one third Part thereof to the Surveyors of the Highways of the Town, Village or Hamlet where any the said Offences shall be committed, to be employed in the Repairs of the said Highways; one other third Part to the Overseers of the Poor of the Parish where any of the said Offences shall be committed, to the Use of the Poor of the said Parish; and the other third Part to him that shall discover the same; to be imposed and levied in such Manner, as the Penalties in this Act imposed on every Constable or Surveyor of the Highways for refusing or neglecting to put in Execution the several Acts of Parliament yet in Force, for or touching the repairing, amending or enlarging of such Highways, are directed and appointed.

The Forfeiture for offending this Act. Altered by 7 & 8 W. 3. c. 29. §. 2.

VIII. And it is further enacted by the Authority aforesaid, That in such Places where there is no Use of Carts and Teams for the Amendment of Highways, but the Usage and Practice is to carry Stones, Gravel, Earth or other Materials for such Amendment, upon the Backs of Horses, or by any other Kinds of Carriages; That in all such Places the Inhabitants using any such Horses or other Carriages, shall send in such their Horses as are accustomed to that kind of Labour, and such their other Carriages, with able Persons to work with the same, in like Manner, and under the like Directions, Forfeitures and Penalties, as by any former Statute for repairing of Highways is appointed for Carts and Teams.

Mending the Highways.

IX. Provided also, and it is further enacted by the Authority aforesaid, That if any Person or Persons shall fail or make Default to do their respective Days Labour in every Year for and towards the Repairing of the Highways, or neglect to send their respective Carriages, Horses and Carts, according as by Law they are respectively required; it shall and may be lawful for the Surveyor or Surveyors of every Parish, and they are hereby required, to make Complaint thereof to the next Justices of the Peace, who are hereby authorized and required, upon Proof of any such Default or Neglect made before them by the Oath of one credible Witness, (which Oath they are hereby impowered to administer) to levy by Distress and Sale of the Goods of every Person failing or neglecting as aforesaid, (and not having a reasonable Excuse to be allowed by the said Justices) the several Penalties hereafter mentioned (rendring the Overplus, reasonable Charges of Distraining being first deducted) that is to say, (2) for every Day Labourer failing or neglecting as is aforesaid, one Shilling and six Pence; and for every Man and Horse that shall make Default, three Shillings; and for every Cart with two Men, ten Shillings, for every respective Day wherein they shall make Default; which respective Penalties so levied, shall be employed for and towards the repairing of the Highways in every respective Place and Parish.

Defaulters therein, their Punishment.

X. And be it further enacted by the Authority aforesaid, That where the Justices of the Peace of any County, City, or other Place, or the major Part of them, at their General Quarter-Sessions, shall be fully satisfied, that the common Highways, Causeys or Bridges within any Parish, Township or Hamlet within their respective Jurisdiction, may not or will not be sufficiently amended, repaired and supported, by Means of the Laws now in Force, without the Help of this present Act, in all such Cases one or more Assessment or Assessments upon all and every the Inhabitants, Owners and Occupiers of Lands, Houses, Tenements and Hereditaments, or any Personal Estate usually ratable to the Poor, within any such Parish, Township or Hamlet, shall be made, levied, collected and allowed by such Person and Persons, and in such Manner, as the said Justices by their Order at such Sessions shall direct and appoint in that Behalf: (2) And the Money thereby raised shall be employed and accounted for according to the Order and Directions of the said Justices, for and towards the Amending, Repairing, and Supporting such Highways, Causeys and Bridges, from Time to Time as Need shall require; (3) and the said Assessment or Assessments shall be levied by Distress and Sale of the Goods of every Person so assessed (not paying the same within ten Days after Demand) rendring the Overplus of the Value of the Goods so distrained, to the Owner and Owners thereof, the necessary Charges of making and selling such Distress being first deducted.

Assessment, when to be made for repairing the Highways. EXP.

XI. Provided nevertheless, and be it enacted, That no such Assessment or Assessments to be made in any one Year, shall exceed the Rate of six Pence in the Pound, of the yearly Value of any Lands, Houses, Tenements and Hereditaments so assessed, nor the Rate of six Pence for twenty Pounds in Personal Estate;

Six Pence in the Pound.

and that no such Assessment be made or levied from and after the five and twentieth Day of *March* in the Year one thousand six hundred seventy and three.

Surveyors of the Highways, when to be chosen.

XII. And be it further enacted by the Authority aforesaid, That from and after the nine and twentieth Day of *September* next, in every Parish within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, the Surveyors and Orderers of the Work for Amendment of the Highways within their respective Parishes, shall be yearly chosen and nominated by such Persons as by an Act made in the

2 & 3 P. & M. c. 8. 13 & 14 Car. 2. c. 6. §. 2.

second and third Years of King *Philip* and Queen *Mary* is appointed, upon some Day in the same Week that the Feast of the Birth of our Lord, commonly called *Christmas-Day*, shall be: (2) Which Persons so nominated and chosen, shall take upon them the said Office, and shall appoint six Days for the providing Stones, Gravel and other Materials for the Amendment of and for working in the Highways, having respect to the Season of the Year and the Weather, and giving Notice publickly some convenient Time before the several Days; at which Days all Persons liable to the said Work shall attend and work accordingly. (3) And the said Surveyors and Orderers shall make Return of the Defaulters, and every of them, within one Month after every Default made, to some neighbouring Justice of the Peace of the same County; and the said Justice shall present the same at the Quarter-Sessions of the Peace held next after such Return made unto him: (4) And the Offenders against this Act, in all Cases not particularly directed in this Act, shall respectively incur the same Forfeiture, Pains and Penalties, inflicted and appointed by the Laws and Statutes of this Kingdom now in Force, for the Amending of the Highways, as fully as if they had been particularly mentioned and imposed in and by this Act.

Bridges to be built in Cheshire and Lancashire within ten Years.

'XIII. And whereas in the Counties of *Chester* and *Lancaster* there are many and sundry great and deep 'Rivers, which run cross and through the common and publick Highways and Roads within the said Coun-'ties, which many Times cannot be passed over without Hazard and Loss of the Lives and Goods of the 'Inhabitants and Travellers within the said Counties, for want of convenient, good and sufficient Bridges 'in the said Highways and Roads; to build and erect which there is no Law now in Force:' (2) Therefore be it further enacted by the Authority aforesaid, That for ten Years next following, and no longer, the respective Justices of Peace within the said respective Counties shall, upon the Presentment of the Grand Jury at their respective General Quarter-Sessions, have Power and Authority by Order or Warrant under the Hands and Seals of all or the major Part of the said Justices, being six at least then present, to cause to be erected and builded any new Bridge or Bridges, in such Place or Places in any of the said Highways, over any of the said Rivers within their respective Jurisdictions, as they shall judge fit and necessary, and so declare by such Order as aforesaid, and likewise to repair or rebuild such other Bridges as were demolished in the late War; (3) and by their said Order to charge, either their whole respective Counties, or any Hundred or Hundreds within their said respective Counties, with the erecting and building any such Bridge or Bridges, and from Time to Time (as Need shall require) with the repairing and amending of all or any the said Bridges; which shall be assessed, levied and gathered in such Sort, Manner and Form, as the Monies for Repairing of Bridges now in Being are used to be assessed, levied and gathered by Virtue

22 H. 8. c. 5.

of the late Statute in the two and twentieth Year of the Reign of the late King *Henry* the Eighth, in that Case made and provided.

Monmouth.

XIV. Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for any six or more Justices of Peace of the County of *Monmouth*, whereof two to be of the *Quorum*, at their General Sessions of the Peace to be held for that County, at any Time hereafter during ten Years, and no longer, to impose and levy any Sum or Sums of Money upon the said County, for the repairing and amending of *Usk* and *Basalegg* Bridges, which are situated upon great Rivers, and lie on very publick Roads of that County, so as the Sums so imposed as aforesaid exceed not in the Whole in any one Year the Sum of forty Pounds, which Imposition so laid shall be levied and accounted for by the same Way and Manner, as the other Rates raised for Bridges, formerly settled by Act of Parliament for that County, are made and provided.

Usk and Basalegg-Bridges. *Farther Provisions concerning Highways,* 18 *Geo.* 2. *c.* 33. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. *and* 31 *Geo.* 2. *c.* 34. *And concerning Bridges, see farther* 14 *Geo.* 2. *c.* 33. 29 *Geo.* 2. *c.* 40. *and* 31 *Geo.* 2. *c.* 20.

## CAP. XIII.

### An Act for Improvement of Tillage and the Breed of Cattle.

3 & 4 *Ed.* 6. *c.* 19. 2 & 3 *P. & M. c.* 3. 7 *Jac.* 1. *c.* 8. 18 *Car.* 2. *c.* 2. 20 *Car.* 2. *c.* 7.

FOR the further Encouragement of Tillage for the common Good and Welfare of this Kingdom, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from and after the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand six hundred and seventy, and from thenceforward, It shall be lawful for all and every Person or Persons, Native or Foreigner, at any Time or Times, to ship, lade, carry and transport as Merchandize,

Corn and Grain may be transported at certain Times. 15 Car. 2. c. 7. 12 Car. 2. c. 4.

all sorts of Corn and Grain, although the Prices thereof shall exceed the Rates set down in one Act of this present Parliament made in the fifteenth Year of his Majesty's Reign, intituled, *An Act for the Encouragement of Trade*; the said Act, or any other Law, Statute, Usage, or other Prohibition, to the contrary thereof in any wise notwithstanding; paying for the same such Rates as are to be paid when the same might have been transported by one Act of this present Parliament, intituled, *A Subsidy granted to the King of Tonnage and Poundage*, and none other. And it is hereby further enacted by the Authority aforesaid, That when the Prices of Corn and Grain, at the Times, Havens and Places, when and where the said Corn or Grain shall be imported into this Kingdom, exceed not the Rates hereafter following, there shall be answered and paid for the Custom and Poundage thereof these Rates: That is to say, for every Quarter of Wheat, when the same shall not exceed the Price of three and fifty Shillings and four Pence the Quarter,

ter, there shall be paid for the Custom and Poundage thereof the Sum of sixteen Shillings; and when the same shall exceed the Sum of three and fifty Shillings and four Pence the Quarter, and yet not above four Pounds the Quarter, That then there shall be answered and paid for the Custom and Poundage of every Quarter of Wheat the Sum of eight Shillings; (4) for every Quarter of Rye, when the same doth not exceed the Price of forty Shillings the Quarter, there shall be answered and paid for the Custom and Poundage thereof the Sum of sixteen Shillings the Quarter; (5) for every Quarter of Barley or Malt, when the same doth not exceed the Price of two and thirty Shillings the Quarter, there shall be answered and paid for the Custom and Poundage thereof the Sum of sixteen Shillings the Quarter; ( ) for every Quarter of Buck-Wheat, when the same doth not exceed the Price of two and thirty Shillings the Quarter, there shall be answered and paid for the Custom and Poundage thereof the Sum of sixteen Shillings the Quarter; (7) for every Quarter of Oats, when the same doth not exceed the Sum of sixteen Shillings the Quarter, there shall be answered and paid for the Custom and Poundage thereof the Sum of five Shillings and four Pence the Quarter; (8) for every Quarter of Pease or Beans, when the same doth not exceed the Sum of forty Shillings the Quarter, there shall be answered and paid for the Custom and Poundage thereof the Sum of sixteen Shillings the Quarter; each Quarter to contain eight Bushels, and each Bushel to contain eight Gallons, and no more.

By 1 Jac. 2. c. 19. the Price is to be settled by Justices of Peace.

Farther Provisions relating hereto, 2 Geo. 2. c. 18.

II. But when the Prices of the several Sorts of Corn or Grain above mentioned shall exceed the respective Rates aforesaid, at the Times and Places of Importation; that then and in every such Case there be answered and paid for the same, the Duties payable in such Case before the Making of this Act.

III. And for the further Encouragement of *French* or Pearl Barley in this Kingdom, That there shall be paid for the Custom of every hundred Weight of *French* or Pearl Barley the Sum of five Shillings.

French or Pearl Barley.

IV. And for the further Encouragement of breeding and feeding of Cattle of all Sorts; (2) Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June*, which shall be in the Year of our Lord God one thousand six hundred and seventy, and from thence forward, It shall be lawful for every Person or Persons, Native or Foreigner, at any Time or Times to ship, lade and transport, by way of Merchandize, these Sorts of Goods following, That is to say, Beef, Pork, Bacon, Butter, Cheese and Candles, though the same do exceed in Price at the Ports from whence they are laden, and at the Time of their lading, the Prices set down and limited in the aforesaid Act of this present Parliament, intituled, *A Subsidy granted to the King of Tonnage and Poundage*; the said Act, or any other Law, Statute, Usage or other Prohibition, to the contrary thereof in any wise notwithstanding; paying for the same the respective Rates appointed by the said Act, and no more.

Encouragement for breeding and feeding of Cattle.

12 Car. 2. c. 4.

V. Except, and always provided, That for the Custom and Poundage of every Barrel of Butter, there shall be paid one Shilling, and for every hundred Weight of Cheese, four Pence, and no more; the aforesaid Act of Tonnage and Poundage, or any other Law or Statute, to the contrary notwithstanding.

Butter and Cheese.

VI. And it is hereby further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June*, which shall be in the Year of our Lord one thousand six hundred seventy and one, there shall be paid for every Ox or Steer that shall be transported into the Parts beyond the Seas by any Person or Persons, Native or Foreigner, the Sum of twelve Pence, and no more; the aforesaid Act of Tonnage and Poundage, or any other Law, Statute, Usage or other Prohibition to the contrary hereof in any wise notwithstanding.

Ox or Steer.

VII. And it is hereby further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* in the Year aforesaid, it shall be lawful for any Person or Persons, Native or Foreigner, to ship, lade or transport Cows or Heifers, paying for each Cow or Heifer the Sum of twelve Pence and no more, and also to ship, lade or transport all Sorts of Swine or Hogs, paying for each Swine or Hog two Pence and no more; any Statute, Law, Usage or other Prohibition, to the contrary thereof in any wise notwithstanding.

Cows or Heifers.

Swine or Hogs.

VIII. And for the further Encouragement of the Breed of Horses, Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thousand six hundred and seventy, and from thence forward, it shall be lawful for any Person or Persons, Native or Foreigner, at any Time or Times to ship, lade and transport, by way of Merchandize, Horses or Mares into any Parts beyond the Seas in Amity with his Majesty, paying for each Horse or Mare the Sum of five Shillings, and for each Gelding the Sum of five Shillings and no more; the aforesaid Act of Tonnage and Poundage, or any other Law, Statute, Usage or any other Prohibition, to the contrary hereof in any wise notwithstanding. [Continued by 2 Will. & Mar. St. 1. c. 4. §. 3. 1 Ann. St. 1. c. 13. §. 2. 9 Ann. c. 6. §. 2. 3 Geo. 1. c. 7.]

Horses and Mares may be transported.

12 Car. 2. c. 4. *Farther Provisions relating hereto*, 32 Car. 2. c. 2. 3 W. & M. c. 8. 5 W. & M. c. 2. 31 Geo. 2. c. 40. *and* 32 Geo. 2. c. 11.

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## Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo secundo & vicesimo tertio.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. And by several Prorogations and Adjournments to the fourteenth Day of *February* 22 *Car.* 2. and from thence until the twenty-second Day of *April Anno* 23 *Car.* 2. continued.'

The former Edition had it, Held the 24 Oct. 22 Car. 2. and continued to 6 Mar. 23 Car. 2.

CAP.

## CAP. I.

### An Act to prevent malicious Maiming and Wounding.

'WHEREAS upon the one and twentieth Day of *December* in the Year of our Lord one thousan
'six hundred and seventy, a violent and inhuman Attempt was made upon the Person of Sir *Joh*
'*Coventry* Knight of the Honourable Order of the *Bath*, being a Member of the Commons House of Pa
'liament, and then attending the Parliament, and upon the Person of his Servant *William Wylkes*, by
'considerable Number of armed Men, both on Foot and Horseback, whereby the said Sir *John Coventr*
'and his said Servant then lost several Goods, and the said Sir *John Coventry* received divers Wounds, som
'of which were given him in such barbarous Manner, that some of the Offenders held him whilst othe
'wounded him.

1 *Haw. P. C.* 112. *Vin. V.* 15.—144.

'II. And whereas by several Bills of Indictment found by the Grand Jury for the City and Liberty o
'*Westminster* where the said Facts were committed, Sir *Thomas Sandys* Knt. *Charles Obrian* Esq; *Simon Par*
'*ry* and *Miles Reeves*, amongst others, stand indicted of Felony and Robbery for the same, but have fle
'from Justice, not daring to abide a legal Trial:' (2) Be it therefore enacted by the King's most Excellen
Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons
assembled in Parliament, and by the Authority of the same, That if the said Sir *Thomas Sandys*, *Charle*
*Obrian*, *Simon Parry* and *Miles Reeves*, shall not render themselves to the Lord Chief Justice of his Ma-
jesty's Court of King's Bench, or to some other of the Justices of the said Court, on or before the tenth
Day of *March* in the Year of our Lord one thousand six hundred and seventy, in Order to their Trials fo
the Facts aforesaid; that then such of them the said Sir *Thomas Sandys*, *Charles Obrian*, *Simon Parry* an
*Miles Reeves*, as shall not so render himself as aforesaid, shall and do suffer perpetual Exile, and be for ever
banished this Realm and all other his Majesty's Dominions.

Sir Thomas Sandys, &c. not rendring themselves, shall be perpetually banished.

Adjournment of the Gaol-delivery for Middlesex.

III. And be it enacted, That the Gaol-delivery for the County of *Middlesex* and the City of *London*, which is intended to be holden the two and twentieth Day of *February* one thousand six hundred and seven-
ty, shall be adjourned till the said tenth Day of *March*, and the Justices of the said Gaol-delivery, or any
two of them are hereby authorized and required to adjourn the same accordingly; and that no Trials shall
be there proceeded upon before the tenth Day of *March* aforesaid.

Sir Thomas Sandys, &c. not rendring themselves, &c. shall be adjudged Felons.

IV. And if the said Sir *Thomas Sandys*, *Charles Obrian*, *Simon Parry* and *Miles Reeves*, or any of them,
shall not render themselves as aforesaid, and shall at any Time return into or be found in *England* or any
other his Majesty's Dominions, after the said tenth Day of *March*; then such of them the said Sir *Thomas*
*Sandys*, *Charles Obrian*, *Simon Parry* and *Miles Reeves*, as shall not render himself, and yet return or be
found as aforesaid, shall from the said one and twentieth Day of *December* in the Year of our Lord one
thousand six hundred and seventy, be deemed and adjudged to be guilty of the said Felonies and Robberies,
and shall by Virtue of this Act be adjudged to be convicted and attained of Felony and Robbery, without
any Benefit of Clergy, to all Intents and Purposes, as if they had been thereof convicted and attainted by
due Trial and Judgment of Law, and shall suffer such Pains, Penalties and Forfeitures, as by Law are to be
inflicted upon Felons attaint, not having Benefit of Clergy.

No Pardon but by Act of Parliament.

V. And be it further enacted by the Authority aforesaid, That neither the said Sir *Thomas Sandys*, *Charles*
*Obrian*, *Simon Parry*, *Miles Reeves*, nor any who upon the Attempt aforesaid actually took away any Goods
from the Persons of Sir *John Coventry* or his said Servant, or actually gave any Blow or Wound to the said
Sir *John Coventry* or his said Servant, or held or kept down the said Sir *John Coventry* or his said Servant,
while they the said Sir *John Coventry* and his said Servant or either of them were robbed, beaten or wounded,
nor any who commanded the Party, either of Horsemen or Footmen, in executing the aforesaid villainous
and barbarous Attempt, shall be pardoned any of the Offences in this Act mentioned, but are made inca-
pable of any Pardon for the same from the King's Majesty, his Heirs and Successors, unless by Act of Par-
liament, wherein such Person or Persons shall be particularly named.

A Pardon granted to any one that was guilty of the Fact, and will make a Discovery of any others besides those mentioned in the Act.

VI. And be it further enacted by the Authority aforesaid, That if any the said Offenders, other than
the said Sir *Thomas Sandys*, *Charles Obrian*, *Simon Parry* and *Miles Reeves*, and such as did actually rob,
strike or wound the said Sir *John Coventry* or his said Servant, or held or kept them or any of them down,
till they or either of them were robbed, beaten or wounded as aforesaid, and other than such as commanded
any Party in the said Attempt, shall before the eighth Day of *March* in the Year of our Lord one thousand
six hundred and seventy voluntarily render him or themselves to the Lord Chief Justice of the said Court of
King's Bench, or to some other of the Justices of the said Court, and acknowledge his said Offences, and
declare his whole Knowledge of the Facts aforesaid and of the Persons acting therein, and shall discover
to the Lord Chief Justice or other Justice as aforesaid some of the Persons who wounded or held, robbed
or struck as aforesaid, Sir *John Coventry* or his Servant, or commanded as aforesaid, and shall give such Se-
curity as the said Chief Justice or other the said Justice before whom such Render shall be made as aforesaid
shall think reasonable, to give Evidence if lawfully required, against the Offenders by this Act made inca-
pable of Pardon; so that the said Lord Chief Justice, or such other Justice of the said Court to whom such
Render shall be made as aforesaid, shall be satisfied, that he or they so rendring him or themselves have de-
clared the Truth according to the best of their Knowledge, and obtain a Certificate from the said respective
Chief Justice or Justice before whom such Render was made to that Effect, under the Hand and Seal of the
said Chief Justice or Justice; he and they so rendring him or themselves, and declaring as aforesaid, shall
by the Authority aforesaid be pardoned the said Assaults, Felonies and Robberies, and immediately from and
after the obtaining such Certificate as aforesaid, he and they so rendring him and themselves and declaring
as aforesaid, shall be deemed, adjudged and taken to be hereby to all Intents and Purposes pardoned, ac-
quitted

quitted and discharged from the said Crimes and Felonies, and from all further Prosecutions and Imprisonments, Indictments, Convictions, Attainders, Pains, Penalties or Forfeitures that may accrue for the same.

VII. And for Prevention of the like Mischiefs for the Time to come, Be it further enacted by the Authority aforesaid, That if any Person or Persons, from and after the four and twentieth Day of *June* which shall be in the Year of our Lord God one thousand six hundred seventy and one, on Purpose and of Malice fore-thought, and by lying in wait, shall unlawfully cut out or disable the Tongue, put out an Eye, slit the Nose, cut off a Nose or Lip, or cut off or disable any Limb or Member of any Subject of his Majesty, with Intention in so doing to maim or disfigure in any the Manners before mentioned such his Majesty's Subject; that then and in every such Case the Person or Persons so offending, their Counsellors, Aiders and Abettors, (knowing of, and privy to the Offence as aforesaid) shall be and are hereby declared to be Felons, and shall suffer Death as in Cases of Felony without Benefit of Clergy. Malicious Maiming made Felony. Rex v. Coke apud Bury. 8 Geo. 1.

VIII. Provided, That no Attainder of such Felony shall extend to corrupt the Blood, or forfeit the Dower of the Wife, or the Lands, Goods or Chattels of the Offender. Forfeitures.

IX. Provided always, and it is hereby declared and enacted, That his Majesty's Royal Assent to this Bill shall not determine this Session of Parliament. Session of Parliament not determined.

## CAP. II.

### An Act for Continuance of a former Act, intituled, *An Act to prevent Delays in extending Statutes, Judgments and Recognizances.*

'WHEREAS one Act of Parliament made in a late Session of this present Parliament held in the 'sixteenth and seventeenth Years of the Reign of our Sovereign Lord the King that now is, intituled, *An Act to prevent Delays in extending Statutes, Judgments and Recognizances*, to continue in Force 'for three Years, and to the End of the next Session of Parliament after the said three Years, and no longer: Now forasmuch as it appears that the said Law is beneficial to the People of this Realm;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall remain and be perpetual from the End of the last Session of Parliament. 16 & 17 Car. 2. c. 5. Made perpetual.

## CAP. III.

### An Act for granting a Subsidy to his Majesty, for Supply of his extraordinary Occasions.

## CAP. IV.

### An Act for Continuance of a former Act, to prevent Arrests of Judgments, and superseding Executions.

'WHEREAS an Act of Parliament was made in the sixteenth and seventeenth Years of the Reign of 'our Sovereign Lord the King's Majesty that now is, intituled, *An Act to prevent Arrests of Judg-* 16 & 17 Car. 2. c. 8. '*ments, and superseding Executions*, to continue in Force for three Years, and to the End of the next Session 'of Parliament after the Expiration of the said three Years, and no longer; now forasmuch as it hath since 'by Experience appeared, That the same is a good and wholsome Law, and very beneficial to the People 'of this Realm;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall remain, continue and be perpetual from the End of the last Session of Parliament.

## CAP. V.

### An Act for an Additional Excise upon Beer, Ale and other Liquors.

'THE Commons assembled in Parliament, as an Aid to your most Excellent Majesty, whose weighty 12 Car. 2. c. 23 '& urgent Affairs require an extraordinary Supply towards the Discharging of your Majesty's great & 24. 'Debts,' have given and granted, and do hereby give and grant, unto your most Excellent Majesty, the several Additional Rates and Duties of Excise herein after mentioned, and do most humbly beseech your Majesty, That it may be enacted; (2) and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the four and twentieth Day of *June* which shall be in the Year of our Lord one thousand six hundred and seventy-one, there shall be throughout your Majesty's Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raised, levied, collected and paid unto your Majesty, your Heirs and Successors, during the Space and Term of six Years, from the four and twentieth Day of *June* aforesaid, and no longer, for Beer, Ale, Cyder and other Liquors herein after expressed, by Way of Excise, over and above all other Duties, Charges and Impositions, by any former Act or Acts set and imposed, and in Manner and Form following, (that is to say) The Additional Duty to commence the 24th of June 1671. To continue for six Years from the said 24th of June 1671.

(3) For

The Rates. 'These Duties are expired, but the subsequent Parts of the Act are in Force.'

'(3) For every Barrel of Beer or Ale of above six Shillings the Barrel, brewed by the Common Brewer, or any other Person or Persons who do or shall sell or tap out Beer or Ale publickly or privately, to be paid by the said Common Brewer, or by such other Person or Persons respectively as aforesaid, and so proportionably for a greater or lesser Quantity, nine Pence. ix d.

'(4) For every Barrel of Beer or Ale of six Shillings the Barrel, or under, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale publickly or privately, to be paid by the said Common Brewer, or by such other Person or Persons respectively as aforesaid, and so proportionably for a greater or lesser Quantity, three Pence. iii. d.

'(5) For all Cyder and Perry made and sold by Retail, upon every Hogshead, to be paid by the Retailer thereof, and so proportionably for a greater or lesser Measure, one Shilling and three Pence. i. s. iii.

'(6) For all Metheglin or Mead sold, whether by Retail or otherwise, to be paid by the Maker thereof, for every Gallon, one Half-peny. Ob.

'(7) For every Barrel of Beer, commonly called Vinegar-Beer, brewed or made to be sold, six Pence. vi. d.

'(8) For every Gallon of Strong-water or Aqua-vitæ, made and sold, to be paid by the Maker thereof, one Peny. i. d.

'(9) For every Barrel of Beer or Ale imported from beyond the Seas, and so proportionably for a greater or lesser Quantity, to be paid by the Importers before landing, three Shillings. iii. s.

'(10) For every Ton of Cyder or Perry imported from beyond the Seas, and so proportionably for a greater or lesser Quantity, to be paid by the Importer before landing, four Pounds. iv. l.

'(11) For every Gallon of Low-Wines of the first Extraction, made of any kind of imported Wine or Cyder, or other Materials imported, to be paid by the Maker or Seller, two Pence ii. d.

These Duties upon Coffee, &c. are repealed by 1 W. & M. Stat. 2. c. 6.

'(12) For every Gallon of Coffee made and sold, to be paid by the Makers thereof, two Pence. ii. d.

'(13) For every Gallon of Chocolate, Sherbet and Tea, made and sold, to be paid by the Makers thereof, eight Pence. viii. d.

For the Increase of these Duties, *&c.* see the Note on 12 *Car.* 2. *c.* 23. §. 1.

Persons chargeable by any former Law, likewise liable to pay these additional Rates. Defaults of Entries or Payments, and other Neglects or Offences, to be subject to the same Penalties and Forfeitures, as for Offences committed against any Law of Excise. *Burn, V.* 1.—329.

II. And be it further enacted by the Authority aforesaid, That all and every the common Brewers and Retailers of Ale and Beer, and all and every other Person and Persons, liable to, and chargeable with, the Payment of any Excise, or new Impost upon Beer or Ale, or other exciseable Liquors, by Virtue of any former Law of Excise now in Force, shall also be liable to, and charged with, the Payment of the additional Rates and Duties hereby imposed; which said additional Rates and Duties shall be collected, levied and paid in the same Manner; (2) and the Persons liable to and chargeable with the Payment thereof shall in Case of Neglect or Default of Entry or Payment, or in Case of any other Neglect or Offence tending to defraud his Majesty, or any of his Officers, Farmers or Collectors of the Duties or Rates hereby imposed be also subject to the like Proceedings, Judgments and Executions, and shall likewise incur the same Penalties, Fines and Forfeitures, as he or they, his or their Heirs, Executors or Administrators, should or might have been subject to, or ought to have incurred, for the Non-payment of any former Duty of Excise, or for the like Offence committed against any former Law of Excise now in Force.

The Allowances to the Brewer for Waste, to be no other than what are given by the former Laws.

III. Provided always, and it is hereby declared and enacted, That nothing in this Act contained shall be understood to give any common Brewer or Retailer, or other Person liable to and chargeable with the Payment of Excise, by Virtue of any former Law now in Force, any further or other Allowances for Waste by Filling or Leakage, than by the said former Laws are given; any Thing in this present Act contained to the contrary notwithstanding: Which said Allowances are hereby declared to be three Barrels in every three and twenty Barrels of Beer returned by the Gauger, whether strong or small; and two Barrels in every two and twenty Barrels of Ale returned by the Gauger, whether strong or small; and so after that Rate, and no more, for a greater or lesser Quantity, and are in full Compensation for all such Wastes or other Losses or Damages whatsoever; any Repetition of the said Allowances in several Acts to the contrary notwithstanding.

The Commissioners, Sub-commissioners or Farmers may compound for this Duty.

IV. Provided also, That it shall and may be lawful to and for the Commissioners and Sub-commissioners of Excise respectively within their Division, and to and for the several and respective Farmers of Excise within the Limits of their several and respective Farms, to compound for these new Duties, with all and every Person and Persons who by Brewing his or their Beer and Ale contrary to the Form of this Statute shall be liable to pay the new Duties herein before imposed, and that from Time to Time, and in such Manner and Form, as may be most for the Advantage and Improvement of the Receipts thereof; any Thing herein before contained to the contrary notwithstanding.

Forfeitures, Offences and all Appeals, to be determined as is appointed by former Laws.

V. And be it further enacted by the Authority aforesaid, That all Forfeitures and Offences made and committed against this Act, or any Clause, Article or Sentence herein contained, and all Appeals, shall be heard, adjudged and determined by such Person and Persons, and in such Manner and Form, as the like Forfeitures and Offences against the former Laws of Excise are thereby appointed to be heard and determined, and not otherwise.

VI. And moreover, That all Commissioners and Sub-Commissioners of Excise, all Commissioners of Appeals, Justices of Peace, Constables and all other Officers and Ministers whatsoever, shall have, use and exercise the same Jurisdiction, Power and Authority, whether it be judicial or ministerial, for the better Ordering, Collecting, Levying and Securing the new Duties and the additional Rates and Duties hereby imposed,

imposed, as he or they could have had, used or exercised, for the better Ordering, Collecting, Levying or Securing any former Rates or Duties of Excise whatsoever.

Fines and Forfeitures to be divided, one Moiety to his Majesty, and the other to him that will sue for the same.

VII. And it is further declared and enacted, That all Fines, Penalties and Forfeitures, which shall be incurred by Reason of any Offence committed against this Act, shall be imployed, one Moiety thereof to the Use of the King's Majesty, his Heirs and Successors, another Moiety thereof to him or them that shall or will inform or sue for the same.

The Justices of the Peace, Commissioners, &c. may mitigate the Fines, &c. where they see Cause, so as the same be not made less than double the Duty besides Costs.

VIII. Provided nevertheless, That it shall and may be lawful to and for the Justices of Peace, Commissioners of Excise or any Two of them, or their Sub-Commissioners respectively, from Time to Time, where they shall see Cause, to mitigate, compound or lessen any Fine, Forfeiture or Penalty, which shall be incurred by Reason of any Offence committed against this Act, or against any other Act of Excise now in Force, as they in their Discretions shall think fit; and that every such Mitigation and Payment thereupon made, shall be a sufficient Discharge of such Penalties and Forfeitures to the Persons so offending, so as by such Mitigation the same be not made less than double the Value of the Duty of Excise, which should or ought to have been paid, besides the reasonable Costs and Charges of such Officer or Officers, or others as were imployed therein, to be allowed unto them by the said Justices or Commissioners; any Thing in this Act contained to the contrary notwithstanding.

Foreign imported exciseable Liquors not to be landed till Entry made, and the Duty paid.

IX. And for the better Levying and Collecting the Duties of Excise upon all such foreign and imported Liquors for which Excise ought to be paid; (2) It is further enacted by the Authority aforesaid, That no such foreign or imported Liquors shall be landed or put on Shore before due Entry be first made thereof with the Officer or Collector appointed for the Excise, in the Port or Place where the same shall be imported, or before the Duty of Excise due and payable for the same shall be fully satisfied and paid: And that every Warrant from any Officer or Officers of the Customs, for the Landing or Delivering of any such foreign Liquors, shall be signed by the Hand of the said Officer or Collector of the Excise in the said Port or Place respectively; (3) upon Pain, that all such foreign Liquors as shall be landed or put on shore, or delivered contrary to the true Intent and Meaning of this Act, or the Value thereof, shall be forfeited and lost, one Moiety thereof to the King's Majesty, the other Moiety to him or them who shall or will seize, inform or sue for the same; to be recovered of the Importer or Proprietor thereof.

Warrants from the Officers of the Customs for Delivering such foreign Liquors, to be signed by the Collector of Excise.

Liquors delivered contrary to the Intent of this Act to be forfeited.

Persons inhabiting in a Market-Town where there is a common Brewhouse, may not lend their private Brewing-vessels, or suffer any Ale, Beer, or Worts to be brewed therein, other than for their own Families.

X. And for the better Prevention of such Frauds as are daily practised to defeat his Majesty of the Duties of Excise which ought to be paid for Ale and Beer; (2) It is further enacted by the Authority aforesaid, That if any Person or Persons inhabiting in any Market-Town, or in any City or Town Corporate, or Parts adjoining to any City or Town Corporate, where there is or shall be a common Brew-house, having and lawfully using any private Brewing-vessels, for the Brewing and Making of Beer or Ale, to be spent and consumed in his or their private Families, shall permit and suffer any Beer, Ale or Worts to be brewed there in their respective Houses, Out-houses, or other Place thereunto adjoining, other than for their respective Families, Servants, Labourers, or to other Persons by Way of Charity, Hospitality or Free-gift, or shall lend out any of their Brewing-vessels, other than which are moveable and unfixt, to be made use of by any other Person or Persons, not being of his or their Family, for the Brewing of Beer or Ale for the Use of any other Person or Persons, then such Person or Persons shall forfeit for every such Offence the Sum of fifty Pounds, to be recovered by Bill, Plaint or other Information in any Court of Record; (3) and the Prosecution of such Action to begin within six Months after the Fact committed, and to be tried within the County where the said Offence is committed, and not elsewhere, wherein no Essoin, Protection or Wager in Law to be allowed: (4) And one Moiety of such Forfeiture to be to the King's most Excellent Majesty, his Heirs and Successors, and the other Moiety to him or them that shall inform and sue for the same.

Unless upon Penalty of 50 l. for lending any Brewing-vessels in any such Places, unless such as are moveable and unfixt.

For avoiding Frauds by mixing Small Beer with Strong, after the Gauge taken.

Double the Duty to be forfeited for every Barrel so mixt by the Retailer.

Persons refusing to give Evidence for Discovery thereof, to be fined.

XI. And for the Avoiding of Frauds and Deceits by reason of Brewing of Beer, Ale, or Worts of an extraordinary Strength, and afterwards mixing the same with Small Beer, Ale or Worts, after the Gauge thereof taken; (2) Be it further enacted by the Authority aforesaid, That no Retailer of Beer or Ale, shall after the Receipt thereof from the common Brewer, mix any Beer, Ale or Worts of extraordinary Strength, with any Small Beer, Ale or Worts, in any Vessel or Tub containing three Gallons or more, upon Pain to forfeit for every Barrel so mixt, double the Duty of Excise for Strong Beer or Ale, and so proportionably for any greater Quantity; to be heard, adjudged and determined before the Justices of the Peace and Commissioners respectively, as is done in other Cases before them upon Breach of the Laws of Excise; and all Forfeitures for the same shall be levied, recovered and disposed, as by those Laws are directed and appointed: (3) And the said Justices and Commissioners respectively, are hereby impowered and authorized to summon Evidence for Discovery thereof, other than the Party or Parties accused; and upon Refusal or Neglect of any Person so summoned to give Evidence when he and they shall be thereunto required, every such Person so refusing shall forfeit and lose for every such Offence, any Sum of Money not exceeding forty Shillings, to be imposed and levied, recovered and disposed, as other Penalties against the said Laws for the better Collecting and Recovering the Duty of Excise.

Retailers not to be molested by any Indictments for selling Ale or Beer at higher Prices than heretofore appointed.

XII. And provided also, and be it further enacted, That no Inn-keeper, Victualler or other Retailer of Beer or Ale, shall at any Time hereafter, during the Continuance of this Act, be sued, impleaded or molested, by any Indictment, Information or popular Action, or otherwise, for selling or uttering any Beer or Ale at any other or higher Prices than the Prices heretofore limited and appointed; any Thing in this Act or any other Law or Statute to the contrary notwithstanding.

XIII. Provided always, and be it enacted, That if any Person or Persons shall at any Time be sued or prosecuted for any Thing by him or them done in Pursuance or Execution of this Act, he or they shall and may plead the General Issue, and give this Act in Evidence for their Defence; and if upon the Trial a

Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonſuited, then every ſuch Defendant or Defendants ſhall recover his and their double Coſts.

No Writs of Certiorari to ſuperſede Execution upon Orders of the Juſtices.

XIV. Provided alſo, and be it enacted, That no Writ or Writs of *Certiorari* ſhall ſuperſede Execution or other Proceedings, upon any Order or Orders made by the Juſtices aforeſaid in Purſuance of this Act, but that Execution and other Proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs or Allowance thereof notwithſtanding.

Upon Exportation beyond Seas, the Duty to be repayed.

XV. Provided always, and be it enacted, That the Exciſe of the Liquors chargeable and payable by this Act, ſhall be re-allowed and repayed to the Exporter, for ſuch Part thereof as ſhall be exported as Merchandize to be ſpent beyond the Seas; any Thing herein contained to the contrary notwithſtanding.

*Further Proviſions concerning Exciſe,* 1 *W. & M. ſtat.* 1. *c.* 24. 4 *Ann. c.* 6. 8 *Ann. c.* 7. 10 *Ann. c.* 19. 12 *Ann. ſtat.* 2. *c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *c.* 16. 23 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. *and* 1 *Geo.* 3. *c.* 7.

XVI. Provided always, and be it enacted, That this Act and all the Powers, Matters and Things therein contained, and every of them, ſhall begin and commence from the four and twentieth Day of *June* one thouſand ſix hundred and ſeventy-one, and not ſooner; any Uſage or Law to the contrary notwithſtanding. 4 *W. & M. c.* 3. 5 *W. & M. c.* 20. 7 *W.* 3. *c.* 30. 8 *W.* 3. *c.* 19. 10 *W.* 3. *c.* 21. 12 *W.* 3. *c.* 11 & 12. 1 *Ann. ſtat.* 2. *c.* 3.

## CAP. VI.

15 Car. 2. c. 14. 20 Car. 2. c. 1. 22 Car. 2. c. 3. 12 Car. 2. c. 24. 13 Car. 2. ſtat. 1. c. 7. 15 Car. 2. c. 14.

An Act for Reveſting the Power of granting Wine-Licences in his Majeſty, his Heirs and Succeſſors, and for ſettling a Recompence on his Royal Highneſs in Lieu thereof. The Revenue of Wine-Licences, and the Moiety of all Forfeitures, veſted in the King. Freed from Jointures and Proviſions for Children. A Moiety of the Forfeitures incurred before the twenty-fourth of *November* 1670, ſaved to the Duke. The King's Letters Patents for granting 24000 *l. per Annum* to the Duke of *York* and his Heirs Males, out of the hereditary Exciſe, in Lieu of the Wine-Licences, ſhall ſtand good in Law. Non-recitals or Miſ-recitals in the ſame Letters Patents, ſaved. No Fee to be paid upon the Receipt thereof. If Default of Payment ſhall be made, Power given to ſue for it.

## CAP. VII.

### An Act to prevent the malicious Burning of Houſes, Stacks of Corn and Hay, and killing or maiming of Cattle.

Felony for wilful burning of any Ricks of Corn, Hay, &c. or Barns, &c. in the Night-time. 3 Inſt. 66, 67. 8 H. 6. c. 6. 37 H. 8. c. 6. 3 & 4 Ed. 6. c. 5. 43 El. c. 13. 15 Car. 2. c. 2. 1 Geo. 1. c. 48. 14 Geo. 2. c. 6.

'WHEREAS divers lewd and evil-diſpoſed Perſons intending the Ruin and Impoveriſhment of their Fellow-Subjects, have deviſed, and of late ſecretly in the Night-time, and at other Times when they think their Deeds are not known, frequently practiſed in ſeveral Parts of this Kingdom, unlawful and wicked Courſes in burning of Ricks and Stacks of Hay, Corn and Grain, deſtroying of Buildings, Trees, and cutting, maiming, wounding and killing of Horſes, Sheep, Beaſts, and other Cattle, in Contempt of the Laws, and to the inſupportable Wrong and Damage of many of his Majeſty's good Subjects:'

II. For Prevention whereof, and Diſcovery of the Offenders, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That where in any Part of this Kingdom any Perſon or Perſons after the firſt Day of *March* in the Year of our Lord one thouſand ſix hundred and ſeventy, ſhall in the Night-time maliciouſly, unlawfully, and willingly burn, or cauſe to be burnt or deſtroyed, any Ricks or Stacks of Corn, Hay, or Grain, Barns, or other Houſes or Buildings, or Kilns, or ſhall in the Night-time maliciouſly, unlawfully, and willingly kill, or deſtroy any Horſes, Sheep, or other Cattle, of any Perſon or Perſons whatſoever; every ſuch Offence ſhall be adjudged Felony, and the Offenders, and every of them ſhall ſuffer as in Caſe of Felony.

Attainder ſhall not work Corruption of Blood, &c.

III. Provided always, That no Attainder for any the Offences made Felony by Virtue of this Act, ſhall make or work any Corruption of Blood, Loſs of Dower, or Diſinheritance of Heir or Heirs.

The Party at Liberty to be tranſported for ſeven Years. 1 *Hawk. P. C.* 105. 1 *Hale's P. C.* 566. &c.

IV. And be it further enacted and declared, That in Caſe any Perſon or Perſons who ſhall be convict or attainted of any the Offences made Felony by Virtue of this Act as aforeſaid, (to avoid Judgment of Death, or Execution thereupon for ſuch his Offence) ſhall make his Election to be tranſported beyond the Seas, to any of his Majeſty's Plantations; That then the Juſtices of Aſſize, *Oyer* and *Terminer*, Gaol-Delivery, or Juſtices of the Peace, before whom ſuch Offender ſhall be convict or attaint by Virtue of this Act, and every of them reſpectively, ſhall cauſe Judgment to be entred againſt every ſuch Offender, that he be tranſported beyond the Seas to ſome of his Majeſty's Plantations, in the ſaid Judgment to be particularly mentioned and expreſſed, there to remain for the Space of ſeven Years; and that in Purſuance of the ſaid Judgment, the Sheriff or Sheriffs of the County or City where ſuch Offender ſhall be ſo convict or attainted, ſhall cauſe the ſaid Offender to be ſafely conveyed and embarked to be tranſported as aforeſaid; and if any ſuch Offender ſhall return into this Kingdom before the Expiration of the ſaid ſeven Years, he ſhall ſuffer Death as a Felon, and as if no ſuch Election to be Tranſported had been made by him.

Felony to return before the ſeven Years expired.

Treble Damages for maiming of Cattle, or throwing down of Incloſures, &c. in the Night-time.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall in the Night-time maliciouſly, unlawfully, and willingly maim, wound, or otherwiſe hurt any Horſes, Sheep, or other Cattle, whereby the ſame ſhall not be killed or utterly deſtroyed, or ſhall deſtroy any Plantations of Trees, or throw down any Incloſures, in Manner aforeſaid; That then every ſuch Offender or Offenders ſhall loſe and forfeit unto the Party grieved treble the Damage which he or they ſhall thereby ſuſtain; the ſame to be recovered by Action of Treſpaſs, or upon the Caſe, to be taken at the Common Law.

Three or more Juſtices of the Peace have Power to enquire

VI. And be it further enacted by the Authority aforeſaid, That upon the Complaint and Requeſt of the Party or Parties injured in any ſuch Manner, any three or more Juſtices of the Peace for the County, Diviſion, City, Town Corporate, or Place where ſuch Offence ſhall be committed, whereof one to be of the *Quorum*,

*Quorum*, shall and may, and they are thereunto authorized and required by Virtue of this Act, to enquire, as well by the Oaths of twelve lawful Men or more of the same County, as by Examination of Witnesses upon Oath, or by any lawful Ways or Means which to them shall seem meet, of and concerning any the Offences before incurred, and Offenders therein; and in Order thereunto, to issue out Warrants, as well for the summoning of Jurors, as for the apprehending of all such Persons, as shall or may be thereof suspected, and to take their Examination touching the same; as also to cause all such other Persons as to them shall seem likely to make Discovery thereof, to appear before them, and to give Information upon Oath, of and concerning their Knowledge of the Premisses; so as no Person so to be examined by the said Justices of the Peace, shall be convicted, or in any wise proceeded against, for or by Reason of any Offence concerning which he or they shall be so examined as a Witness, and shall upon such his Examination make a true Discovery thereof: (2) And in Case any Person or Persons, who by the said Justices be thought likely to make Discovery as aforesaid, shall refuse to appear or to be examined as a Witness, being duly summoned by the said Justices in Pursuance of this Act; It shall and may be lawful for the said Justices of the Peace to commit the Party so refusing, to the Common Gaol for the said County without Bail or Mainprise, until he shall submit to be examined upon Oath, of and concerning his Knowledge touching the same Offence, or the Offenders by whom the same was committed.

of the Offence, and punish the Offenders.

A Witness refusing to appear, shall be committed to Prison.

VII. Provided, That no Person who shall be punished for any Offence by Virtue of this Act, shall be punished for the same Offence by Virtue of any other Act or Law whatsoever; nor shall be questioned for the same, unless he be proceeded against within six Months after the Offence committed.

No Person shall be twice punished for this Offence. The Prosecution must be within six Months.

## CAP. VIII.

### An Act for the Regulating the making of *Kidderminster* Stuffs.

'WHEREAS divers Abuses and Deceits have of late Years been had and used in the making of Stuffs, called *Kidderminster* Stuffs, within the Borough and Parish of *Kidderminster*, in the County of *Worcester*, tending to the Debasing of the said Manufacture, and to the great Prejudice of the Publick:'

II. For the preventing of which Abuses and Deceits, may it please your Majesty that it may be enacted: (2) And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be chosen one President, four Wardens, and eight Assistants, all which shall be Master Weavers within the said Borough, the first *Monday* after *Pentecost* in the Year of our Lord one thousand six hundred seventy and one, and from thenceforth yearly and every Year on the next *Monday* after *Pentecost*, at some publick Place, by the Master Weavers of the said Borough, or the greater Part of them then present; (3) and the said President, Wardens and Assistants respectively, shall within fourteen Days after they shall be so chosen or elected, and Notice thereof given, take the Oath ensuing, to be administred by the Bailiff, or any one of the Justices of the Peace of the said Borough for the Time being, or either of them: Which Oath they and every of them are hereby required from Time to Time to administer accordingly, *(viz.)*

A Corporation of Weavers in Kidderminster.

'(4) I *A. B.* do swear, That I will well, faithfully, and honestly perform and discharge the Office of President *or* Warden, *or* Assistant, *Mutatis mutandis*, of the Trade of Clothiers and Stuff-Weavers within the Borough and Parish of *Kidderminster*, according to the best of my Skill, Power and Knowledge.'

The Oath to be taken by them.

III. And if it shall happen, That the said President, or any of the said Wardens or Assistants chosen as aforesaid, shall refuse to take the said Oath, or after his or their being sworn as aforesaid, shall die before the End of the Year; That then from Time to Time, so often as Need shall be, it shall and may be lawful to and for the Master-Weavers of the said Borough, to choose one other President, Warden or Wardens, Assistant or Assistants, in the Place of him or them so dying or refusing, who shall be sworn in such Manner as aforesaid.

IV. And for the Regulation and good Government of the said Trade and Manufacture, the said President, Wardens and Assistants, or any seven or more of them, whereof the President and three or more of the said Wardens are to be present, shall and may from Time to Time meet and consult together for the Good and Benefit of the said Trade and Manufacture, and for the due Execution of the Powers and Authority given by this Act, and to make and ordain By-Laws, Rules and Ordinances, for the better Regulating of the said Trade and Manufacture, and the Artificers of the same, and to make Seals from Time to Time for Sealing of the same Stuffs: (2) Which By-Laws, Rules and Ordinances being ratified and confirmed by the Justices of Assize for the County of *Worcester* for the Time being, shall be published at least twice in the Year at two publick Assemblies for the said Trade and Manufacture, and shall be obeyed and kept by the Artificers of the said Trade and Manufacture, and by the several Persons using the same within and under the said Regulation. (3) And the said President, Wardens and Assistants, or any seven or more of them, shall have and hereby have Power to impose a Fine or Penalty upon any Person or Persons using the said Trade, or that shall be under the Regulation thereof, as shall not conform to such Rules, Orders, By-Laws and Ordinances so made and to be made and confirmed as aforesaid.

A Power given them to make By-Laws.

To be confirmed by the Justices of Assize.

To be published twice a Year.

Power to impose Fines.

V. Provided, That the said Fine or Penalty upon any Person for not conforming as aforesaid, shall not exceed the Sum of forty Shillings for any one Offence.

The Fine not to exceed 40s.

VI. And if any Person or Persons duly chosen as aforesaid, to be President or Warden, or Assistant, and due Notice thereof given by the Bailiff of the said Borough for the Time being, shall refuse or neglect to execute the Place of President, Warden or Assistant, or to take the said Oath, according to the Purport of this

The President, &c. being chosen, and neglecting to execute, shall be fined.

this Act, every such Person so refusing or neglecting, shall be fined at the Discretion of the Bailiff, or any one of the Justices of the Peace of the said Borough for the Time being, so as such Fine doth not exceed the Sum of five Pounds for any one Offence: (2) Which said Fine shall be levied by Warrant under the Hands and Seals of the said Bailiff and any one Justice of the Peace for the said Borough, on the Goods and Chattels of the said Offender, by Distress and Sale, rendring the Overplus, if any shall be, and shall be employed and disposed of to the Use and Benefit of the poor Artificers of the said Trade, at the Discretion of the said Bailiff and any one Justice of the Peace of the said Borough.

How to be levied.

How the Fines shall be employed.

Linen-Yarn to be reeled on a Reel four Yards about, and sold openly in the Market.

VII. And for the better Regulation of the said Trade and Manufacture, and the avoiding of Frauds and Deceits therein; (2) Be it further enacted by the Authority aforesaid, That all Linen-Yarn reeled, and usually bought and sold, or estimated by the Lea, to be hereafter used by any of the said Artificers and Stuff-Weavers within the said Borough or Parish of *Kidderminster* or Liberties thereof, shall be made without Fraud or Deceit, and be openly bought and sold in some publick Market-Place on the Market-Day within the said Borough, to be appointed by the Bailiff of the said Borough for the Time being; and before the same be exposed to Sale, shall be reeled on a Reel four Yards about, every Lea of the said Yarn containing two hundred Threads.

The Penalty.

VIII. And in Case any Person or Persons shall hereafter sell or expose to Sale any the Yarns aforesaid, made or reeled in any other Manner than as aforesaid, it shall and may be lawful to and for the said President, Wardens and Assistants, or any two or more of them, to seize, take and carry away all such deceitful and defective Yarns; (2) which said Yarns within twenty Days after such Seizure, shall be tried by a Jury of twelve honest and able Artificers of the said Trade, who shall be from Time to Time impanelled and summoned by a Precept under the Hands and Seals of the Bailiff and any one Justice of the Peace of the said Borough, to appear at the *Guild-hall* of the said Borough at a Time certain in the said Precept specified, and then and there be sworn by the said Bailiff and Justice, to enquire of the Defects of all Yarns seized as aforesaid, and to try whether the said Yarns be made and reeled according to the true Intent and Meaning of this Act, and the By-Laws and Ordinances made by Virtue thereof: (3) And if the said Jury Impanelled and Sworn as aforesaid shall find any of the said Yarns not made and reeled according to the Intent and Meaning of this Act and the By-Laws and Ordinances made by Virtue thereof; That then the said Bailiff and Justice of the Peace of the said Borough shall impose such Fine or Fines upon the Owner or Owners of such defective Yarns, as in their Discretions shall be thought meet, not exceeding the Value of the Moiety of such defective Yarns: (4) Which said Fine or Fines, the Owners of the said defective Yarns shall pay to the said President for the Time being, (to be disposed of as to the said President, Wardens and Assistants, or the major Number of them, shall seem meet, at their next publick Meeting, within thirty Days after the said Trial) and in Default thereof, the said Yarns to be sold by the President, or any two of the said Wardens, and the Overplus of the Monies thereof coming, after the Fine or Fines deducted, to be restored to the said Owner or Owners upon Demand.

How to be tried.

Fines.

The Overplus to be restored.

All Kidderminster Stuffs shall be regulated by the By-Laws aforesaid.

IX. And be it further enacted by the Authority aforesaid, That all Sorts of Cloths and Stuffs woven with Wool only, or of Wool and other Materials, within the said Borough or Parish of *Kidderminster* or the Liberties thereof, shall be under the Power, Government and Regulation of the said President, Wardens and Assistants, in such Manner as by this Act and the By-Laws and Ordinances made or to be made by Virtue thereof, or by the Laws or Statutes of this Realm, are or shall be established.

To be viewed and searched by the President, &c.

Sealed.

When to be seized.

Fine.

X. And that all Clothes and Stuffs made or to be made under the Regulation aforesaid, before the same shall be exposed or put to Sale, shall be brought to some convenient Place within the said Borough, to be appointed by the said President and Wardens, or the greater Part of them, to be viewed and searched by the said President, and any one of the said Wardens, or by any two of the said Wardens in the Absence of the said President; and if the same shall be found to be well and sufficiently made and wrought according to the Rules and Ordinances of the said Trade and Manufacture, Then all such Clothes and Stuffs shall be by the said President and any one of the said Wardens, or by any two of the said Wardens for the Time being, sealed and allowed accordingly; (2) and if upon such Search and View, any Clothes or Stuffs shall be found or conceived not to be well and sufficiently made and wrought, according to the Rules and Ordinances of the said Trade and Manufacture, Then such Clothes and Stuffs shall be seized by the said President and Warden, or any two of the said Wardens, and be brought to Trial, and the Owner or Owners fined, in such Manner and Form, as in this present Act is before limited and appointed for the Trial of defective Linen-Yarn.

Power to enter into Houses and search.

Penalty.

XI. And be it further enacted by the Authority aforesaid, That the said President, Wardens and Assistants, or any two or more of them, shall have and hereby have Power and Authority, to enter into and search the Houses and Work-houses of any Artificer under the Regulation of the said Trade, at all Times of the Day, and usual Times of opening of Shops and working; and into the Shops, Houses and Warehouses of any common Buyer, Dealer in or Retailer of any of the said Clothes or Stuffs, and into the Houses and Work-houses of any Dyer, Sheer-man, and all other Workmens Houses and Places of Sale or Dressing of the said Clothes, Stuffs and Yarns; and may there view the said Clothes, Stuffs and Yarns respectively, whether they be made and wrought according to the Laws, Orders and Ordinances of the said Trade; and if any Cloth, Stuff or Yarns shall be found faulty or defective, to seize and carry away the same; to be tried by a Jury, as afore in this Act is appointed.

Penalty for buying of Cloth before it be sealed.

XII. And be it also enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons to buy any Piece or Pieces of Clothes or Stuffs, made or to be made within the said Borough or Parish or Liberty thereof, before the same be sealed as aforesaid; and if any Piece or Pieces of such Cloth or Stuff shall be found in the Possession of any Person or Persons unsealed, (except in the Possession of the first Owner or Maker thereof) the Person or Persons in whose Custody the same shall be found, shall be adjudged guilty of Deceit, and shall forfeit for every such Piece of Cloth or Stuff so found in his or their Possession unsealed as aforesaid, the Sum of four Shillings, and the Maker and Seller of the same, who shall

shall deliver the same out of his or their Possession before the same be sealed, shall likewise forfeit for every such Piece other four Shillings, to the Use of the Poor of the said Trade.

Penalty for counterfeiting the Seal.

XIII. And if any Person shall counterfeit any Seal of the said Trade, or shall seal any Piece of Cloth or Stuff made under the Regulation of the said Trade, with any counterfeit Seal, or shall remove a Seal off one Piece, and set it unto another Piece which hath not been sealed as before in this Act is appointed to be sealed, every Person so offending, and being thereof convicted by his own Confession, or by the Oaths of two or more Witnesses, to be taken by the Bailiff or any Justice of the Peace of the said Borough for the Time being, who respectively have hereby Power to administer an Oath for that Purpose, shall forfeit for every such Offence the Sum of twenty Pounds.

How Journeymen shall be provided for.

XIV. And for the better providing that poor Journeymen who have served in the said Trade, and are not able to set up for themselves, may be employed in Work, it is hereby enacted, That every Person under the Regulation of the said Trade, who shall employ two Apprentices in the said Trade, shall likewise employ and set on work two Journeymen in the said Trade, during the Time he shall have or employ two Apprentices; upon Pain that every Person shall forfeit for every Month so offending as aforesaid, the Sum of twenty Shillings.

To what Uses the Fines shall be.

XV. And be it enacted by the Authority aforesaid, That the one Moiety of all Fines, Forfeitures and Penalties before in this Act mentioned, other than such as are expresly otherwise appointed, shall be to the Use of the King's Majesty, his Heirs and Successors; the other Moiety to the Use of the Poor of the said Trade; (2) and shall and may be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of the Bailiff and one of the Justices of the Peace of the said Borough, or be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be allowed.

All Bailiffs, Justices, Constables, &c. shall aid and assist them.

XVI. And be it also enacted, That all Bailiffs, Justices, Sheriffs, Constables, and all other Officers, shall be aiding and assisting to the said President, Wardens and Assistants, or any of them, as often as they shall be thereunto required; (2) and in all Actions and Suits that shall be brought against any Person or Persons for what he or they shall do in Pursuance or in Execution of this Act, or any of the Authorities hereby given, the Person or Persons so sued or molested shall or may plead the General Issue of Not guilty, and give the special Matter in Evidence, and shall recover double Costs in every such Case, if the Verdict pass for such Person or Persons, or that the Plaintiff or Plaintiffs be nonsuit therein, or forbear further Prosecution, or suffer Discontinuance; for which Costs the said Person or Persons shall have the like Remedy as in any Case where Costs by the Law were given to Defendants.

If sued, plead the General Issue.

Double Costs.

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## Anno vicesimo secundo & tertio CAROLI secundi Regis.

'AT the same Parliament held by several Prorogations and Adjournments, *October* twenty-fourth, 22 *Car.* 2. and thence continued on to *March* the sixth, one thousand six hundred and seventy, *Anno* 23 *Car.* 2. *Stat.* 2.'

No Distinction is made on the Roll as to any new Session.

### CAP. IX. (Stat. 2. Cap. 5.)

### An Act for laying Impositions on Procceedings at Law.

'WE your Majesty's most dutiful and loyal Subjects, the Commons assembled in Parliament, having entred into a due and serious Consideration of the extraordinary Occasions which oblige your Majesty to a great and present Expence for the necessary Defence of your Realms, and considering your Majesty's great Debts, and being desirous to raise such Aids and Supplies as may be proportionable to these Occasions, do humbly present your Majesty with the free Gift of the Rates and Aids herein after mentioned; and do beseech your Majesty that it may be enacted; EXP.'

43 Eliz. c. 6. Mod. Cases in Law 371. 1 Salk. 193, 206, 208. Raymond 487, 488. 3 Mod. 39. 2 *Vent.* 30. 48.

(149.) CXXXVI. And for Prevention of trivial and vexatious Suits in Law, whereby many good Subjects of this Realm have been and are daily undone, contrary to the Intention of an Act made in the three and fortieth Year of Queen *Elizabeth*, for avoiding of infinite Numbers of small and trifling Suits commenced in the Courts at *Westminster*; (2) Be it further enacted, for making the said Law effectual, That from and after the first of *May* aforesaid, in all Actions of Trespass, Assault and Battery, and other Personal Actions, wherein the Judge at the Trial of the Cause shall not find and certify under his Hand upon the Back of the Record, that an Assault and Battery was sufficiently proved by the Plaintiff against the Defendant, or that the Freehold or Title of the Land mentioned in the Plaintiff's Declaration was chiefly in Question, the Plaintiff in such Action, in Case the Jury shall find the Damages to be under the Value of forty Shillings, shall not recover or obtain more Costs of Suit than the Damages so found shall amount unto: (3) And if any more Costs in any such Action shall be awarded, the Judgment shall be void, and the Defendant is hereby acquitted of and from the same, and may have his Action against the Plaintiff for such vexatious Suit, and recover his Damages and Costs of such his Suit in any of the said Courts of Record.

Personal Actions, wherein no Title of Land is in question.

Extended to Counties Palatine by 11 & 12 W. 3. c. 9.

### CAP. X. (6.)

### An Act for the better Settling of Intestates Estates.

All Ordinaries who have Power to grant Admini-

BE it enacted by the King's most Excellent Majesty, with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same,

strations, have Power to take Bond. Vaughan 96. 31 Ed. 3. c. 11.

same, That all Ordinaries, as well the Judges of the Prerogative Courts of *Canterbury* and *York* for the Time being, as all other Ordinaries and Ecclesiastical Judges, and every of them, having Power to commit Administration of the Goods of Persons dying Intestate, shall and may upon their respective granting and committing of Administrations of the Goods of Persons dying Intestate, after the first Day of *June* one thousand six hundred seventy and one, of the respective Person or Persons to whom any Administration is to be committed, take sufficient Bonds with two or more able Sureties, Respect being had to the Value of the Estate, in the Name of the Ordinary, with the Condition in Form and Manner following, *mutatis mutandis*, *viz.*

The Condition of the Bonds.

'II. THE Condition of this Obligation is such, That if the within-bounden *A. B.* Administrator of all and singular the Goods, Chattels and Credits of *C. D.* deceased, do make or cause to be made a true and perfect Inventory of all and singular the Goods, Chattels and Credits of the said Deceased which have or shall come to the Hands, Possession or Knowledge of him the said *A. B.* or into the Hands and Possession of any other Person or Persons for him, and the same so made do exhibit or cause to be exhibited into the Registry of Court, at or before the Day of next ensuing; (2) and the same Goods, Chattels and Credits, and all other the Goods, Chattels and Credits of the said Deceased at the Time of his Death, which at any Time after shall come to the Hands or Possession of the said *A. B.* or into the Hands and Possession of any other Person or Persons for him, do well and truly Administer according to Law; (3) And further do make or cause to be made, a true and just Account of his said Administration, at or before the Day of And all the Rest and Residue of the said Goods, Chattels and Credits which shall be found remaining upon the said Administrator's Account, the same being first examined and allowed of by the Judge or Judges for the Time being of the said Court, shall deliver and pay unto such Person or Persons respectively, as the said Judge or Judges by his or their Decree or Sentence, pursuant to the true Intent and Meaning of this Act, shall limit and appoint. (4) And if it shall hereafter appear, That any last Will and Testament was made by the said Deceased, and the Executor or Executors therein named do exhibit the same into the said Court, making Request to have it allowed and approved accordingly, if the said *A. B.* within-bounden, being thereunto required, do render and deliver the said Letters of Administration (Approbation of such Testament being first had and made) in the said Court; then this Obligation to be void and of none Effect, or else to remain in full Force and Virtue.'

1 Salk. 315, 316.

Ordinaries have Power to call Administrators to Account, and to make Distribution amongst the Wife and Children, &c. *Vern.* V. 14. 464. *Wood P.* 1. 159.

III. Which Bonds are hereby declared and enacted to be good to all Intents and Purposes, and pleadable in any Courts of Justice: (2) And also that the said Ordinaries and Judges respectively, shall and may, and are enabled to proceed and call such Administrators to Account, for and touching the Goods of any Person dying Intestate; (3) and upon Hearing and due Consideration thereof, to order and make just and equal Distribution of what remaineth clear (after all Debts, Funerals and just Expences of every Sort first allowed and deducted) amongst the Wife and Children, or Childrens Children, if any such be, or otherwise to the next of Kindred to the dead Person in equal Degree, or legally representing their Stocks *pro suo cuique jure*, according to the Laws in such Cases, and the Rules and Limitation hereafter set down; and the same Distributions to decree and settle, and to compel such Administrators to observe and pay the same, by the due Course of his Majesty's Ecclesiastical Laws: (4) Saving to every one, supposing him or themselves aggrieved, their Right of Appeal as was always in such Cases used.

The Customs of London, and Province of York, saved. Explained by 1 Jac. 2. c. 17. §. 8. Skinner 26.

IV. Provided, That this Act, or any Thing herein contained, shall not any ways prejudice or hinder the Customs observed within the City of *London* or within the Province of *York*, or other Places, having known and received Customs peculiar to them, but that the same Customs may be observed as formerly; any Thing herein contained to the contrary notwithstanding.

How, and to whom the Surplusage is to be distributed. 2 Mod 20, 101. 3 Mod. 58. 1 Vern. 465.

V. Provided always, and be it enacted by the Authority aforesaid, That all Ordinaries and every other Person who by this Act is enabled to make Distribution of the Surplusage of the Estate of any Person dying Intestate, shall distribute the whole Surplusage of such Estate or Estates in Manner and Form following: That is to say, (2) One third Part of the said Surplusage to the Wife of the Intestate, and all the Residue by equal Portions, to and amongst the Children of such Persons dying Intestate, and such Persons as legally represent such Children, in case any of the said Children be then dead, other than such Child or Children (not being Heir at Law) who shall have any Estate by the Settlement of the Intestate, or shall be advanced by the Intestate in his Life-time, by Portion or Portions equal to the Share which shall by such Distribution be allotted to the other Children to whom such Distribution is to be made: (3) And in case any Child, other than the Heir at Law, who shall have any Estate by Settlement from the said Intestate, or shall be advanced by the said Intestate in his Life-time by Portion not equal to the Share which will be due to the other Children by such Distribution as aforesaid; Then so much of the Surplusage of the Estate of such Intestate, to be distributed to such Child or Children as shall have any Land by Settlement from the Intestate, or were advanced in the Life-time of the Intestate, as shall make the Estate of all the said Children to be equal as near as can be estimated: (4) But the Heir at Law, notwithstanding any Land that he shall have by Descent or otherwise from the Intestate, is to have an equal Part in the Distribution with the Rest of the Children, without any Consideration of the Value of the Land which he hath by Descent, or otherwise from the Intestate.

Advancement by Portion.

1 Shower 25.

Heir at Law to have an equal Part.

1 Ven. 372. 2 Lev. 173. 2 Ven. 317. 3 Mod. 2-9. 3 Mod. 204.

VI. And in case there be no Children nor any legal Representatives of them, then one Moiety of the said Estate to be allotted to the Wife of the Intestate, the Residue of the said Estate to be distributed equally to every of the next of Kindred of the Intestate, who are in equal Degree and those who legally represent them.

Where Wife then to be distributed

VII. Provided, That there be no Representations admitted among Collaterals after Brothers and Sisters Children: (2) And in case there be no Wife, then all the said Estate to be distributed equally to and amongst

mongst the Children: (3) And in case there be no Child, then to the next of Kindred in equal Degree of or unto the Intestate, and their legal Representatives as aforesaid, and in no other Manner whatsoever. amongst the Children. 1 Salk 250.

Raymond 496. Carthew 51. Jones Sir Tho. 93. 2 Vernon 169, 170, 233.

VIII. Provided also, and be it likewise enacted by the Authority aforesaid, To the End that a due Regard be had to Creditors, that no such Distribution of the Goods of any Person dying Intestate be made till after one Year be fully expired after the Intestate's Death; (2) and that such and every one to whom any Distribution and Share shall be allotted, shall give Bond with sufficient Sureties in the said Courts, that if any Debt or Debts truly owing by the Intestate shall be afterwards sued for and recovered, or otherwise duly made to appear; that then and in every such Case he or she shall respectively refund and pay back to the Administrator his or her rateable Part of that Debt or Debts, and of the Costs of Suit and Charges of the Administrator by reason of such Debt, out of the Part and Share so as aforesaid allotted to him or her, thereby to enable the said Administrator to pay and satisfy the said Debt or Debts so discovered after the Distribution made as aforesaid. No Distribution till after one Year. If Debts afterwards appear, then all to refund proportionably.

IX. Provided always, and be it enacted by the Authority aforesaid, That in all Cases where the Ordinary hath used heretofore to grant Administration *cum Testamento annexo*, he shall continue so to do, and the Will of the Deceased in such Testament expressed shall be performed and observed in such Manner as it should have been if this Act had never been made. This Act shall not extend to Administration cum Testamento annexo.

X. Provided also, That this Act shall continue in Force for seven Years, and from thence to the End of the next Session of Parliament and no longer. [29 Car. 2. c. 3. §. 25. 30 Car. 2. stat. 1. c. 6. made perpetual by 1 Jac. 2. c. 17. §. 5.] *And see* 14 *Geo.* 2. *c.* 20. §. 9.

## CAP. XI. (1.)

### An Act to prevent the Delivery up of Merchants Ships, and for the Increase of good and serviceable Shipping.

'WHEREAS it often happeneth that Masters and Commanders of Merchants Ships do suffer their Ships to be boarded, and their Goods to be taken out by Pirates and Sea-rovers, notwithstanding they have sufficient Force to defend themselves, whereby not only the Merchants are much prejudiced, but the Honour of the *English* Navigation is thereby much diminished, and Merchants discouraged from lading their Goods on Board *English* Ships, to the Decay of Shipping; in the Preservation of which the Wealth, Honour and Safety of this Nation is so much concerned: (2) To which the said Masters are encouraged by a Practice used towards them by the *Turks* and others, who after they have taken out the Goods, as an Encouragement to Masters of Ships to yield, do not only restore the Ship with such Goods as are claimed by the Masters or Seamen, but many Times pay unto the Masters all or some Part of the Freight, which hath many Times caused Suspicion of Treachery in the said Masters, to the great Dishonour of the *English* Nation:' 16 Car. 2. c. 6.

II. For the Prevention thereof for the future, and for the better Encouragement to Merchants, as well Foreigners as *English*, to freight and use *English* Ships, (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, assembled in Parliament, and by Authority of the same, That where any Goods or Merchandizes shall be laden on board any *English* Ship, which Ship shall be of the Burthen of two hundred Tons or upwards, and mounted with sixteen Guns or more, if the Master or Commander shall yield up the said Goods to any *Turkish* Ships or Vessels, or to any Pirates or Sea-rovers whatsoever, without fighting; That then and in such Case the Master shall, upon Proof thereof made in the High Court of Admiralty be from thenceforth incapable of taking Charge of any *English* Ship or Vessel as Master or Commander thereof; (3) and if he shall at any Time thereafter presume to take upon him to command any *English* Ship or Vessel, he shall suffer Imprisonment by Warrant from the said Court, during the Space of six Months for every such Offence: (4) And in Case the Persons so taking the said Goods, shall release, give back or let pass the said Ship, shall pay unto the said Master any Sum or Sums of Money, or any Goods in Lieu of Money for Freight, or other Reward or Gift; that in all or any such Cases, the said Goods or Money so given, or the Value thereof, as also the Master's Part of such Ship, her Tackle, Apparel and Furniture so released, given back or let pass, out of which the said Goods were taken, shall be liable to repair the Persons whose Goods were so delivered or taken, by Action in the High Court of Admiralty: (5) And in case the Commander's or Master's Part of the Ship, Tackle, Apparel and Furniture, together with such Money and Goods given as aforesaid, shall not be sufficient to repair all the Damages sustained; then the Reparations to be recovered on the Master's or Commander's Part of the Ship, to be divided *pro rata* amongst the Persons prosecuting and proving their Damages, and the Persons damaged to have their Action against the Master for the Remainder. No Master shall deliver up any Ship (of 200 Tons and 16 Guns) to any Pirates or others, without fighting.

III. And be it further enacted by the Authority aforesaid, That no Master of any such *English* Ship as aforesaid, being at Sea, and having discovered any Ship to be a *Turkish* Ship, Pirate or Sea-rover, shall depart out of his Ship upon any Pretence whatsoever, lest by his Detention on Board any such Ship, the Safety of his own Ship be hazarded. The Master not to depart out of his Ship.

IV. And be it further enacted, That if the Master of any *English* Ship or Vessel, though not of the Burthen of two hundred Tons, or mounted with sixteen Guns as aforesaid, shall yield his Ship unto any *Turkish* Ship, Pirate or Sea-rover, (not having at the least his double Number of Guns) without fighting, every such Master shall be liable to all and every the Penalties in this Act contained. The Penalty when the Ship is under 200 Tons and 16 Guns.

V. And be it further enacted by the Authority aforesaid, That upon Process made out of the High Court of Admiralty, It shall and may be lawful to and for all Commanders of his Majesty's Ships of War, To seize by Process out of the Admiralty.

War, or the Commanders of any other *English* Ships, to seize such Ships or Masters so offending, according to the said Process in such Case to be issued, and the same to bring or send in Custody into any Ports of his Majesty's Dominions, there to be proceeded against according to the Intent and Meaning of this Act.

VI. Provided, That none be hereby encouraged to violate the Rights of the Ports of any Foreign Prince or States in Amity with the King's Majesty.

Penalty for Mariners refusing to fight.

VII. And be it further enacted by the Authority aforesaid, That if the Mariners or inferior Officers of any *English* Ship laden with Goods and Merchandizes as aforesaid, shall decline or refuse to fight and defend the Ship, when they shall be thereunto commanded by the Master or Commander thereof, or shall utter any Words to discourage the other Mariners from defending the Ship; That every Mariner who shall be found guilty of declining or refusing as aforesaid, shall lose all his Wages due to him, together with such Goods as he hath in his Ship, and suffer Imprisonment, not exceeding the Space of six Months, and shall during such Time be kept to hard Labour for his or their Maintenance.

Where the Master is forced to yield his Ship, there he is excused.

VIII. Provided always, That if any Ship shall have been yielded as aforesaid, contrary to the Will and Endeavour of the Master or Commander, by the Disobedience of the Mariners, testified by their having laid violent Hands on him; that in such Case the Master or Commander shall not be liable to the Sentence of Incapacity as aforesaid, nor to any Action for the Losses sustained by the Merchants, unless he shall have received back from the Takers thereof, his Ship, or some Recompence, Gift or Reward as aforesaid.

Penalty for the Mariners to force him to yield his Ship, Felony.

IX. And be it further enacted by the Authority aforesaid, That every Mariner who shall have laid violent Hands on his Commander, whereby to hinder him from fighting in Defence of his Ship and Goods committed to his Trust, shall suffer Death as a Felon.

When any Officers or Seamen are wounded in Defence of their Ship, Provision is made for their Maintenance.

Seamen maimed in Fighting against Pirates, provided for by 8 Geo. 1. c. 24. §. 5.

X. And for the better Encouragement to Captains, Masters, Officers and Seamen, to defend their Ship; (2) Be it enacted by the Authority aforesaid, That when any *English* Ship shall have been defended by Fight, and brought to her designed Port, in which Fight any of the Officers or Seamen shall have been wounded, It shall and may be lawful to and for the Judge of his Majesty's High Court of Admiralty, or his Surrogate, or the Judge of the Vice-Admiralty within which the Ship shall arrive at her Return, upon Petition of the Master or Seamen of such Ship so defended as aforesaid, to call unto him such and so many as he shall be informed to be Adventurers or Owners of the Ship and Goods so defended, and by Advice with them to raise and levy upon the respective Owners and Adventurers, by Process out of the said Court, such Sum or Sums of Money, as himself with the major Part of the Adventurers or Owners then present shall judge reasonable, not exceeding the Value of two *per Cent.* of the Ship and Goods so defended, according to the first Cost of the Goods, to be made appear by the Invoice (which the Owner, or his Factor or Correspondent, is hereby required to produce) or by the Oath of the said Owner, Factor or Correspondent, if thereunto required; (3) which Money so raised shall be paid unto the Register of the said Court, who shall receive for the same, three Pence in each Pound, and no more, thence to be distributed amongst the Captain, Master, Officers and Seamen of the said Ship, or Widows and Children of the Slain, according to the Direction of the Judge of the said Court, with the Approbation of three or more of the Owners or Adventurers aforesaid, who shall Proportion the same according to their best Judgments, unto the Ship's Company as aforesaid, having special Regard unto the Widows and Children of such as shall have been slain in that Service, and to such as shall have been wounded or maimed.

The Benefit they are to receive by taking a Ship that shall assault them.

XI. And in Case the Company belongeth unto any *English* Merchant-Ship shall happen to take any Ship, which Ship shall first have assaulted them, the respective Officers and Mariners belonging to the same shall after Condemnation of such Ship and Goods, have and receive to their own proper Use and Benefit such Part and Share thereof, as is usually practised in private Men of War.

Felony for any Officer or other Person wilfully to destroy any Ship.

'XII. And whereas it often happeneth that Masters and Mariners of Ships having ensured or taken upon 'Bottomary, greater Sums of Money than the Value of their Adventure, do wilfully cast away, burn, or 'otherwise destroy the Ships under their Charge, to the Merchants and Owners great Loss;' (2) for the Prevention thereof for the future, Be it enacted by the Authority aforesaid, That if any Captain, Master, Mariner, or other Officer belonging to any Ship, shall wilfully cast away, burn, or otherwise destroy the Ship unto which he belongeth, or procure the same to be done, he shall suffer Death as a Felon.

Encouragement given for Building good Ships.

XIII. And for the better Encouragement of Building good and defensible Ships, Be it enacted, That all and every Person or Persons, that shall within the Space of seven Years from and after the first of *May* next ensuing build or cause to be built, within any of his Majesty's Dominions, any Ship or Vessel of three Decks, with a Forecastle, and five Foot between each Deck, mounted with thirty Pieces of Ordnance at least, and other Ammunition proportionable, shall for the first two Voyages which the said Ship or Ships make from his Majesty's Dominions to any foreign Part, have and receive to his and their own proper Use and Benefit, one tenth Part:

XIV. And all Persons that shall build any Ships of two Decks, above three hundred Tons, and thirty Guns, shall have one twentieth Part of the Customs that shall be paid to his Majesty for all such Goods or Merchandizes as shall be exported or imported on the said Ship or Ships, to and from this Kingdom: And the Commissioners and Officers of his Majesty's Customs are hereby impowered and required to pay the same to the Owner or Owners of the said Ship or Ships accordingly.

*Farther Provisions concerning Ships and Seamen.*

1 *Jac.* 2. c. 18. 4 & 5 *Ann.* c. 20. 6 *Ann.* c. 37. 8 *Ann.* c. 17. 10 *Ann.* c. 17. 12 *Ann. stat.* 2. c. 15. 3 *Geo.* 1. c. 13. 4 *Geo.* 1. c. 12. 7 *Geo.* 1. c. 21. 8 *Geo.* 1. c. 17 & 24. 11 *Geo.* 1. c. 29. 3 *Geo.* 2. c. 36. 5 *Geo.* 2. c. 20. 6 *Geo.* 2. c. 29. 7 *Geo.* 2. c. 15. 9 *Geo.* 2. c. 25. 10 *Geo.* 2. c. 14. 14 *Geo.* 2. c. 39. 17 *Geo.* 2. c. 34 & 36. 18 *Geo.* 2. c. 17 & 31. 19 *Geo.* 2. c. 30. 20 *Geo.* 2. c. 24 & 45. 22 *Geo.* 2. c. 3 & 33. 26 *Geo.* 2. c. 25. 29 *Geo.* 2. c. 27 & 34. 32 *Geo.* 2. c. 16 & 25. 33 *Geo.* 2. c. 19.

CAP.

## CAP. XII. (2.)

### An Additional Act for Ascertaining the Measures of Corn and Salt.

Enforced by 8 Ann. c. 18. §. 12.

'WHEREAS notwithstanding there hath been great Care taken in a late Act, intituled, *An Act for the Ascertaining the Measures of Corn and Salt throughout the Realm*; yet the same is in a great 'Measure avoided, by Selling in private Places, as well as in publick Markets, by the Bag, or without 'Measuring, by the Buyers shaking of the Bushel before it be struck, so that those Places who have 'given Obedience to the said Act, are greatly prejudiced, and their Markets likely to be lost by such un-'due Practices:' 22 Car. 2. c. 8.

II. For Prevention whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That every Person or Persons, who shall from and after the five and twentieth Day of *March* next sell or buy any Corn ground or unground, or Salt, by the Bag, or without Measuring, being thereunto required, or in any other Manner than as is by the said Act directed, and that without shaking the said Bushel or Measure by the Buyer, shall forfeit and lose, beside the Penalty of the former Act appointed, all Corn, Grain or Salt, bought or sold contrary to this Act, or the Value thereof, to the Person or Persons complaining. No Corn or Salt shall be bought by the Bag, without measuring. Forfeiture.

'III. And whereas a great Cause of the Mischief hereby intended to be prevented, doth arise by the Sel-'ling in private Places, and so avoiding, not only the Intention of the said Act, but to the great Damage of 'publick Markets;' (2) Be it further enacted, That upon Complaint made to any one or more Justices of the Peace, That any Kind of Corn ground or unground, or Salt, hath been sold or bought, or delivered, contrary to this Act, the Proof shall lie upon the Defendant, to make it appear by the Oaths of one or more credible Witnesses, That he or they did sell or buy the same in every Respect according to this and the said former Act, wherein if such Person complained of shall fail, he or they shall forfeit and lose as is by this Act before directed, to be levied by Distress and Sale of his or their Goods or Chattels, restoring the Overplus, by Warrant under the Hand and Seal of one or more Justices, before whom he or they shall be so convicted: Which Penalties by this Act appointed to be levied, shall by the said Justice or Justices be distributed, one Half to the Poor of the Parish where such Offence was committed, and the other Half to the Informer or Prosecutor. The Proof to lie upon the Defendant when he bought the Corn. Forfeiture. How to be disposed of.

'IV. And whereas in all Places where Markets are holden, there is not a Clerk of the Market to Seal 'all Measures as by the former Act is directed:' Be it therefore further enacted, That in every such Case it shall and may be lawful for the Mayor, Bailiffs or Head Officer, or other Person or Persons who hath the Benefit of such Market, and they and every of them are hereby authorized and required, to seal or cause to be sealed all Measures duly gauged, that shall be brought unto them for that Purpose; which Sealing shall be as effectual in the Law to all Intents and Purposes, as if such Measure had been sealed by any Clerk of the Market, every such Mayor, Bailiff or Head Officer, taking no more for so doing than is by the said Act appointed. Where there is no Clerk of the Market, then what Persons are appointed to seal the Measures.

V. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for every Person or Persons, Bodies Politick or Corporate, or any of them, to whom any Salt, Rent-Corn or Tithe-Corn is reserved or due by any Lease, Grant, Contract, Custom or Usage, to receive and take all such Rent or other Duties of Salt and Corn as is or shall be so reserved or due, or the just and full Value thereof in ready Money, according to the Proportion and Quantity, and by the like Measures, and in such Manner, as the same were due and paid before the Beginning of this Parliament; any thing herein or in any other Law or Statute to the contrary in any wise notwithstanding. This Act shall not extend to Rent-Corn or Tithe-Corn.

## CAP. XIII. (3.)

An Act for exporting of Beer, Ale and Mum. Strong Ale, Strong Beer and Mum, may be exported, paying Custom. The Rates of the Custom. The Penalty for unlading the same in any Places but beyond the Seas. To be in Force for six Years, &c. EXP. 29 Car. 2. c. 2.

## CAP. XIV. (4.)

An Act for Determination of Differences touching Houses burnt or demolished within four Years since the late dreadful Fire in *London*. All Differences about any Houses within the Bills of Mortality, demolished by Fire, shall be determined by the Judges, for the Judicature of Houses demolished by Fire within *London*. Longer Time given to the Judicature. The Time limited for receiving of Complaints. Lord Mayor when to dispose of Ground unbuilt. Authority given to grant long Leases of the *Savoy* Ground. EXP. 19 Car. 2. c. 2. 22 Car. 2. c. 11.

## CAP. XV. (11.)

### An Act for the better Settlement of the Maintenance of the Parsons, Vicars and Curates, in the Parishes of the City of *London* burnt by the late dreadful Fire there.

'WHEREAS the Tithes in the City of *London* were levied and paid with great Inequality, and are 'since the late dreadful Fire there, in the rebuilding of the same, by taking away of some Houses 'altering the Foundations of many, and the new erecting of others, so disordered, that in case they should 'not for the Time to come be reduced to a Certainty, many Controversies and Suits of Law might thence 'arise;'

'arise;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the annual certain Tithes of all and every Parish and Parishes within the said City of *London* and the Liberties thereof, whose Churches have been demolished, or in Part consumed, by
22 Car. 2. c. 11. the late Fire, and which said Parishes by Virtue of an Act of this present Parliament, intituled, *An Additional Act for the Rebuilding of the City of* London, *Uniting of Parishes, and Rebuilding of the Cathedral and Parochial Churches within the said City*, remain and continue single, as heretofore they were, or are by the said Act annexed or united into one Parish respectively, shall be as followeth; (that is to say) The annual certain Tithes, or Sum of Money in Lieu of Tithes:

II. OF the Parish of *Alhallows Lombard-street*; one hundred and ten Pounds ——— cx l.
(2.) Of *St. Bartholomew Exchange*; one hundred Pounds ——— c l.
4 & 5 Ann. c. 27. (3.) Of *St. Bridget*, alias *Brides*; one hundred and twenty Pounds ——— cxx l.
(4.) Of *St. Bennet Fink*; one hundred Pounds ——— c l.
(5.) Of *St. Michael Crooked-lane*; one hundred Pounds ——— c l.
(6.) Of *St. Christopher*; one hundred and twenty Pounds ——— cxx l.
(7.) Of *St. Dionis Back-church*; one hundred and twenty Pounds ——— cxx l.
(8.) Of *St. Dunstan in the East*; two hundred Pounds ——— cc l.
(9.) Of *St. James Garlick-hythe*; one hundred Pounds ——— c l.
(10.) Of *St. Michael Cornhill*; one hundred and forty Pounds ——— cxl l.
(11.) Of *St. Michael Bassishaw*; one hundred thirty and two Pounds and eleven Shillings —— cxxxii l. xi s.
(12.) Of *St. Margaret Lothbury*; one hundred Pounds ——— c l.
(13.) Of *St. Mary Aldermanbury*; one hundred and fifty Pounds ——— cl l.
(14.) Of *St. Martin Ludgate*; one hundred and sixty Pounds ——— clx l.
(15.) Of *St. Peter Cornhill*; one hundred and ten Pounds ——— cx l.
(16.) Of *St. Stephen Coleman-street*; one hundred and ten Pounds ——— cx l.
(17.) Of *St. Sepulchre*; two hundred Pounds ——— cc l.
(18.) Of *Alhallows Bread-Street*, and *St. John Evangelist*; one hundred and forty Pounds ——— cxl l.
(19.) Of *Alhallows the Great*, and *Alhallows the Less*; two hundred Pounds ——— cc l.
(20.) Of *St. Albans Wood-street*, and *St. Olaves Silver-street*; one hundred and seventy Pounds —— clxx l.
(21.) Of *St. Anne* and *Agnes*, and *St. John Zachary*; one hundred and forty Pounds ——— cxl l.
(22.) Of *St. Augustin* and *St. Faith*; one hundred seventy and two Pounds ——— clxxii l.
(23.) Of *St. Andrew Wardrobe*, and *St. Anne Black-Friars*; one hundred and forty Pounds ——— cxl l.
(24.) Of *St. Antholin*, and *St. John Baptist*; one hundred and twenty Pounds ——— cxx l.
(25.) Of *St. Bennet Grace-church*, and *St. Leonard Eastcheap*; one hundred and forty Pounds ——— cxl l.
(26.) Of *St. Bennet Pauls-wharf*, and *St. Peter Pauls-wharf*; one hundred Pounds ——— c l.
(27.) Of *Christ-Church*, and *St. Leonard Foster-lane*; two hundred Pounds ——— cc l.
(28.) Of *St. Edmond the King*, and *St. Nicholas Acons*; one hundred and eighty Pounds ——— clxxx l.
(29.) Of *St. George Botolph-lane*, and *St. Botolph Billingsgate*; one hundred and eighty Pounds — clxxx l.
(30.) Of *St. Lawrence Jury*, and *St. Magdalen Milk-street*; one hundred and twenty Pounds —— cxx l.
(31.) Of *St. Magnus*, and *St. Margaret New Fish-street*; one hundred and seventy Pounds —— clxx l.
(32.) Of *St. Michael Royal*, and *St. Martin Vintry*; one hundred and forty Pounds ——— cxl l.
(33.) Of *St. Matthew Friday-street*, and *St. Peter Cheap*; one hundred fifty Pounds ——— cl l.
(34.) Of *St. Margaret Pattons*, and *St. Gabriel Fen-church*; one hundred and twenty Pounds —— cxx l.
(35.) Of *St. Mary at Hill*, and *St. Andrew Hubbard*; two hundred Pounds ——— cc l.
(36.) Of *St. Mary Woolnoth*, and *St. Mary Wool-church*; one hundred and sixty Pounds ——— clx l.
(37.) Of *St. Clement Eastcheap*, and *St. Martin Orgars*; one hundred and forty Pounds ——— cxl l.
(38.) Of *St. Mary Abchurch*, and *St. Lawrence Pountney*; one hundred and twenty Pounds —— cxx l.
(39.) Of *St. Mary Aldermary*, and *St. Thomas Apostles*; one hundred and fifty Pounds ——— cl l.
(40.) Of *St. Mary le Bow*, *St. Pancras Soper-lane*, and *Alhallows Honey-lane*; two hundred Pounds cc l.
(41.) Of *St. Mildred Poultry*, and *St. Mary Cole-church*; one hundred and seventy Pounds —— clxx l.
(42.) Of *St. Michael Wood-street*, and *St. Mary Staining*; one hundred Pounds ——— c l.
(43.) Of *St. Mildred Bread-street*, and *St. Margaret Moses*; one hundred and thirty Pounds —— cxxx l.
(44.) Of *St. Michael Queenhyth*, and *Trinity*; one hundred and sixty Pounds ——— clx l.
(45.) Of *St. Magdalen Old Fish-street*, and *St. Gregory*; one hundred and twenty Pounds ——— cxx l.
(46.) Of *St. Mary Somerset*, and *St. Mary Mounthaw*; one hundred and ten Pounds ——— cx l.
(47.) Of *St. Nicholas Coleabby*, and *St. Nicholas Olaves*; one hundred and thirty Pounds ——— cxxx l.
(48.) Of *St. Olave Jewry*, and *St. Martin Ironmonger-lane*; one hundred and twenty Pounds —— cxx l.
(49.) Of *St. Stephen Walbrook*, and *St. Bennet Sheerhog*; one hundred Pounds ——— c l.
(50.) Of *St. Swythin* and *St. Mary Bothaw*; one hundred and forty Pounds ——— cxl l.
(51.) Of *St. Vedast*, alias *Foster*, and *St. Michael Quern*; one hundred and sixty Pounds ——— clx l.

The Rate-Tithes shall be paid, besides Glebes, Perquisites and Bequests.

III. Which respective Sums of Money to be paid in Lieu of Tithes within the said respective Parishes, and assessed as herein after is directed, shall be and continue to be esteemed, deemed, and taken to all Intents and Purposes, to be the respective certain annual Maintenance (over and above Glebes and Perquisites, Gifts and Bequests to the respective Parson, Vicar and Curate of any Parish for the Time being, or to his or their respective Successors, or to other Persons for his or their Use) of the said respective Parsons, Vicars and Curates, who shall be legally instituted, inducted and admitted into the respective Parishes aforesaid.



IV. And

IV. And that the said several Sums of Money for Tithes may be more equally assessed upon the several Houses, Buildings, and all other Hereditaments whatsoever, within all the said respective Parishes; (2) Be it enacted by the Authority aforesaid, That the Aldermen of such respective Ward or Wards, within the said City, wherein any of the said Parishes respectively lie, and his or their Deputy or Deputies, and the Common-Council-Men of such respective Ward or Wards, with the Church-wardens, and one or more of the Parishioners of such respective Parish, wherein the Maintenance aforesaid is respectively to be assessed, to be nominated by such respective Alderman, Deputy, Common-Council-Men and Church-wardens, or any five of them, whereof the Alderman or his Deputy to be one, shall at some convenient and seasonable Time before the twentieth Day of *May* in the Year of our Lord God one thousand six hundred and seventy-one, assemble and meet together in some convenient Place within every of the respective Parishes, in such respective Ward wherein the Maintenance aforesaid is to be assessed; (3) and they or the major Part of them, so assembled, shall proportionably assess upon all Houses, Shops, Ware-houses and Cellars, Wharfs, Keys, Cranes, Water-houses, (which Water-houses shall pay in their respective Parishes where they stand, and not elsewhere) and Tofts of Ground, remaining unbuilt) and all other Hereditaments whatsoever, (except Parsonage and Vicarage-houses) the whole respective Sum by this Act appointed, or so much of it as is more than what each Impropriator is by this Act enjoined respectively to allow, in the most equal Way that the said Assessors according to the best of their Judgments can make it; which said Assessments shall be made and finished before the four and twentieth Day of *July then next ensuing*.

Who to make the Assessments, and when.

V. And be it further enacted by the Authority aforesaid, That if any Variance or Doubt shall happen to arise about any Sum so assessed as aforesaid, or that any Parishioner or Parishioners, or Owner or Owners of any House, Shop, Ware-house or Cellar, Wharf, Key, Crane, Water-house, Toft of Ground or other Hereditament within any of the said Parishes, shall find himself or themselves aggrieved by the assessing of any Sum or Sums of Money in Manner and Form aforesaid; That then upon Complaint made by the Party or Parties aggrieved to the Lord Mayor and Court of Aldermen of the said City, within fourteen Days after Notice given to the Party or Parties assessed of such Assessment made, the said Lord Mayor and Court of Aldermen, summoning as well the Party or Parties aggrieved, as the Alderman and such others as made the said Assessment, shall hear and determine the same in a summary Way, and the Judgment by them given shall be final and without Appeal.

If any Variance arise upon the Assessments, who to determine it.

VI. Provided always, and be is enacted, That any Assessment or Rate to be made or laid by Virtue of this Act, shall or may in all or any the Parishes aforesaid, in like Manner be reviewed or altered or laid again within three Months after the twenty-fourth Day of *June* one thousand six hundred and seventy-four, according to the aforesaid Rules, and any such Assessment or Rate shall or may be again reviewed or re-assessed within three Months after the twenty-fourth Day of *June* in the Year of our Lord one thousand six hundred eighty-one; and that all and every such new Assessment and Rate shall be liable to the like Appeals as aforesaid, and shall be collected, levied and paid as any other Assessment or Rate mentioned in this Act, may or ought to be.

A Review, if Occasion be, of any Assessment.

VII. And if the said Alderman, Deputy, Common-Council-Men and Parishioner or Parishioners so appointed as aforesaid, shall after Summons and Request made in that Behalf unto them by the Lord Mayor and Court of Aldermen, or the Incumbent or Incumbents of any of the said respective Parish or Parishes, refuse and neglect to meet and make such Assessments as aforesaid; then it shall and may be lawful to and for such Person or Persons as shall be thereunto authorized and required by the said Lord Mayor and Court of Aldermen, to make such Assessment as by the said Aldermen, Deputy, Common-Council-Men, Church-wardens, Parishioner or Parishioners aforesaid, should or ought to have been made.

If the Persons appointed by this Act refuse to act, then others to be chosen by the Lord Mayor, &c.

VIII. And be it further enacted by the Authority aforesaid, That the said Assessors within ten Days after such Assessments made, and the respective Appeals (if any be) determined, shall make three Transcripts thereof in Parchment, containing the respective Sums to be payable or appointed to be paid out of all and every the Premisses within such respective Parish, and subscribe the same under their Hands, and within twenty Days after such Subscription as aforesaid; one of the said Transcripts shall be returned to the Lord Mayor of the City of *London* to be kept and preserved by the said Lord Mayor, in and among the Records of the said City, for a perpetual Memorial thereof; and another of the said Transcripts shall be returned into the Registry of the Lord Bishop of *London*, to be kept and preserved as aforesaid; and the other of the said Transcripts shall remain and be kept in the Vestry of such respective Parish for a perpetual Memorial as aforesaid.

Three Transcripts thereof to be made by the Assessors.

One to be returned to the Lord Mayor. Another to the Bishop of London's Registry. The other to remain in the Vestry.

IX. And for the surer and better Payment of the said respective Sums of Money so to be assessed and taxed towards the Raising of the said Maintenance of the respective Parsons, Vicars and Curates of the said respective Parishes as aforesaid; (2) Be it further enacted by the Authority aforesaid, That all and every such respective Sum and Sums of Money so to be assessed and taxed as aforesaid, towards the Raising of the said Maintenance of the said respective Parsons, Vicars and Curates of the said respective Parishes, shall be paid to the said respective Parsons, Vicars and Curates and their Successors respectively, at the four most usual Feasts, (that is to say) at the Annunciation of the Blessed Virgin *Mary*, the Nativity of Saint *John Baptist*, the Feast of Saint *Michael* the Archangel and the Nativity of our Blessed Saviour, or within fourteen Days after each of the Feasts aforesaid, by equal Payments; the respective Payments thereof to begin and commence only from such Time and Times as the Incumbent or Incumbents of such respective Parish shall begin to officiate or preach as Incumbent or Parson in the respective Church belonging to such respective Parish, or in some other convenient Place or Places in such respective Parish or Parishes to be nominated or appointed by the Lord Bishop of *London* for the Time being, or by the Archbishop of *Canterbury* in any Place within his Peculiars.

When the same Money shall be paid, and to whom.

X. And in any Parish or Parishes where any Impropriations be, Be it enacted by the Authority aforesaid, That all and every the Impropriator or Impropriators of any of the said Parishes shall pay and allow what really and *bona fide* they have used and ought to pay and satisfy to the respective Incumbent of such respective

Impropriators to make the same Allowances they did before the Fire.

respective Parish at any Time before the said late Fire, and the same shall be esteemed and computed a Part of the Maintenance of such Incumbent; notwithstanding this Act or any Clause or Matter or Thing therein contained.

Upon Refusal of Payment, how to levy it.

XI. And be it further enacted by the Authority aforesaid, That if any the Inhabitants in any the respective Parish or Parishes as aforesaid shall or do refuse or neglect to pay to the respective Incumbents aforesaid of any of the said respective Parishes, any Sum or Sums of Money to him respectively payable or appointed to be by this Act or any Part thereof, contrary to the true Intent and Meaning of this Act, (being lawfully demanded at the House or Houses, Wharf, Key, Crane, Cellar or other Premisses whereout the same is payable) That then it shall and may be lawful to and for the Lord Mayor of the City of *London* for the Time being, upon Oath to be made before him of such Refusal or Neglect, to give and grant out Warrants for the Officer or Person appointed to collect the same, with the Assistance of a Constable in the Day-time, to levy the same Tithes or Sums of Money so due and in arrear and unpaid, by Distress and Sale of the Goods of the Party or Parties so refusing or neglecting to pay, restoring to the Owner or Owners the Overplus of such Goods, over and above the said Arrears of the said Monies so due and unpaid, and the reasonable Charges of making such Distress, which he is to deduct out of the Monies raised by Sale of such Goods.

If the Lord Mayor refuse to execute this Act, then who are appointed to execute it.

XII. Provided always, and be it enacted, That in Case the Lord Mayor or Court of Aldermen shall refuse or neglect to execute any of the respective Powers to them by this Act granted, or to perform all and every such Thing relating either to the Assessing or Levying of the respective Sums aforesaid, as they are by this Act authorized and required to perform, That then it shall and may be lawful for the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, or any two or more of the Barons of his Majesty's Court of Exchequer, by Warrant or Warrants under his or their respective Hands and Seals, to do and perform what the said Lord Mayor and Court of Aldermen, according to the true Intent or Meaning of this present Act, might or ought to have done, and by such Warrant, either to impower any Person or Persons to make the respective Assessments, as aforesaid, or to authorize the respective Officers or Persons appointed to collect the Sums aforesaid, to levy the same by Distress and Sale of the Goods of any Person or Persons that shall refuse or neglect to pay the same in Manner and Form aforesaid.

XIII. Provided always, and be it enacted, That where any of the Parishes within the said City have since the late Fire, by Death or otherwise, become vacant, the surviving or remaining Incumbent of the other Parish thereto united, or therewith consolidated, shall have and enjoy, and have like Remedy to recover the Tithes hereby settled to be paid, as if he had been actually presented, admitted, instituted and inducted into both the said Parishes, since the Union and Consolidation thereof.

No Court whatsoever shall hold Plea for any Duty arising upon this Act.

XIV. Provided always, That no Court or Judge Ecclesiastical or Temporal shall hold Plea of or for any the Sum or Sums of Money due and owing, or to be paid by Virtue of this Act, or any Part thereof, other than the Persons hereby authorized to have Cognizance thereof: Nor shall it be lawful to or for any Parson, Vicar, Curate, or Incumbent, to convent or sue any Person or Persons assessed as aforesaid, and refusing or neglecting to pay the same, in any Court or Courts, or before any Judge or Judges, other than what are authorized and appointed by this Act, for the Hearing and Determining of the same, in Manner aforesaid.

An Exception for St. Gregory's Church out of this Act.

XV. Provided always, That it shall and may be lawful to and for the Warden and Minor Canons of St. *Paul*'s Church, *London*, Parson and Proprietors of the Rectory of St. *Gregory* aforesaid, to receive and enjoy all Tithes, Oblations, and Duties arising or growing due within the said Parish, in as large and beneficial Manner as formerly they have or lawfully might have done; any Thing herein to the contrary notwithstanding.

*Farther Provisions respecting Tithes,* 7 & 8 *W.* 3. *c.* 6. *and* 11 & 12 *W.* 3. *c.* 16. *which last is made perpetual by* 1 *Geo.* 1. *c.* 26.

## CAP. XVI. (12.)

EXP.

An Act for the Discovery of such as have defrauded the Poor of the City of *London*, of the Monies given for their Relief, at the Times of the late Plague and Fire, and for Recovery of the Arrears thereof. All Monies received upon Charity for the Poor of the City of *London*, to be paid in. If the Receivers are dead, their Executors or Administrators to pay it. Forfeiture. All Bishops and Officials, &c. shall in their Visitations give it in Charge to the Churchwardens, &c. So likewise shall Justices of Assize, and Justices of the Peace. Justices of the Peace may hear and determine this Matter at the Sessions. Distress of Goods. No Appeal from their Judgment. Distinct Accounts to be returned by the Collectors. That the Bishops shall certify what Money hath been expended out of publick Stocks, or lent towards the Support of Persons sick of the Plague, within their Dioceses. How to be repaid again. To whom it must be paid. How the Surplusage to be disposed of. A Saving to the Ordinary's Jurisdiction. Upon any Suit brought for the Execution of this Act, the Defendant to plead Not guilty, and recover double Costs.

## CAP. XVII. (13.)

An Act for the better Paving and Cleansing the Streets and Sewers in and about the City of *London*.

That the Number of Sewers, Dreins, &c. and paving the

'WHEREAS by a late Act of this present Parliament, intituled, *An Act for the Rebuilding the City of* London, It is enacted (amongst other Things) that the Numbers and Places for all Common Sewers, Dreins and Vaults, and the Order and Manner of Paving and Pitching the Streets and Lanes

'within

'within the said City and Liberties thereof, shall be designed and set out by such and so many Persons as the said Mayor, Aldermen and Commonalty in Common Council assembled, shall from Time to Time authorize and appoint under their Common Seal, or the more Part of them: (2) Which said Persons so authorized and appointed, or any seven or more of them, together with the said Surveyors, or some or one of them, within his or their Precincts respectively, shall at their Meeting have Power and Authority to order and direct the Making of any new Vaults, Dreins and Sewers, or to cut into any Drain or Sewer already made, and for the Altering, Enlarging, Amending, Cleansing, and Scowering of any old Vaults, Sinks, or Common Sewers.' Streets, shall be set out by so many Persons as the Lord Mayor and Common Council shall appoint. 19 Car. 2. c. 3. §. 20.

'II. For the better effecting whereof, it shall and may be lawful to and for the said Persons so authorized and appointed as aforesaid, or any seven or more of them, at their said Meeting, to impose any reasonable Tax upon all Houses within the said City and Liberties thereof, in Proportion to the Benefit they shall receive thereby, for and towards the new Making, Cutting, Altering, Enlarging, Amending, Cleansing and Scowring all and singular the said Vaults, Dreins, Sewers, Pavements and Pitching aforesaid; and in Default of Payment of the said Sums so to be charged, it shall and may be lawful to and for the said Persons so authorized as aforesaid, or any seven or more of them, by Order and Warrant under their Hands and Seals, to levy the said Sum and Sums of Money so assessed, by Distress and Sale of the Goods of the Party chargeable therewith, and refusing or neglecting to pay the same, rendring the Overplus (if any be;) (2) and that all other Commissioners whatsoever be altogether suspended to intermeddle in the Premisses within the said City and Liberties thereof, for the Space of seven Years next, and for so long after until the said intended Building shall be fully finished; any Law or Statute to the contrary in any wise notwithstanding.' A Power to impose a Tax. To levy by Distress.

III. Be it enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the said Clause or Branch of the said Act herein before recited shall remain and continue in Force, and be made perpetual, and the Powers and Authorities thereby given and appointed to be executed by such Persons as shall in that Behalf be authorized and appointed by the said Mayor, Aldermen and Commons in Common Council assembled, according to the Tenor thereof, under their Common Seal, or any seven or more of them, shall and may from Time to Time, for ever hereafter, be put in Execution according to the Purport and Effect of the aforesaid Act; (2) and that no other Commissioners, or any other Persons whatsoever, shall at any Time hereafter intermeddle in the Premisses within the said City or Liberties thereof; any Law or Statute to the contrary notwithstanding. The Lord Mayor and Common Council to order the Cleansing and Paving of the Streets.

IV. And to the End that for the future all Irregularities in Paving and Pitching of the Streets, Lanes and Passages, within the said City and Liberties thereof, and the frequent Defaults of cleansing the same may be prevented and remedied; (2) Be it further enacted by the Authority aforesaid, That from henceforth the sole Power and Authority of ordering, designing and regulating, as well the Cleansing and Keeping clean all the Streets, Lanes, and Passages whatsoever within the said City and Liberties, and the Pitching and Paving, with the Order and Manner thereof, and for making and cleansing Dreins and Sewers, shall be and remain in the Mayor, Commonalty and Citizens of the said City, to be managed, executed and done by such Persons, as by the said Mayor, Aldermen and Commons in Common Council assembled, shall be thereunto authorized and appointed, or by any seven or more of them, (being all Members of the said Court) and no other Persons whatsoever, and in such Sort and Manner as from Time to Time shall by them be found most convenient for the publick Benefit of the Inhabitants of the said City in general.

V. And all Paviers, Scavengers, Carters, Labourers and Lightermen, and all other Persons that have been heretofore, or that may hereafter be imployed in any of the Works belonging to the Dreins or Sewers, Pitching, Paving or Cleansing of the Streets, Lanes or Passages within the said City or Liberties thereof, are hereby enjoined and required, duly and constantly to obey, observe and execute all such Orders, Rules and Directions, as shall be from Time to Time appointed or prescribed by the Persons in that Behalf to be authorized, or any seven or more of them. All Paviers and Scavengers required to observe their Directions.

VI. And that the Parties therein offending, contrary to this present Act, shall and may be proceeded against, and thereof convicted by Indictment at the next Sessions of the Peace to be held for the said City and Liberties thereof, according to his or their several Offences, unless they shall submit to the Judgment and Censure of the Persons so to be authorized and appointed as aforesaid, or any seven or more of them, and shall satisfy and pay such Mulct or Penalty as by them shall be set and imposed for such Offence, into the Chamber of the City of *London*, to be imployed for and towards the Works in this Act mentioned; any Law, Statute, Usage or Custom to the contrary notwithstanding. The Punishment of the Offenders.

VII. And be it further enacted by the Authority aforesaid, That for the better enabling the said Mayor, Commonalty and Citizens to effect and perform all and singular the Works in and by this present Act mentioned and appointed to be done, and for the defraying the Charge thereof, it shall and may be lawful to and for the said Persons so to be authorized and appointed as aforesaid, or any seven or more of them, at their publick Meetings, from Time to Time, as oft as Need shall be or require, to impose any reasonable Tax or Assessment upon the several Wards and Precincts thereof, within the said City and Liberties, and to direct Precepts or Warrants under their Hands and Seals, or of any seven or more of them, unto the respective Deputies and Common-Council-Men of the said several Wards, thereby requiring them to rate and assess the said Taxes and Assessments, in Manner hereafter following: (2) and also to direct like Precepts or Warrants to such and so many of the Scavengers within the respective Wards as they shall think fit, thereby requiring them to collect and levy the Monies so assessed, upon Receipt whereof the said Deputies and Common-Council-Men thereunto appointed, are hereby required to make an Assessment and Distribution of the Proportion charged upon their respective Wards and Precincts thereof as aforesaid, as well upon the Tenants and Occupiers of Houses, Shops, or other Tenements or Hereditaments, as upon Power to impose a reasonable Tax.

the

Houses unbuilt.

the Owners or others interested of or in such Houses, Tofts of Ground unbuilt, and other Hereditaments whereof there shall be no present Occupier.

The Churchwardens to pay for a Church or Church-yard.

VIII. And where any Church or Church-yard shall be fronting and adjoining to any of the said Streets, Lanes or Passages, to rate and assess a reasonable Proportion thereof upon the Parish thereunto belonging, the same to be paid by the Churchwardens of every such Parish for the Time being, who are hereby required to pay the same accordingly in the Behalf of the said Parish: (2) Of which Assessments the said Deputies and Common-Council-Men shall return Duplicates in Writing, together with the Names of the Scavengers to be appointed for the Collection thereof, within twenty Days next after the Receipt of such Precept or Warrant respectively; and in Case of their Neglect or Default in rating or assessing the same, or in returning such Duplicates of their Assessments within the Time limited as aforesaid, it shall and may be lawful to and for the said Persons so to be authorized and appointed, or any seven or more of them, to rate and assess the respective Taxes and Assessments within the several Wards and Precincts where such Defaults shall be, upon the respective Inhabitants and others, in Manner as aforesaid; (3) all which Sum and Sums of Money so to be rated and assessed in Pursuance of this Act, shall from Time to Time be collected and levied by the Scavengers to be appointed for the collecting thereof as aforesaid, who are hereby authorized and required to collect and levy the same accordingly; and in Default of Payment of the Sums to be charged and assessed as aforesaid, or any Part thereof, by the Space of six Days after Demand thereof, it shall and may be lawful to and for the said Scavengers to be appointed for the collecting and levying thereof as aforesaid, and they are hereby authorized and required thereunto, to levy all such Sum and Sums of Money so assessed, by Distress and Sale of the Goods of the Parties refusing or neglecting to pay the same, rendring the Overplus, if any shall be, besides the reasonable Charge of taking such Distress, to the Party or Parties so distrained.

Duplicates in Writing of the Assessments to be returned, together with the Scavengers Names who are to collect.

Penalty for Non-payment after six Days.

The Money to be paid into the Chamber of London.

IX. All which Sum and Sums of Money, from Time to Time, hereafter to be collected and levied by Virtue of this present Act, shall be paid into the Chamber of the City of *London*, by the said Scavengers who shall collect the same respectively, where Books of Accounts shall be kept of the Receipt thereof, by the Chamberlain of the said City of *London* for the Time being: (2) And no Monies shall be issued thereout, otherwise than by Order or Warrant under the Hands of the said Persons so to be appointed and authorized as aforesaid, or any seven or more of them, for the Uses and Purposes in and by this Act mentioned and appointed.

In case any Defect of Paving, how to be redressed.

X. And it is hereby further enacted, That where any Citizen or Inhabitant within the said City or Liberties thereof shall find himself aggrieved through the Defect or Decay of the Pavements in any of the said Streets, Lanes or Passages within the said City or Liberties thereof, or for want of due cleansing thereof, the same being made appear to the Persons so to be authorized and appointed by the said Mayor, Aldermen and Commons as aforesaid, or any seven or more of them, at their publick Meeting, and upon due Proof made, that such Grievance is unreformed; that then and in such Case the Person and Persons complaining shall forthwith receive the Order and Directions of the said Persons so authorized and appointed, or any seven or more of them, for redressing thereof, together with a Warrant under their Hands and Seals, directed to the Chamberlain of the City of *London* for the Time being, to issue out Monies for defraying the Charge thereof, together with any Sum of Money, not exceeding ten Shillings, for Encouragement of his or their Diligence therein, who, upon Receipt of such Warrant, shall pay the same accordingly.

The Prosecutor encouraged.

Laystals to be provided for the Receipt of the Dirt, &c.

XI. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Aldermen and Commons in Common Council assembled, to appoint, set out and purchase for the publick Use and Benefit of the said City of *London*, in Places convenient, and where the same may be least Annoyance, such and so many Pieces or Parcels of Ground for Laystals and Places for publick Stores, as they shall adjudge necessary and convenient for the Receipt of the Soil, Dirt and Rubbish, which shall be removed and carried out of the said City and Liberties thereof, as for other Materials and Commodities.

To be purchased with the Monies to be raised out of the Imposition on Coals. 22 Car. 2. c. 11. §. 38.

XII. And that all such Pieces of Ground for Laystals and Places for publick Stores, as by them shall be purchased as aforesaid, shall be satisfied and paid for out of the Monies raised or hereafter to be raised by the Imposition upon Coals, appointed for publick Uses of the said City, by Virtue of the said Act for rebuilding the City, and of another Act, intituled, *An Additional Act for Rebuilding of the City of* London, *Uniting of Parishes, and Rebuilding of the Cathedral and Parochial Churches within the said City*, (other than the Money appointed for building of the Cathedral Church of St. *Paul's*, and other Churches within the said City, and reserving sufficient to satisfy such Persons whose Grounds have been taken from them) or either of them; any Law or Statute to the contrary thereof in any wise notwithstanding.

If any Person is aggrieved, he may appeal.

XIII. And in case that any Person or Persons shall find him or themselves aggrieved by Reason of any Tax, Assessment, or other Charge to be imposed by Virtue or Colour of this present Act; That then it shall and may be lawful to and for the Party or Parties so aggrieved, within five Days after Demand thereof, to appeal to the Mayor and Court of Aldermen of the said City for the Time being, for Redress therein, whose Order in that Behalf shall be final.

No Persons who are liable to the publick Charge of altering, or cleansing any Lanes, Sewers, &c. to be further chargeable.

XIV. Provided always, and it is hereby declared, That no Person or Persons, Bodies Politick or Corporate, who by this Act are made liable to be rated or assessed towards the publick Charge of altering, enlarging, amending, or cleansing of the said Vaults, or Sewers, or of cleansing, pitching or paving the Streets, Lanes, Alleys, and other common Passages within the said City and Liberties thereof, for or in respect of any Houses, Tofts, or other Hereditaments, shall from and after the first Day of *May* one thousand six hundred seventy-one, be otherwise charged therewith, or liable thereunto, or to be troubled, molested, or prosecuted for or in Respect thereof; any other Law, Statute, Custom, or Usage to the contrary notwithstanding. [By 2 W. & M. Sess. 2. c. 8. §. 23. Persons acting in Pursuance of this Statute may plead the General Issue, and have treble Costs, &c.]

*See 7 Ann. c. 9. which gives Commissioners of the Sewers for the City of London, the same Powers as Commissioners of the Sewers for Counties have.*

CAP.

## CAP. XVIII. (12.)

### An Act for the better Regulating of Workhouses for setting the Poor on Work.

FOR the more effectual putting in Execution of an Act of Parliament made in the fourteenth Year of your Majesty's Reign, intituled, *An Act for the better Relief of the Poor of this Kingdom*; and to the End that the Poor of the several Parishes within the City and Liberties of *Westminster*, and other Parishes within the County of *Middlesex*, mentioned within the Weekly Bill of Mortality, may for the future be duly provided for, according to the Intent and Meaning of the said Act, May it please your most Excellent Majesty that it may be enacted; (2) And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Monies assessed, or ordered to be assessed, upon any Person, in Pursuance of the said Act, since the first Day of *March* in the Year of our Lord one thousand six hundred sixty and five, shall be collected and paid in to the Treasurers of the respective Corporations, by or before the nine and twentieth Day of *September* in the Year of our Lord one thousand six hundred seventy and one; and all Monies already collected by Authority of the said Act, shall be paid in to the said Treasurers, by or before the first Day of *June* in the Year of our Lord one thousand six hundred seventy and one: (3) And that the Officers of the said Corporations erected and constituted in Pursuance of the said Act, and their Treasurers, shall make and give Quarterly Accounts to the Justices of Peace, who are hereby required to demand and call for the said Accounts, and are not to raise any more Monies upon any new Certificates whatsoever, until there be a just Account given to, and allowed by, the Justices of the Peace aforesaid, according to the true Intent and Meaning of the said former and this present Act.

13 & 14 Car. 2. c. 12.

43 El. c. 2.

To whom the Money, when collected, shall be paid.

To whom to Account.

'II. And whereas some Accounts have been made by the former Governors, of Part of the Monies raised 'by the Act aforesaid, and some of them stand engaged for Payment of certain Sums of Money, which were 'borrowed and expended in Pursuance of the said former Act:' Be it further enacted, That all such Accounts which shall appear to the said Justices (not having been Governors of the said Corporations) to have been made according to the Act aforesaid, shall be and are hereby ratified and confirmed; and that such Monies as have not been accounted for as aforesaid, shall be accounted for according as in the said Act is provided.

III. And that all Monies lent, and all such Debts as any of them, or any of the Members of the said Corporations aforesaid, stand engaged for, and have been contracted for the Uses expressed in the said Act, shall upon Order from the Justices aforesaid (ascertaining the same) be discharged and satisfied by the respective Treasurer or Treasurers for the Time being, and shall from Time to Time be allowed in their respective Accounts.

Monies lent shall be paid.

IV. And be it further enacted by the Authority aforesaid, That no Sum or Sums of Money to be levied upon the Inhabitants of any of the said respective Parishes, according to the said former or this present Act, shall in any one Year exceed one-fourth Part of the Assessment to the Poor for that Year, laid on any of the Parishes and Liberties aforesaid: Which said Sum shall be paid by the respective Inhabitants of the said Parishes, at two several Payments, to the Treasurer or Treasurers for the said Corporations (that is to say) at the Feast of St. *Michael* the Archangel, and the Annunciation of the Blessed Virgin *Mary*, or within fourteen Days after either of the said Feasts as aforesaid.

The Tax not to exceed one Fourth of the Poors Assessment.

When to be paid.

V. And be it also enacted, That no Assessment shall be laid or made on any of the Parishes aforesaid, after the nine and twentieth Day of *September* which shall be in the Year of our Lord one thousand six hundred seventy and five; any Thing in the said former or this present Act to the contrary in any wise notwithstanding.

When the Assessments to be laid.

VI. Provided always, That nothing herein contained shall in any Sort extend to the Superseding, Altering or Vacating any of the Powers given by the said former Act, to the Lord Mayor and Governors for the Corporation within the City of *London*, or the Parish of St. *Margaret's Westminster*, but that the same and all the other Clauses and Articles in the said former Act shall to all Intents and Purposes be fully executed and observed within the City of *London*, and Parish of St. *Margaret's Westminster*, as if this Act had not been made; any Thing herein contained to the contrary thereof in any wise notwithstanding.

A Saving for London and St. Margaret's Westminster.

*Farther Provisions concerning Poor* 3 & 4 *W. & M. c.* 11. 8 & 9 *W.* 3. *c.* 30. 9 & 10 *W.* 3. *c.* 11. 12 *Ann. stat.* 1. *c.* 18. 5 *Geo.* 1. *c.* 8. 9 *Geo.* 1. *c.* 7. 2 *Geo.* 2. *c.* 28. 3 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 3, 37 & 38. *and* 31 *Geo.* 2. *c.* 11.

## CAP. XIX. (15.)

An Act to prevent Frauds in the Buying and Selling of Cattle in *Smithfield*, and elsewhere. No Jobber or Broker, *&c.* to buy any Cattle, except Swine or Calves, within fourscore Miles of *London*. Forfeiture. In Part repealed by 25 *Car.* 2. *c.* 4. see 5 *Ann. c.* 34. & 7 *Ann. c.* 6. One Butcher shall not sell to another Butcher. Forfeiture. No Drover shall be licenced by any Justice of Peace within eighty Miles of *London*. Who shall be licenced Drovers. To be bound with Sureties. The Proof shall be upon the Party offending. No vexatious Information shall be brought upon this Act. The Penalty. Justices of the Peace at their Quarter-Sessions have Power to hear and determine. To make Extracts. To award Execution. No *Certiorari* to be allowed to remove any Information. Fat Cattle bought in *Smithfield* shall not be there sold again. Penalty. Cattle there sold, how to be marked. Customs of Foreign bought, and Foreign sold, taken away. Calves under five Weeks old may be killed. The Prosecution to be within six Months. The Continuance hereof. Farther continued by 11 & 12 *W.* 3. *c.* 13. §. 5. for seven Years from *September* 1700. No Composition to be made. Forfeiture. Continued by 5 *Ann. c.* 34. from 1 *Mar.* 1707. for seven Years. EXP.

2 & 3 Ed. 6. c. 15.

15 Car. 2. c. 8.

3 & 4 Ed. 6. c. 20.

1 Jac. 1. c. 22. §. 3.

CAP.

## CAP. XX. (7.) (16.)

### An Act for the Relief and Release of poor distressed Prisoners for Debt.

*13 El. c. 5. 43 El. c. 2. Ja. 1. 14. Enforced by 2 Geo. 2. c. 22.*

'FOrasmuch as very many Persons now detained in Prison, are miserably impoverished, either by reason 'of the late unhappy Times, the sad and dreadful Fire, their own Misfortunes, or otherwise, so as 'they are totally disabled to give any Satisfaction to their Creditors, and so become, without Advantage to 'any, a Charge and Burden to the Kingdom, and by Noisomness (inseparably incident to extream Poverty) 'may become the Occasion of Pestilence and contagious Diseases, to the great Prejudice of the Kingdom;

"Justice of the Peace shall command the Body of any Prisoner to be brought before him. The Form of "the Oath. The Prisoner to be remanded. Notice to be left with the Plaintiff to appear at the Sessions. "When the Prisoner to be discharged. 30 Car. 2. Stat. 1. c. 4. §. 4. Wilfulness in the Creditor. The "Sheriff, &c. discharged from all Escapes. 30 Car. 2. Stat. 1. c. 4. §. 8. Double Costs. The Judgments "shall stand good notwithstanding the Discharge. The Prisoner taking a false Oath, shall be indicted of "Perjury. A new Execution to be awarded against him. No Officer shall delay to bring any Prisoner be-"fore a Justice of the Peace. The Penalty. 30 Car. 2. Stat. 1. c. 4. §. 7."

No Sheriff, Bailiff or other Officer, shall carry any Person to any Tavern, Alehouse, &c. or call for any Wine or Ale, without his free Consent;

'IX. And whereas it is found by common Experience, That such Person or Persons that are under Ar-'rests, or committed to the Custody of Sheriffs, Bailiffs, Gaolers, Keepers of Prisons or Gaols, are much 'abused and wronged by Extorting of great Fees, Rewards and other Exactions, and put to great Expen-'ces under Pretences of Favour or otherwise, whereby they are greatly oppressed, and many Times ruined 'in their Estates:' (2) For Remedy thereof, Be it enacted by the Authority aforesaid, That if any Under-Sheriff, Bailiff, Sergeant at Mace or other Officer or Minister whatsoever, shall at any Time or Times hereafter have in his or their Custody any Person or Persons by Virtue or Colour of any Writ; Process or other Warrant whatsoever, it shall not be lawful for such Officer or Officers to convey or carry, or cause to be conveyed or carried, the said Person or Persons to any Tavern, Alehouse or other publick Victualling or Drinking House, without the free and voluntary Consent of the said Person or Persons, so as to charge such Prisoner with any Sum of Money for any Wine, Beer, Ale, Victuals, Tobacco or any other Things whatsoever, but what the said Person or Persons shall call for of his, her or their own Accord; (3) and

Nor demand or receive greater Sum than what by Law ought to be taken for waiting.

shall not demand, take or receive, or cause to be demanded, taken or received, directly or indirectly, any other or greater Sum or Sums than what by Law ought to be taken or demanded for such Arrest, Taking or Waiting; (until such Person or Persons shall have procured an Appearance, found Bail, agreed with his or their Adversaries, or be sent to the proper Gaol belonging to the County, City, Town or Place, where such Arrest or Taking shall be) (4) nor take and exact any other Reward or Gratuity for so Keeping the said Person or Persons out of the Gaol or Prison, than what he, she or they shall or will of his, her or their own Accord voluntarily and freely give; (5) nor take nor receive any other or greater Sum or Sums for each Night's Lodging or other Expences, than what is reasonable and fitting in such Cases, or shall be so adjudged by the next Justice of the Peace or at the next Quarter-Sessions; (6) and shall not cause or procure the said Person or Persons to pay for any other Wine, Beer, Ale, Victuals, Tobacco or other Things, than what the said Person or Persons shall voluntarily, particularly and freely call for.

That all Sheriffs, Gaolers, &c. shall permit their Prisoners to send for necessary Food where they please;

Nor demand any greater Fee for their Commitment or Discharge than what is allowable.

X. And that every Under-Sheriff, Gaoler, Keeper of Prison or Gaol, and every Person or Persons whatsoever, to whose Custody any Person or Persons shall be delivered or committed, by Virtue of any Writ or Process, or any Pretence whatsoever, shall permit and suffer the said Person or Persons at his and their Will and Pleasure, to send for and have any Beer, Ale, Victuals and other necessary Food, where and from whence they please; as also to have and use such Bedding, Linen and other Things, as the said Person or Persons shall think fit, without any Purloining, Detaining or Paying for the same or any Part thereof; nor shall demand, take or receive of the said Person or Persons any other or greater Fee or Fees whatsoever, for his, her or their Commitment, Release or Discharge, or for his, her or their Chamber-rent, than what is allowable by Law, until the same shall be settled by three Justices of the Peace, whereof one to be of the *Quorum*, of each particular County, City and Town Corporate in their several Precincts; and for the City of *London* and Counties of *Middlesex* and *Surrey*, the two Lord Chief Justices of the King's Bench and Common Pleas, and the Lord Chief Baron, or any two of them, and the Justices of the Peace of the same in their several Jurisdictions.

That Inquiry be made into all Charities given for the Benefit of poor Prisoners.

XI. And likewise that the said Lord Chief Justices, Lord Chief Baron, and Justices of the Peace in their several Jurisdictions, and all Commissioners for Charitable Uses, do use their best Endeavours and Diligence to examine and find out the several Legacies, Gifts and Bequests bestowed and given for the Benefit and Advantage of the poor Prisoners for Debt, in the several Gaols and Prisons in this Kingdom, and to send for any Deeds, Wills, Writings and Books of Accounts whatsoever, and any Person or Persons concerned therein, and to examine them upon Oath, to make true Discovery thereof (which they have full Power and Authority hereby to do) and the same so found out and ascertained, to order and settle in some Manner and Way, that the Prisoners hereafter may not be defrauded, but receive the full Benefit thereof, according to the true Intent of the Donors.

That the Rates of Fees, and Government of Prisons be signed by the Lord Chief Justices, &c. and hung up in every Gaol, fairly written.

XII. And that these Accounts of the several Legacies, Gifts and Bequests given and bestowed upon the several Prisoners for Debt within this Kingdom, and the several Rates of Fees and the future Government of Prisons, be signed and confirmed by the Lord Chief Justices and Lord Chief Baron, or any two of them for the Time being, and the Justices of the Peace in *London*, *Middlesex* and *Surrey*, and by the Judges for the several Circuits, and Justices of the Peace for the Time being in their several Precincts, and fairly written and hung up in a Table in every Gaol and Prison, before the first Day of *November* one thousand six hundred seventy and one, and likewise be registred by each and every Clerk of the Peace within his or their particular

particular Jurisdiction: And after such Establishment no other or greater Fee or Fees than shall be so established, shall be demanded or received.

Felons and Prisoners for Debt, not to be lodged together.

' XIII. And whereas it is become the common Practice of the Gaolers and Keepers of *Newgate*, the ' *Gate-house* at *Westminster* and sundry other Gaols and Prisons, to lodge together in one Room or Chamber ' and Bed, Prisoners for Debt and Felons, whereby many Times honest Gentlemen, Tradesmen and others, ' Prisoners for Debt, are disturbed and hindred in the Night-time from their natural Rest, by Reason of ' their Fetters and Irons, and otherwise much offended and troubled by their lewd and prophane Language ' and Discourses, with most horrid Cursing and Swearing, (much accustomed to such Persons);' (2) be it enacted by the Authority aforesaid, That it shall not be lawful hereafter for any Sheriff, Gaoler or Keeper of any Gaol or Prison, to put, keep or lodge Prisoners for Debt and Felons together in one Room or Chamber; but that they shall be put, kept and lodged separate and apart one from another in distinct Rooms; (3) upon Pain that he, she or they which shall offend against this Act, or the true Intent and Meaning thereof or any Part thereof, shall forfeit and lose his or her Office, Place or Employment, and shall forfeit treble Damages to the Party grieved, to be recovered by Virtue of this Act; any Law, Statute, Usage or Custom to the contrary in any wise notwithstanding. 30 Car. 2.

1 Ed. 3. Stat. 1 & 2. c. 7. 2 Inst. 35.

The Forfeiture for offending against this Act.

*Farther Provisions relating hereto*, 4 & 5 *W. & M. c.* 21. 8 & 9 *W.* 3. *c.* 27. 11 & 12 *W.* 3. *c.* 19. 1 *Ann. stat.* 2. *c.* 6. 5 *Ann. c.* 9. 9 *Geo.* 1. *c.* 26. 11 *Geo.* 1. *c.* 22. 11 *Geo.* 2. *c.* 20. 16 *Geo.* 2. *c.* 31. 27 *Geo.* 2. *c.* 3 & 17. *and* 32 *Geo.* 2. *c.* 28.

## CAP. XXI. (17.)

An Act for Taking the Accounts of sixty thousand Pounds, and other Monies given to the loyal and indigent Officers.

## CAP. XXII. (18.)

An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majesty.

' WHEREAS by divers Statutes in old Time made, it was provided, That the Estreats of Fines, Is- ' sues, Amerciaments and other Forfeitures should be certified and delivered into the Exchequer year- ' ly, and that from thence the Estreats of the Summons should go forth through all Shires for the Levying ' thereof: (2) Since the Making of which Laws many are the Abuses and Mischiefs arisen and practised, ' not only by the not timely certifying and estreating the said Fines and Forfeitures, but also by the sinister ' Practice amongst Officers, in sparing, discharging and not certifying at all, or if they do certify, yet by ' Mis-certifying and Estreating the said Fines and Forfeitures in and into the said Court of Exchequer:'

All Fines, Post-Fines, Issues, Amerciaments, Recognizances, and other Forfeitures forfeited in the King's Bench, or Common Bench, to be certified twice every Year into the Exchequer. Hillary Term. Trinity Term.

II. For Remedy whereof, and Mischiefs of the like Kind, Be it enacted and ordained by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth all Fines, Post-Fines, Issues, Amerciaments forfeited, Recognizances, Sum and Sums of Money paid or to be paid in Lieu or Satisfaction of them or any of them, and all other Forfeitures whatsoever, which already are or hereafter shall be set, imposed, lost or forfeited, in his Majesty's Courts of King's Bench, Common Bench or Exchequer, shall be certified and estreated in and into the said Court of Exchequer, twice in every Year yearly (that is to say) All Fines, Post-Fines, Issues, Amerciaments forfeited, Recognizances, Sum and Sums of Money paid or to be paid in Lieu or Satisfaction of them or any of them, and all other Forfeitures whatsoever arising in any of the said Courts, from the Beginning of every *Hillary* Term in every Year to the Beginning of every *Trinity* Term in every Year, shall be and are hereby ordained to be certified and estreated in and into the said Court of Exchequer, the last Day of every *Trinity* Term in every Year.

The Penalty.

III. And all Fines, Post-Fines, Issues, Amerciaments forfeited, Recognizances, Sum and Sums of Money paid and to be paid in Lieu or Satisfaction of them or any of them, and all other Forfeitures whatsoever arising in any of the said Courts, from the Beginning of every *Trinity* Term in every Year to the Beginning of every *Hillary* Term in every Year, shall be in like Manner certified and estreated in and into the said Court of Exchequer, the said last Day of every *Hillary* Term in every Year; (2) on Pain that every Officer and Minister of or belonging to the said Courts or any of them, to whom it doth, ought or shall belong or appertain, to make Certificate or Estreat of any of the said Fines or Forfeitures, making Default or offending therein, to forfeit and pay fifty Pounds for every such Default or Failure that shall be made in Certifying and Estreating as aforesaid; the one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons that shall or will sue for the same in any Court of Record by Action of Debt, Bill or Information, wherein no Wager of Law, Essoin or Protection shall be allowed.

A Saving out of this Act.

IV. Provided always, That nothing in this Act contained shall alter or change the Course now used in the Certifying and Estreating of Issues from the said Court of Common Bench, nor of Fines *Pro licentia concordandi*, commonly called Post-Fines, being Termly certified and estreated into the said Court of Exchequer, nor the termly estreating of Issues certified out of the Office of Pleas belonging to the said Court of Exchequer, to the Clerk of the Estreats there.

All Fines and Forfeitures, &c. before Judges of Assize, Clerks of the Market, or Commissioners of Sewers, to be in like Manner certified.

V. And be it further enacted and ordained by the Authority aforesaid, That all Fines, Issues, Amerciaments forfeited, Recognizances, Sum and Sums of Money paid or to be paid in Lieu or Satisfaction of them or any of them, and all other Forfeitures whatsoever, which already are or hereafter shall be set, imposed, lost or forfeited, by or before any Judge or Judges of Assize, Clerk of the Market or Commissioners of Sewers throughout the Kingdom of *England*, shall be and are hereby ordained to be certified and estreated into the said Court of Exchequer twice in every Year yearly, (that is to say) All Fines, Issues, Amerciaments

ciaments forfeited, Recognizances, Sum and Sums of Money paid or to be paid in Lieu or Satisfaction of them or any of them, arising or happening in any of the said Courts last mentioned, or before any Judge or Judges of the same, from the Feast of St. *Michael* the Archangel in every Year, to the Feast of *Easter* in every Year, shall be certified and estreated in and into the said Court of Exchequer, before the first Day of *Trinity* Term in every Year.

The Time when.

VI. And all Fines, Issues, Amerciaments forfeited, Recognizances, Sum and Sums of Money paid or to be paid in Lieu or Satisfaction of them or any of them, arising or happening in any of the said Courts last mentioned, from the said Feast of *Easter* in every Year to the said Feast of St. *Michael* the Archangel in every Year, shall be certified and estreated into the said Court of Exchequer before the first Day of *Hilary* Term in every Year; (2) on Pain that every such Person and Persons to whom it doth, ought or shall belong or appertain to make Certificate or Estreats of the said Fines or Forfeitures, making Default herein, to forfeit and pay fifty Pounds for every such Default or Failure that shall be made in Certifying and Estreating as aforesaid; the one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons that shall or will sue for the same in any Court of Record by Action of Debt, Bill or Information, wherein no Wager of Law, Essoin or Protection shall be allowed.

Forfeiture.

All Clerks of the Peace, and Town-Clerks, to deliver to the Sheriff a Schedule of all Fines, &c.

VII. And be it further enacted and ordained by the Authority aforesaid, That all and every the Clerk and Clerks of the Peace, and all Town-Clerks and every of them within the Kingdom of *England*, do and shall make and deliver to the Sheriff or Sheriffs of the County, City or Town Corporate, where the Sessions of the Peace is or shall be kept, within twenty Days after the nine and twentieth Day of *September* in every Year yearly, a true or perfect Estreat or Schedule of all Fines, Issues, Amerciaments forfeited, Recognizances, Sum and Sums of Money and other Forfeitures whatsoever, that are or shall happen to be imposed, set, lost or forfeited in any of the said Sessions of the Peace respectiyely, which shall be held before *Michaelmas*, by or upon any Person or Persons whatsoever, due to his Majesty;

And Return a Duplicate into the Exchequer.

VIII. And also do and shall yearly and every Year, on or before the second Monday after the Morrow of *All Souls*, make and deliver into the said Court of Exchequer, a true and perfect Duplicate, Certificate and Estreat of all such Estreats and Schedules so delivered to the respective Sheriffs as aforesaid, That so the respective Sheriffs on their Appofals in the said Court of Exchequer, may be charged with the Monies levied and received by him or them respectively, upon such Schedules delivered as aforesaid; (2) on Pain that every such Person and Persons offending herein, for every such Default or Failure made, to forfeit and pay fifty Pounds; the one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons that shall or will sue for the same, to be recovered in any Court of Record, by Action of Debt, Bill or Information, wherein no Essoin, Protection or Wager of Law shall be allowed.

The Penalty.

All Persons whatsoever shall not withhold, but estreat all Fines, &c. into the Exchequer.

IX. And be it further enacted and ordained by the Authority aforesaid, That no Officer or Minister of or belonging to any of his Majesty's Courts of King's Bench, Common Bench or Exchequer, nor any Clerk of Assize, Clerk of the Peace, Town-Clerk, nor any Officer or Minister under them, or any of them, nor other Person or Persons whatsoever, do or shall spare, take off, discharge, or wittingly or willingly conceal any Indictment, Fine, Post-Fine, Issue, Amerciament forfeited, Recognizance or other Forfeiture whatsoever, exhibited, set, imposed, lost or forfeited, or to be exhibited, set, imposed, lost or forfeited in any of the said Courts before-mentioned, or before any Judge or Judges of or belonging to the same, or any Sum or Sums of Money paid or to be paid to any Officer or Officers in Lieu or Satisfaction of any Fine or Forfeiture, unless it be by Rule or Order in Court where such Indictment, Fine, Post-Fine, Issue, Amerciament forfeited, Recognizance or other Forfeiture, is or shall be exhibited, set, imposed, lost or forfeited; (2) nor shall any of the said Officers or Ministers aforesaid, or any of them, or any other, wittingly or willingly miscertify or estreat in or into the said Court of Exchequer, any Fine, Post-Fine, Issue, Amerciament forfeited, Recognizance or other Forfeiture whatsoever, whereby the Process of the said Court of Exchequer for the levying of the same may be made invalid and of none Effect; (3) but every such Officer and Officers, and all and every other Person and Persons offending herein, shall for every such Offence forfeit and pay treble the Value of such Fine, Post-Fine, Issue, Amerciament forfeited, Recognizance, Sum and Sums of Money, and other Forfeiture so spared, taken off, discharged, concealed, not certified, or estreated, or miscertified or estreated as aforesaid; the one Moiety thereof to the Use and Behoof of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall or will sue for the same in any Court of Record, by Action of Debt, Bill or Information, wherein no Wager of Law, Essoin or Protection shall be allowed; and also shall lose his and their Office and Place, and be for ever incapable to be imployed in any Office or Place where any Part of his Majesty's Revenue is to be managed or paid.

Penalty enlarged by 3 Geo. 1. c. 15. §. 12.

Upon all Certificates and Estreats, the Green-wax shall go forth for the Levying of the same.

X. And lastly, Be it enacted and ordained by the Authority aforesaid, That where any Fine or Fines, Sum or Sums of Money, or other Forfeitures due to his Majesty, his Heirs or Successors, shall from henceforth at any Time or Times be paid to any Sheriff, Clerk of Assize, Clerk of the Peace, or other Officer or Minister whatsoever belonging to any Court or Courts, and be according to the Intent and Directions of this Act certified and estreated in or into the said Court of Exchequer; there and in such Case the Summons or Process of the Green-Wax shall go forth and be awarded to the respective Sheriffs against such Officer and Officers, and other Persons to whom such Fine or Fines, Sum or Sums of Money, or other Forfeiture is or shall be so paid, for the levying and receiving of the same, that so it may appear when, to whom, and how such Monies are received, answered and paid to his Majesty, his Heirs and Successors; any Custom or Usage to the contrary notwithstanding.

A Saving of all Rights and Liberties.

XI. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall in any Sort extend, or be construed to extend, to the prejudicing of the Rights and Privileges of any Bodies Politick or Corporate or their Successors, or of any Lord or Lords of any Manor, Liberty, or Franchise whatsoever; any Thing herein to the contrary thereof in any wise notwithstanding.



XII. Pro-

XII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend to or be any ways prejudicial to the Rights, Customs, Privileges, Liberties, Charter or Charters of the City of *London*; but that the said City may enjoy the same accordingly, as they formerly have enjoyed the same, in all Respects, and to all Intents and Purposes whatsoever, in the same Manner and Form as they before this Act had enjoyed the same; any Thing herein contained to the contrary thereof in any wise notwithstanding. Saving to the City of London.

XIII. And be it further enacted by the Authority aforesaid, That this Act shall continue for three Years, and from thence until the End of the next Session of Parliament, and no longer. [Made perpetual by 4 & 5 W. & M. c. 24. §. 4.] How long to continue.

## CAP. XXIII. (19.)

An Act to revive an Act, intituled, *An Act to prevent the Disturbances of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal*, with some Alterations and Additions. Recital of the Act made 19 *Car.* 2. *c.* 7. No Person shall imbezil any of his Majesty's Naval Goods, Victuals, *&c.* Power to administer an Oath. Penalty. Power to enter any Ship in the Day-time, and search for stolen Goods. No Person shall personate any Seaman, Soldier or Labourer, *&c.* in the Presence of any of his Majesty's Commissioners or Pay-master, in order to the Receiving any Money due to the Seamen, *&c.* The Punishment. None shall counterfeit the Hands of the Treasurer, *&c.* of the Navy; Nor produce a counterfeit Ticket. The Penalty. Power given to administer an Oath. A general Liberty given to execute their Power. But five Shillings to be paid for the Probate of any Will, or granting Letters of Administration of the Estate of any Person dying in the Pay of his Majesty's Navy, except the Estate exceed 20 *l.* Penalty. The Act of 22 *Car.* 2. *c.* 5. confirmed. No Offender against this Act shall be twice punished. Shall continue seven Years, *&c.* Continued by 4 & 5 *W. & M. c.* 24. §. 8. for seven Years, from *February* 1692. 11 & 12 *Will.* 3. *c.* 13. EXP. 19 Car. 2. c. 7.

## CAP. XXIV. (16.)

### An Act for vesting certain Fee-Farm Rents, and other small Rents in Trustees.

'WHEREAS his Majesty, in Pursuance of a late Act, intituled, *An Act for advancing the Sale of Fee-farm Rents, and other Rents*, hath by several Letters Patents (one bearing Date the thirteenth Day of *June* in the two and twentieth Year of his Reign, and the other bearing Date the eleventh Day of *November* in the two and twentieth Year of his Reign) granted and conveyed divers Fee-farm Rents, and other Rents, unto *Francis* Lord *Hawley*, Sir *Charles Harbord* Knt. Sir *William Haward* Knt. Sir *John Talbot* Knt. Sir *Robert Steward* Knt. and *William Harbord* Esq; and their Heirs, as Trustees for Sale thereof, most of which Rents are of the yearly Value of forty Shillings *per Annum*, and upwards; 22 Car. 2. c. 6.

'II. And whereas there are yet remaining very many small Rents left out of the said Letters Patents, which were intended by the said Act to be sold and conveyed away, the Collection of which small Rents is very chargeable to his Majesty, and very troublesome to the Subject, by Means of Under-Sheriffs, Bailiffs and Messengers necessarily imployed therein; (2) and yet if the said small Rents should be conveyed by Letters Patents to Trustees for Sale thereof, the said Letters Patents would be of extraordinary Length, and require a Multitude of Recitals of many Small Sums, which besides the Charge in Writing, would also be an Occasion of great Hindrance and Delay to his Majesty's Service:' (3) Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority thereof, That all Fee-farm Rents, Rents-service, Rents-seck or Dry-rents, Chauntry-rents, Guild-rents, Castle-guard Rents, and other Rents, within the Survey of the Exchequer, or Duchy of *Lancaster*, due and payable to his Majesty, his Heirs and Successors, in Possession, Reversion or Remainder (other than such Rents and Sums of Money as are specially saved and excepted out of the said Act) be and are hereby vested and settled in the said *Francis* Lord *Hawley*, Sir *Charles Harbord*, Sir *William Haward*, Sir *John Talbot*, Sir *Robert Stewart*, and *William Harbord*, and their Heirs, as fully and absolutely to all Intents and Purposes whatsoever, as if the same had been particularly granted unto them by Letters Patents by Virtue of the said Act, and in such Manner as is hereby directed in that Behalf; (4) and the said Rents hereby vested in the said Trustees, shall be by them conveyed and disposed according to the Directions and Instructions mentioned in the said Act, to any Person or Persons, Bodies Politick or Corporate, who shall desire to purchase the same Rents, or any of them, upon a Particular or Certificate thereof made by the Auditor or other Officer of Record, before whom the same do or shall stand in Charge respectively, which Conveyance of the said Trustees, and the Survivors and Survivor of them, shall be as good and effectual in Law to all Intents and Purposes, as if the Rents so conveyed had been particularly, immediately, and well and sufficiently granted by his Majesty under the Great Seal of *England*, or the Seal of the Duchy or County Palatine of *Lancaster*.

III. And for the better Security and Satisfaction of the Purchasers of any the said Rents; (2) Be it enacted by the Authority aforesaid, That all and every Person or Persons, Bodies Politick and Corporate, their Heirs, Successors and Assigns, who have already been, or hereafter shall become, Purchaser or Purchasers of any of the said Rents granted by the said recited Letters Patents, or mentioned or intended to be vested in or conveyed by these Presents to the said Trustees, shall quietly hold and enjoy the same, according to their several and respective Purchases, and shall be and are hereby saved and indemnified, and kept harmless of and from all and all Manner of Incumbrances whatsoever heretofore had, made or done, or hereafter to be had, made or done, by the said Trustees or any of them, to charge or incumber the said Rents with any Incumbrances whatsoever. All Purchasers of Fee-Farm Rents to be kept harmless from all Incumbrances made by the Trustees. Such Rents, how to be described in Deeds and Pleadings, 10 Ann. c. 18. §. 4.

The Receivers General may receive them till Sale made.

IV. Provided always, and it is the true Intent and Meaning of these Presents, That until Sale shall be made of the said several Rents by the Trustees afore-mentioned, or the Survivors or Survivor of them, their Heirs, Executors or Administrators, That the Receiver or Receivers General of his Majesty's Revenue shall and may receive, collect and gather the same and every Part thereof, as fully to all Intents and Purposes as if the said Letters Patents or this present Act had not been made.

Advantages allowed to Purchasers. 22 Car. 2. c. 6.

V. And lastly, be it enacted, That all such Persons as shall purchase any of the said Rents by Virtue of this Act, shall have and enjoy all the Benefits and Advantages given or allowed to Purchasers by the said former Act; and the shewing of the printed Copies of this and the said former Act, and of the Conveyance made by the said Trustees, and Enrolled according to the Direction of the said former Act, shall be sufficient Evidence in any Court of Justice, to entitle the Purchaser and Purchasers, their Heirs and Assigns, to any Rent by him, her or them purchased, and contained in such Conveyance, without any further Proof or Evidence in that Behalf.

The shewing of this Act and Deed shall be a good Evidence in any Court of Justice.

VI. Provided, That no Tenant in Tail of any the said Rents shall be enabled by this Act to suffer any Recovery or do any other Act or Deed to bar the Remainder, hereby vested in the said Trustees and their Heirs, nor shall such Tenant in Tail have any other or greater Power over the said Rent than he had before the passing of this Act; any Thing herein before contained to the contrary notwithstanding.

No Tenant in Tail of any of the said Rents, shall suffer any Recovery to bar the Remainder.

VII. And be it further enacted, That the said Trustees and the Survivors and Survivor of them, conveying and disposing of the said Rents according to such Contracts and Agreements as shall be signed by the Lord Treasurer of *England* and Chancellor of the Exchequer, or the Lords Commissioners of his Majesty's Treasury for the Time being, pursuant to the said former or this present Act, and the Heirs, Executors or Administrators of the said Trustees, shall be for so doing and are hereby freed and discharged against his Majesty, his Heirs and Successors for ever.

The Trustees duly executing their Authority, shall be discharged against his Majesty, &c.

VIII. And be it further enacted by the Authority aforesaid, That every Purchaser of any of the Rents and Premisses by the Intent of this or any former Act sold or appointed to be sold, their Heirs and Assigns, and all Person and Persons, their Heirs, Executors, Administrators and Assigns, claiming by, from or under such Purchaser or Purchasers, may sue for, make Avowry, Justification or Conuzance, as the Case shall require, for such Rent or Rents, and Premisses, and Arrears thereof, without setting forth how his Majesty or his Progenitors became entitled to such Rents or other the Premisses, or setting forth or producing in Court any Letters Patents or other Matter, whereby such Rents or Premisses had Commencement, or the said Letters Patents whereby the Premisses were granted or intended to be granted to the said *Francis* Lord *Hawley*, Sir *Charles Harbord*, Sir *William Haward*, Sir *John Talbot*, Sir *Robert Stewart* and *William Harbord*; (2) but it shall be sufficient in every such Suit, Avowry, Conuzance or Justification, where Occasion shall be to set forth the Title of such Purchaser, to declare or alledge, that the said *Francis* Lord *Hawley*, Sir *Charles Harbord*, Sir *William Haward*, Sir *John Talbot*, Sir *Robert Stewart* and *William Harbord*, were seised in Fee, or in Demesne as of Fee, of such Rent or Premisses, in Possession or Reversion, as the Case requires, and so seised granted the same.

All Purchasers may make a general Justification, by saying that the Trustees were seised in Fee, and so granted to them.

Liberty given to Purchase by the Words expressed in the Letters Patents, the Auditors Certificates, or Grants from the Crown.

'IX. Whereas many of the Rents vested in the said Trustees by the two Patents herein before mentioned, are either misrecited, or not so fully and particularly expressed, as may be reasonably desired by some Purchasers:' (2) Be it therefore further enacted by the Authority aforesaid, That the said Trustees, and the Survivor and Survivors of them, and the Heirs of such Survivors, shall and may convey the said Rents or any of them to the respective Purchasers, either by the Words expressed in the said Letters Patents, or by Particulars to be made out by the respective Auditors, or by the original Grants from the Crown, wherein those Rents are reserved, as the said Trustees shall find most convenient for the Satisfaction of the said Purchasers; (3) Saving unto the Queen's Majesty all such Right, Title, Interest, Possession or Estate, as her Majesty had, should or might have, or of Right ought to have had, in or unto the Rents hereby vested, or any of them, as fully and amply as her Majesty should or might have had before this present Act, and as if this Act had never been had or made; any Thing herein before contained to the contrary notwithstanding.

A Saving to the Queen's Majesty of all her Rights, &c.

## CAP. XXV. (17.)

### An Act for the better Preservation of the Game, and for securing Warrens not inclosed, and the several Fishings of this Realm.

13 R. 2. Stat. 1. c. 13. 1 H. 7. c. 17. 19 H. 7. c. 11. 12 H. 8. c. 8. 3 El. c. 21. 5 & 6 El. c. 10. 1 Jac. 1. c. 27. 3 Jac. 1. c. 13. 13 Car. 2. Stat. 1. c. 10.

'WHEREAS divers disorderly Persons, laying aside their lawful Trades and Employments, do betake themselves to the stealing, taking and killing of Conies, Hares, Pheasants, Partridges and other Game intended to be preserved by former Laws, with Guns, Dogs, Tramels, Lowbels, Hays and other Nets, Snares, Hare-pipes and other Engines, to the great Damage of this Realm, and Prejudice of Noblemen, Gentlemen and Lords of Manors and others, Owners of Warrens:'

Who may appoint Game-keepers.

II. For Remedy thereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all Lords of Manors, or other Royalties, not under the Degree of an Esquire, may from henceforth by Writing under their Hands and Seals authorize one or more Game-keeper or Game-keepers within their respective Manors or Royalties, who being thereunto so authorized, may take and seize all such Guns, Bows, Grey-hounds, Setting-dogs, Lurchers, or other Dogs to kill Hares or Conies, Ferrets, Tramels, Lowbels, Hays or other Nets, Hare-pipes, Snares or other Engines, for the taking and killing of Conies, Hares, Pheasants, Partridges or other Game, as within the Precincts of such respective Manors shall be used by any Person or Persons who by this Act are prohibited to keep or use the same: (2) And moreover, That the said Game-keeper or Game-keepers, or any other

What such Game-keepers may seize.

Person or Persons being thereunto authorized by Warrant under the Hand and Seal of any Justice of the Peace of the same County, Division or Place, may in the Day-time search the Houses, Out-houses or other Places of any such Person or Persons by this Act prohibited to keep or use the same, as upon good Ground shall be suspected to have or keep in his or their Custody any Guns, Bows, Greyhounds, Setting-dogs, Ferrets, Cony-dogs, or other Dogs to destroy Hares or Conies, Hays, Tramels or other Nets, Lowbels, Hare-pipes, Snares or other Engines aforesaid, and the same and every or any of them to seize, detain and keep, to and for the Use of the Lord of the Manor or Royalty where the same shall be so found or taken, or otherwise to cut in Pieces or destroy, as Things by this Act prohibited to be kept by Persons of their Degree.

Power to search Houses.

III. And it is hereby enacted and declared, That all and every Person and Persons not having Lands and Tenements, or some other Estate of Inheritance, in his own or his Wife's Right, of the clear yearly Value of one hundred Pounds *per Annum*, or for Term of Life, or having Lease or Leases of ninety-nine Years, or for any longer Term, of the clear yearly Value of one hundred and fifty Pounds, other than the Son and Heir apparent of an Esquire, or other Person of higher Degree, and the Owners and Keepers of Forests, Park, Chases or Warrens, being stocked with Deer or Conies for their necessary Use, in respect of the said Forests, Parks, Chases or Warrens, are hereby declared to be Persons by the Laws of this Realm not allowed to have or keep for themselves, or any other Person or Persons, any Guns, Bows, Greyhounds, Setting-dogs, Ferrets, Coney-dogs, Lurchers, Hays, Nets, Lowbels, Hare-pipes, Gins, Snares, or other Engines aforesaid; but shall be and are hereby prohibited to have, keep or use the same.

What Persons are prohibited the keeping of Guns, Bows, Dogs, &c. 5 Mod. 307. 1 Salk. 212.

'IV. And forasmuch as divers Warrens and Grounds not inclosed, are used for the breeding and keeping of Conies in several Parts of this Kingdom, and that sundry dissolute and disorderly Persons have been much encouraged to kill and destroy the Conies in such Warrens and Grounds not inclosed in the Night-time, for that the same is not prohibited or punishable by the Statutes in that Behalf made and provided, which extend only to the stealing and killing of Conies in Warrens or Grounds inclosed:' (2) For Remedy thereof, Be it enacted and declared, That if any Person or Persons shall at any Time enter wrongfully into any Warren or Ground lawfully used or kept for the breeding or keeping of Conies (although the same be not inclosed) and there shall chase, take or kill any Conies against the Will of the Owner or Occupier thereof, not having lawful Title or Authority so to do, and shall be thereof lawfully convicted in Manner hereafter following, the Parties so offending shall yield to the Party grieved treble Damages and Costs, and suffer Imprisonment by the Space of three Months and after, till they shall find Sureties for their good Abearing.

No Person shall kill Conies in a Warren not inclosed. *Burn, V.* 1. 487.

Forfeiture.

'V. And forasmuch as divers idle and disorderly Persons living near unto Warrens, have of late Time used to take and kill the Conies upon the Borders of the same, and under Colour thereof do oft-time enter into the said Warrens, and there take and kill Conies in the Night-time, when they cannot easily be discovered:' (2) It is further provided and enacted, That no Person or Persons shall at any Time hereafter kill or take in the Night-time, any Conies upon the Borders of any Warrens, or other Grounds lawfully used for the breeding or keeping of Conies; excepting only such Person or Persons as shall be Owner of the Soil, or lawful Occupier or Possessor of the Ground, or any Person or Persons employed by him, her or them, whereupon such Conies shall be so killed or taken; (3) upon Pain that every Person so offending and being thereof lawfully convicted in Manner hereafter following, shall give the Party or Parties injured such Recompence or Satisfaction for his or their Damages, and within such Time, as shall be appointed by the Justice before whom such Offender shall be convicted, and over and above pay down presently unto the Overseers for the Use of the Poor of the Parish where such Offence shall be committed, such Sum of Money not exceeding ten Shillings, as the said Justice shall think meet: (4) And if such Offender or Offenders do not make Recompence or Satisfaction to the said Party or Parties injured, and also pay the said Sum to the Poor in Manner and Form aforesaid, then the said Justice shall commit the said Offender or Offenders to the House of Correction for such Time as the said Justice shall think fit, not exceeding one Month.

No Person shall in the Night kill any Conies on the Borders of any Warren, except the Owner of the Ground.

The Penalty.

Imprisonment.

'VI. And whereas divers idle and disorderly Persons have of late Time taken up a Practice to take and kill Hares and Conies with Snares, Hare-pipes and other Engines, in or near Woods, Warrens or other Places;' (2) It is hereby further enacted and declared by the Authority aforesaid, That if any Person or Persons from and after the first Day of *May* which shall be in the Year of our Lord God one thousand six hundred seventy and one, shall be found or apprehended setting or using any Snares, Hare-pipes or other like Engines, and shall be thereof convicted in Manner following; the Person or Persons so offending shall be liable to the Penalties in the immediate foregoing Clause of this Act in Manner as aforesaid.

No Person shall kill, or set Snares for Hares, &c.

The Penalty.

'VII. And whereas divers idle, disorderly and mean Persons do from Time to Time betake themselves to the stealing, taking and killing of Fish out of Ponds, Pools, Motes, Stews and other several Waters and Rivers, to the great Damage of the Owners thereof:' (2) Be it therefore further enacted by the Authority aforesaid, That if any Person or Persons from and after the first Day of *May* which shall be in the Year of our Lord God one thousand six hundred seventy and one, shall at any Time use any Casting-net, Thief-net, Drag-net, Tramel, Shove-net or other Net whatsoever, or any Angle, Hair, Noose, Troll or Spear, or shall lay any Wears, Pots, Nets, Fish-hooks or other Engines, or shall take any Fish by any Means or Device whatsoever, in any River, Stew, Pond, Mote or other Water as aforesaid, or shall be aiding or assisting thereunto, without the Licence or Consent of the Lord or Owner of the said Water, and be thereof, or of any other the Offence or Offences mentioned in this Act, convict by Confession of the Offender or by Oath of one sufficient Witness within one Month after the Offence committed, before any Justice of the Peace of such County, Riding, Division or Place wherein such Offence as aforesaid shall be committed, which Oath the said Justice of Peace is hereby impowered to administer: Every such Offender or Offenders in stealing, taking or killing Fish, shall for every such Offence give to the Party or Parties injured, such Recompence or Satisfaction for his or their Damages, and within such Time, as the said Jus-

No Person shall fish in the Pond of any Person without his Consent, with Nets or other Engines. *Burn, V.* 1. 495.

tices

The Penalty. tice shall appoint, not exceeding treble Damages; (3) and over and above, pay down presently unto the Overseers for the Use of the Poor where the said Offence shall be committed, such Sum of Money not exceeding ten Shillings, as the said Justice shall think meet: (4) And in Default of Payment as aforesaid, the same to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of such Justice before whom the Offender shall be convicted, rendring the Overplus if any be; (5) and for want of Distress the Offender or Offenders shall be committed to the House of Correction for such Time as the Justice shall think fit, not exceeding one Month; unless the Party offending shall enter into Bond with one competent Surety or Sureties to the Party injured, not exceeding the Sum of ten Pounds, never to offend in like Manner.

To be levied by Distress.

Justice of the Peace may cut the Nets, &c. VIII. And be it further enacted, That it shall and may be lawful for every Justice of Peace before whom such Offender as aforesaid shall be convict, to take, cut in Pieces and destroy all and every such Angles, Spears, Hairs, Nooses, Trolls, Wears, Pots, Fish-hooks, Nets or other Engines whatsoever, wherewith such Offender as aforesaid shall be taken or apprehended.

The Party grieved may appeal to the Quarter-Sessions. IX. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall find him or themselves aggrieved by any Judgment which shall happen to be given by any Justice of the Peace by Virtue of this Act, it shall and may be lawful for such Person or Persons so aggrieved, to appeal unto the Justices of Peace in their General Quarter-Sessions which shall happen to be held next after such Judgment given: Who or the greater Number of them are hereby authorized and impowered to give such Relief and make such Order therein, as shall be agreeable to the Tenor of this Act; (2) and such Judgment, Order or Determination, as by the said Justices shall be made upon the said Appeal, shall be final to all Intents and Purposes whatsoever, if no Title to any Land, Royalty or Fishery be therein concerned.

A Saving of all Royalties and Prerogatives to his Majesty. And Forest Laws. X. Provided always, and be it further enacted, That neither this Act nor any Thing therein contained shall extend or be construed to extend to the taking away or abridging of any Royalty or Prerogative Royal of his Majesty, nor to abridge, change or alter any Part of the Forest Laws of this Realm, but all and every such Laws, Rights, Powers, Royalties and Prerogatives Royal, shall remain and be in as full and ample Force and Virtue, as the same ought to have been in, if this Act had not been made; any Thing herein before contained to the contrary notwithstanding.

*Farther Provisions relating to Game*, 4 & 5 *W. & M. c.* 23. 5 *Ann. c.* 14. 9 *Ann. c.* 25. 3 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 19. 10 *Geo.* 2. *c.* 32. *and* 28 *Geo.* 2. *c.* 12.

## CAP. XXVI. (18.)

### An Act to prevent the Planting of Tobacco in *England*, and for Regulating the Plantation Trade.

Husbandry. 'WHEREAS the Sowing, Setting, Planting and Curing of Tobacco within divers Parts of the 'Kingdom of *England* doth continue and increase, to the apparent Loss of his Majesty's Customs, 'and the Discouragement of his Majesty's Plantations in *America*, and great Prejudice of the Trade and 'Navigation of this Realm, and the Vent of its Commodities thither, notwithstanding an Act of Parlia- 'ment made in the twelfth Year of his Majesty's Reign that now is, for the Prevention thereof, intituled
12 Car. 2. c. 34. '*An Act for prohibiting the Planting, Setting or Sowing of Tobacco in* England *and* Ireland; and also one
15 Car. 2. c. 7. 'other Act of this present Parliament made in the fifteenth Year of his Majesty's Reign, intituled, *An Act* '*for the Encouragement of Trade:*

Justices of the Peace are to command all Constables, &c. to make a Return to them of what Tobacco is planted, and upon whose Land. 'II. And forasmuch as the Remedies and Provisions by those Laws are found not large enough to obviate 'and prevent the Planting thereof;' (2) Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* which shall be in the Year of our Lord one thousand six hundred seventy and one, all Justices of the Peace within their several Limits and Jurisdictions shall and do, a Month before every General Quarter-Sessions to be holden for their respective Counties, issue forth their Warrants to all High Constables, Petty Constables and Tithingmen within their several Limits, thereby requiring the said High Constables, Petty Constables and Tithingmen and every of them to make diligent Search and Inquisition, what Tobacco is then sown, set, planted, growing, curing, cured or made, within their several and respective Limits and Jurisdictions, and by whom; and to make a true and lawful Presentment in Writing upon Oath, at the next General Quarter-Sessions to be holden for such County, of the Names of all such Persons as have sown, set, planted, cured or made any Tobacco, and what the full Quantity of Land is or was sown, set or planted therewith, and who are the immediate Tenant or Tenants, or present Occupiers of the Land so sown, set or planted, who are and shall be deemed Planters thereof to all Intents and Purposes.

Which Presentment, being filed, shall be a sufficient Conviction. Except upon Notice it shall be traversed. III. Which said Presentment upon Oath shall be received and filed by the Clerk of the Peace of the said County in open Sessions, and after such Receipt and Filing shall be a sufficient Conviction in Law to all Intents and Purposes, of all such Persons as shall be so presented for the sowing, setting, planting, improving to grow, making or curing Tobacco, either in Seed, Plant, Leaf or otherwise, contrary to the said recited Acts or either of them; unless such Person or Persons so presented (having Notice given to him or them of such Presentment made, by the Delivery of a Copy of such Presentment to him or them, or by leaving a Copy of such Presentment at his or their Dwelling-house or Houses, or usual Place of Abode, in the Presence of one or more credible Witnesses, ten Days at the least before the next Quarter-Sessions) shall at the Quarter-Sessions next after such Notice shall be given to him or them traverse such Presentment, and find sufficient Sureties for the prosecuting and trying such Traverse, at the Quarter-Sessions to be holden for the said County next after such Traverse shall be entred or made.

IV. And

IV. And it is hereby further enacted, That all Constables, Tithingmen, Bailiffs and other publick Officers, shall and do within their respective Jurisdictions, from Time to Time, as often as Occasion shall require, within fourteen Days after Warrant from two or more of the Justices of the Peace within such County, Town, City or Place, to them, calling to their Assistance such Person or Persons as they and every one of them shall find convenient and necessary, pluck up, burn, consume, tear in Pieces, and utterly destroy all Tobacco-Seed, Plant, Leaf, planted, sowed or growing in any Field, Earth or Ground. Power given to all Officers, &c. to pull up and destroy all the Plants, &c.

V. And if any such Tobacco shall be suffered or permitted to grow, or be consumed in Seed, Plant or Leaf, in any Townships, Tithing, Parish, Hamlet or Place, by the Space of fourteen Days after the Receipt of such Warrant or Warrants, by the said Constables, Tithingmen, Bailiffs, or other publick Officers of the respective Townships, Tithings, Parishes or Hamlets as aforesaid; That then such Constables, Tithingmen, Bailiffs, or other publick Officers respectively, shall for every such Offence forfeit and pay the Sum of five Shillings for every Rod, Perch or Pole of Ground so set, planted or sowed with Tobacco, and so proportionably for a greater or lesser Quantity of Ground; the one Moiety thereof to the King's Majesty, and the other Moiety to him or them that shall sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*. The Penalty of Officers not doing their Duty in destroying of it.

VI. And it is hereby further enacted, That in case any Person or Persons shall refuse or neglect to aid or assist (being thereunto required) any Constable, Bailiff or other publick Officer, in the due Execution of this Act, That every such Person or Persons for every such Offence, upon Conviction thereof made before two Justices of the Peace of the said County where such Offence shall be committed, shall forfeit and pay the Sum of five Shillings, to be levied by Warrant from the said Justices, by Distress and Sale of the Offender's Goods; and in case no Distress can be found, then every such Offender shall be committed to the Common Gaol of the said County, there to remain for the Space of one Week, without Bail or Mainprise. The Penalty for refusing to assist the Officers.

VII. And if any Person or Persons whatsoever shall forcibly resist any Constable, Bailiff, or other publick Officer, or other Person or Persons whatsoever, in the due Execution of this Act, That then every such Person for every such Offence, upon Conviction thereof made before two Justices of the Peace of the said County where such Offence shall be committed, shall forfeit and pay the Sum of five Pounds, to be levied by Warrant from the said Justices, by Distress and Sale of the Offender's Goods; and in Case no Distress can be found, then every such Offender shall be committed to the Common Gaol of the said County, there to remain for the Space of three Months, without Bail or Mainprize. The Forfeiture for resisting the Officers.

VIII. And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit or Information, shall be commenced or prosecuted against any Person or Persons, for what he or they shall do in Pursuance or Execution of this Act, or either of the recited Acts, such Person or Persons so sued in any Court whatsoever, shall or may plead the General Issue, Not guilty, and upon any Issue joined, may give this Act, or the said recited Acts, or either of them, and the special Matter, in Evidence: (2) And if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against him, the Defendant or Defendants shall recover their Costs, for which they shall have the like Remedy, as in case where Costs are given by Law to the Defendants. The Officer, to any Action brought against him, may plead Not Guilty. If Judgment pass for him, he shall recover double Costs.

IX. Provided always, and it is hereby enacted, That this Act, nor any Thing therein contained, shall extend to the Hindring of the Planting of Tobocco in any Physick Garden of either University, or in any other private Garden for Physick or Chirurgery only, so as the Quantity so planted exceed not one Half of one Pole, in any one Place or Garden. A Saving for Tobacco planted in the Physick Gardens.

'X. And whereas by one Act of Parliament in the fifteenth Year of his Majesty's Reign, intituled, *An Act for the Encouragement of Trade*, It is declared, That inasmuch as his Majesty's Plantations beyond the Seas are inhabited with his Subjects of *England*, for the Maintaining a better Correspondency betwixt them, and keeping them in a firmer Dependance upon it, and rendring them yet more beneficial and advantagious unto it, in the further Imployment and Encrease of *English* Shipping and Seamen, Vent of Woollen and other Manufactures, rendring the Navigation to and from the same more safe and cheap, and making this Kingdom a Staple, not only of the Commodities of those Plantations, but also of the Commodities of other Countries, for the Supplying them (it being the Usage of other Nations to keep their Plantation-Trades to themselves); (2) It was therefore enacted, That no Goods or Commodities of *Europe* shall be carried into any the Plantations of *Asia*, *Africa* or *America*, but what shall *bona fide* be laden and shipped in *England*, and in *English*-built Ships, or Ships made free, and navigated with *English*, according to an Act of Parliament on that Behalf: (3) And that no Officer of the Customs in *England* or *Wales* shall give any Warrant, or suffer any Sugar, Tobacco, and other Plantation Goods therein particularly named, to be carried into any other Country or Place whatsoever, until they have been first *bona fide* unladen in *England*, as by the said Act doth more at large appear. 15 Car. 2. c. 7.

'XI. Notwithstanding which, some Persons taking Advantage of the not mentioning the Repealing of the Word *Ireland*, in one Clause in an Act of Parliament made in the twelfth Year of his Majesty's Reign, intituled, *An Act for the Encouraging and Encrease of Shipping and Navigation*; where Bonds are directed to be taken for all Ships that shall lade any Sugar, or other Commodities therein particularly mentioned, in any of the said Plantations, That the same Commodities shall be by the said Ship brought to some Port of *England*, *Ireland*, *Wales*, or Town or Port of *Berwick*, and shall there unlode, and put the same on Shore, the said Persons having either refused to give Bond for the Return of their Ships in such case to *England*, *Wales*, or Town or Port of *Berwick* only, or having given such Bonds, have nevertheless gone with their Ships to *Ireland*; by which Means (although this Kingdom hath, and doth daily suffer a great Prejudice by the Transporting great Number of the People thereof to the said Plantations, for the Peopling of them) yet that the Trade of them would thereby in a great Measure be diverted from hence, and carried elsewhere, his Majesty's Customs and other Revenues much lessened, and this Kingdom not continue a Staple of the said Commodities of the said Plantations, nor that Vent for the Future of the Victual and other native Commodities of this Kingdom;' (2) Be it therefore enacted, and it is hereby 12 Car. 2. c. 18. §. 19.

The Word Ireland shall be left out of all Bonds that shall be taken for any Ship that shall set sail out of or from England, Ireland, Wales, &c. for any English Plantation in America, &c.

hereby enacted by the Authority aforesaid, That the Word *Ireland*, shall from and after the twenty-fourth Day of *May* in the Year of our Lord one thousand six hundred and seventy-one, be left out of all such Bonds which shall be taken for any Ship or Vessel which shall set sail out of or from *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, for any *English* Plantation in *America*, *Asia* and *Africa*; (3) and that in Case the said Ship or Vessel shall lode any of the said Commodities at any of the said *English* Plantations, That the said Commodities shall be by the said Ship or Vessel brought to some Port of *England* or *Wales*, or to the Town of *Berwick* upon *Tweed*, and shall there unlode and put on Shore the same (the Danger of the Seas only excepted) and in like Manner for all Ships coming from any other Port or Place to any of the aforesaid Plantations, who by the aforesaid Act for Encouraging and Encrease of Shipping are permitted to trade there: (4) That from and after the nine and twentieth Day of *September* in the Year of our Lord one thousand six hundred seventy and one, the Governor of such *English* Plantations shall, before such Ship or Vessel be permitted to lode on Board any of the said Commodities, take Bond in Manner and to the Value mentioned and directed in the above-mentioned Act for the Encouraging and Encrease of Shipping and Navigation, for each respective Ship or Vessel, That such Ship or Vessel shall carry all the aforesaid Goods that be laden on Board in the said Ship, to some other of his Majesty's *English* Plantations, or to *England*, *Wales*, or Town of *Berwick* upon *Tweed*: (5) And that every such Ship or Vessel which from and after the said nine and twentieth Day of *September* in the Year of our Lord one thousand six hundred seventy and one, shall lode or take on Board any of the said Commodities, until such Bond given to such Governor, or Certificate produced from the Officers of some Custom-house of *England*, *Wales*, or of the Town of *Berwick*, that such Bond hath been there duly given, or which contrary to the Tenor of such Bond shall carry the said Goods to any Land, Island, Territory, Dominion, Port or Place whatsoever, other than to such other *English* Plantations, as do belong to his Majesty, his Heirs and Successors, or to the Kingdom of *England*, Principality of *Wales*, or Town of *Berwick* upon *Tweed*, and there lay the same on Shore; that every such Ship or Vessel shall be forfeited, with all her Guns, Tackle, Apparel, Ammunition, Furniture and Lading; the one Moiety to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them that shall seize and sue for the same in any of the said Plantations, in the Court of the High Admiral of *England*, or of any of his Vice-Admirals, or in any Court of Record in *England*, wherein no Essoin, Protection or Wager of Law shall be allowed.

What Bonds the Governors of the English Plantations are directed to take.

Farther Provisions relating to such Bonds, 7 & 8 W. 3. c. 22. §. 13. 8 Ann. c. 13. §. 23.

Forfeiture.

The Governors of the American Plantations to return yearly to the Custom-house, a List of all Ships loading therein.

'XII. And whereas many Complaints have been made of Shipping and Vessels belonging to some of his 'Majesty's Colonies in *America*, that contrary to the Intent and Meaning of this and other afore-men-'tioned Laws, they have brought and transported the said Commodities to divers Parts of *Europe*, and there 'unloded the same:' (2) Be it further enacted by the Authority aforesaid, That the Governors, or their Commanders in Chief, of his Majesty's respective Plantations, do once a Year at least make a Return to his Majesty's Officers of his Customs in the Port of *London*, or to such other Person or Persons as his Majesty shall appoint to receive the same, a List of all such Ships or Vessels as shall lade any of the said Commodities in such Plantations respectively, as also a List of all the Bonds taken by them: (3) And in case any Ship or Vessel belonging to any of his Majesty's Plantations, which shall have on Board her any Sugars, Tobacco, Cotton-Wool, Indicoes, Ginger, Fustick or other Dying-Wood, shall be found to have unladed in any Port or Place of *Europe*, other than *England*, *Wales*, or the Town of *Berwick* upon *Tweed*: That such Ship or Vessel shall be forfeited, with all her Guns, Tackle, Apparel, Ammunition, Furniture and Lading, to be recovered and divided as aforesaid.

If they shall unlade any Sugars, &c. other than in England, &c. The Forfeiture.

Where to be prosecuted.

XIII. And that it shall and may be lawful for any Person or Persons, to prosecute such Ship or Vessel in any Court of Admiralty in *England*; the one Moiety of the Forfeiture in case of Condemnation, to be to his Majesty, his Heirs and Successors, and the other Moiety to such Prosecutor or Prosecutors thereof.

Tangier shall not be taken to be a Plantation within this Act.

XIV. And lastly it is hereby enacted, and be it further enacted by the Authority aforesaid, That *Tangier* shall not be deemed or taken to be a Plantation to his Majesty belonging in *Asia*, *Africa* or *America*, within the Intent and Meaning of this Act, or any of the afore mentioned Acts, so as to enjoy any Right, Privilege or Benefit of Trading, to or from the said Plantations, or any of them; any Law, Act, Usage or Declaration to the contrary notwithstanding.

How long to continue. 11 & 12 W. 3. c. 13.

XV. Provided always, and be it enacted, That this Act shall continue in Force for nine Years, and from thence to the End of the next Session of Parliament, and no longer. [Continued by 5 Geo. 1. c. 11. §. 19. so long as the 12 Car. 2. c. 4. shall continue.]

*Further Provisions concerning Tobacco*, 1 *Jac.* 2. *c.* 4. 7 & 8 *W.* 3. *c.* 10. 10 & 11 *W.* 3. *c.* 21. 2 *Ann. c.* 9. 6 *Ann. c.* 22. 8 *Ann. c.* 13. 12 *Ann. stat.* 2. *c.* 8. 1 *Geo.* 1. *c.* 46. 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 21. 12 *Geo.* 1. *c.* 26 & 28. 21 *Geo.* 2. *c.* 2. 24 *Geo.* 2. *c.* 41. *and* 26 *Geo.* 2. *c.* 13.

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## Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo quinto.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. 'and there continued by several Prorogations, to the twentieth * Day of *October*, *Anno* 25 *Car.* 2.'

* It is the Fourth Day of February, in the former Editions.

CAP.

## CAP. I.

An Act for raising the Sum of twelve hundred thirty-eight thousand seven hundred and fifty Pounds, for Supply of his Majesty's extraordinary Occasions. EXP.

## CAP. II.

### An Act for preventing Dangers which may happen from Popish Recusants.

FOR preventing Dangers which may happen from Popish Recusants, and quieting the Minds of his Majesty's good Subjects; (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That all and every Person or Persons, as well Peers as Commoners, that shall bear any Office or Offices Civil or Military, or shall receive any Pay, Salary, Fee or Wages, by Reason of any Patent or Grant from his Majesty, or shall have Command or Place of Trust from or under his Majesty, or from any of his Majesty's Predecessors, or by his or their Authority, or by Authority derived from him or them, within the Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or in his Majesty's Navy, or in the several Islands of *Jersey* and *Guernsey*, or shall be of the Household, or in the Service or Employment of his Majesty, or of his Royal Highness the Duke of *York*, who shall inhabit, reside or be within the City of *London* or *Westminster*, or within thirty Miles distant from the same, on the first Day of *Easter* Term that shall be in the Year of our Lord one thousand six hundred seventy-three; or at any Time during the said Term, all and every the said Person and Persons shall personally appear before the End of the said Term, or of *Trinity* Term next following, in his Majesty's High Court of Chancery, or in his Majesty's Court of King's Bench, and there in publick and open Court, between the Hours of Nine of the Clock and Twelve in the Forenoon, take the several Oaths of Supremacy and Allegiance (which Oath of Allegiance is contained in the Statute made in the third Year of King *James*) by Law established; (3) and during the Time of the taking thereof by the said Person and Persons, all Pleas and Proceedings in the said respective Courts shall cease; (4) and that all and every of the said respective Persons and Officers, not having taken the said Oaths in the said respective Courts aforesaid, shall on or before the first Day of *August* one thousand six hundred seventy-three, at the Quarter-Sessions for that County or Place where he or they shall be, inhabit or reside on the twentieth Day of *May*, take the said Oaths in open Court between the said Hours of Nine and Twelve of the Clock in the Forenoon; (5) and the said respective Officers aforesaid shall also receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, at or before the first Day of *August* in the Year of our Lord one thousand six hundred and seventy-three, in some Parish Church, upon some Lord's Day, commonly called *Sunday*, immediately after Divine Service and Sermon.

Lotw. 1 c. 2. 3 Jac. 1. c. 5. 7 Jac. 1. c. 6.

All Persons that shall bear any Offices or Places of Trust under his Majesty, &c. must take the Oaths of Allegiance and Supremacy, and the following Oaths, &c. *Vin. A.* 18. 240.

When and where to appear and make Oath.

This Act extended to Deputies by 1 Geo. 1. Stat. 2. c. 13. §. 18.

To receive the Sacrament according to the Usage of the Church of England.

II. And be it further enacted by the Authority aforesaid, That all and every Person or Persons that shall be admitted, entred, placed or taken into any Office or Offices Civil or Military, or shall receive any Pay, Salary, Fee or Wages, by Reason of any Patent or Grant of his Majesty, or shall have Command or Place of Trust from or under his Majesty, his Heirs or Successors, or by his or their Authority, or by Authority derived from him or them, within this Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or in his Majesty's Navy, or in the several Islands of *Jersey* and *Guernsey*, or that shall be admitted into any Service or Employment in his Majesty's or Royal Highness's Household or Family, after the first Day of *Easter* Term aforesaid, and shall inhabit, be or reside, when he or they is or are so admitted or placed, within the Cities of *London* or *Westminster*, or within thirty Miles of the same, shall take the said Oaths aforesaid in the said respective Court or Courts aforesaid, in the next Term after such his or their Admittance or Admittances into the Office or Offices, Employment or Employments aforesaid, between the Hours aforesaid, and no other, and the Proceedings to cease as aforesaid; (2) and that all and every such Person or Persons to be admitted after the said first Day of *Easter* Term as aforesaid, not having taken the said Oaths in the said Courts aforesaid, shall at the Quarter-Sessions for that County or Place where he or they shall reside, next after such his Admittance or Admittances into any of the said respective Offices or Employments aforesaid, take the said several and respective Oaths as aforesaid: (3) And all and every such Person and Persons so to be admitted as aforesaid, shall also receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, within three Months after his or their Admittance in or receiving their said Authority and Employment, in some publick Church, upon some Lord's Day, commonly called *Sunday*, immediately after Divine Service and Sermon.

All Persons to be admitted into any Office, &c. after the first Day of Easter-Term, to take the said Oaths, &c. See 2 Geo. 2. c. 31. §. 9. Cattlaw 378. 2 Mod. 2 9. Cumberb. 21. The Time enlarged to six Months, 9 Geo. 2. c. 26 Persons beyond Sea helped by 13 Geo. 1 c. 29. §. 1.

Explained by 1 Geo. 2. Stat. 2. c. 23. §. 6.

When and where to be taken. Jones Sir Tho. 81. Quarter Sessions. Carthew 320.

III. And every of the said Persons in the respective Court where he takes the said Oaths shall first deliver a Certificate of such his receiving the said Sacrament as aforesaid, under the Hands of the respective Minister and Churchwarden, and shall then make Proof of the Truth thereof by two credible Witnesses at the least, upon Oath; all which shall be enquired of, and put upon Record in the respective Courts.

A Certificate to be delivered into Court, of his Receiving the Sacrament.

IV. And be it further enacted by the Authority aforesaid, That all and every the Person or Persons aforesaid, that do or shall neglect or refuse to take the said Oaths and Sacrament in the said Courts and Places, and at the respective Times aforesaid, shall be *ipso facto* adjudged uncapable and disabled in Law, to all Intents and Purposes whatsoever, to have, occupy or enjoy the said Office or Offices, Employment or Employments, or any Part of them, or any Matter or Thing aforesaid, or any Profit or Advantage appertaining to them or any of them; (2) and every such Office and Place, Employment and Employments shall be void, and is hereby adjudged void.

Whosoever shall refuse to take the Oaths shall be adjudged uncapable of any other Office.

No Person shall execute any Office, after Refusal to take the Oaths.

V. And be it further enacted, That all and every such Person or Persons that shall neglect or refuse to take the said Oaths or the Sacrament as aforesaid, within the Times, and in the Places aforesaid, and in the Manner aforesaid, and yet after such Neglect or Refusal shall execute any of the said Offices or Imployments after the said Times expired, wherein he or they ought to have taken the same, and being thereupon lawfully convicted, in or upon any Information, Presentment or Indictment, in any of the King's Courts at *Westminster*, or at the Assizes, every such Person and Persons shall be disabled from thenceforth to sue or use any Action, Bill, Plaint or Information in Course of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Administrator of any Person, or capable of any Legacy or Deed of Gift, or to bear any Office within this Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*; (2) and shall forfeit the Sum of five hundred Pounds, to be recovered by him or them that shall sue for the same, to be prosecuted by any Action of Debt, Suit, Bill, Plaint or Information in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Protection or Wager of Law shall lie.

The Penalty. 1 Lutw. 159, 162.

Shall not prosecute any Suit in Law or Equity, or be Guardian to any Child, or Executor, &c.

The Forfeiture.

The Names of Persons taking the Oaths, where to be registred.

VI. And be it further enacted by the Authority aforesaid, That the Names of all and singular such Persons and Officers aforesaid, That do or shall take the Oaths aforesaid, shall be in the respective Courts of Chancery and King's Bench and the Quarter-Sessions inrolled, with the Day and Time of their taking the same, in Rolls made and kept only for that Intent and Purpose, and for no other; (2) the which Rolls, as for the Court of Chancery, shall be publickly hung up in the Office of the Petty-bag, and the Roll for the King's Bench in the Crown-Office of the said Court, and in some publick Place in every Quarter-Sessions, and there remain during the whole Term, every Term, and during the whole Time of the said Sessions, in every Quarter-sessions, for every one to resort to and look upon without Fee or Reward; (3) and likewise none of the Person or Persons aforesaid shall give or pay as any Fee or Reward to any Officer or Officers belonging to any of the Courts as aforesaid, above the Sum of Twelve-pence for his or their Entry of his or their taking of the said Oaths aforesaid.

The Fees allowed.

Upon due Tender made to the Courts, they are to administer the Oaths.

VII. And further, That it shall and may be lawful to and for the respective Courts aforesaid, to give and administer the said Oaths aforesaid to the Person or Persons aforesaid, in Manner as aforesaid, and upon the due Tender of any such Person or Persons to take the said Oaths, the said Courts are hereby required and enjoined to administer the same.

No Person not bred up in the Popish Religion by his Parents shall breed up or suffer his Children to be bred up in the Popish Religion.

The Penalty.

VIII. And be it further enacted, That if any Person or Persons, not bred up by his or their Parent or Parents from their Infancy in the Popish Religion, and professing themselves to be Popish Recusants, shall breed up, instruct or educate his or their Child or Children, or suffer them to be instructed or educated in the Popish Religion, every such Person being thereof convicted, shall be from thenceforth disabled of bearing any Office or Place of Trust or Profit in Church or State: (2) And all such Children as shall be so brought up, instructed or educated, are and shall be hereby disabled of bearing any such Office or Place of Trust or Profit, until he and they shall be perfectly reconciled and converted to the Church of *England*, and shall take the Oaths of Supremacy and Allegiance aforesaid before the Justices of the Peace in the open Quarter-Sessions of the County or Place where they shall inhabit, and thereupon receive the Sacrament of the Lord's Supper after the Usage of the Church of *England*, and obtain a Certificate thereof under the Hands of two or more of the said Justices of the Peace.

At the Taking of the Oaths to subscribe the Declaration following.

IX. And be it further enacted by the Authority aforesaid, That at the same Time when the Persons concerned in this Act shall take the aforesaid Oaths of Supremacy and Allegiance, they shall likewise make and subscribe this Declaration following, under the same Penalties and Forfeitures as by this Act is appointed;

The Declaration.

'(2) I *A. B.* do declare, That I do believe that there is not any Transubstantiation in the Sacrament of the Lord's Supper, or in the Elements of Bread and Wine, at or after the Consecration thereof by any Person whatsoever.'

A Register to be kept of the Subscription.

X. Of which Subscription there shall be the like Register kept, as of the taking the Oaths aforesaid.

This Act not to extend to Peerage.

Or Creation-money.

Impost, Pensions, &c.

Or Offices of Inheritance.

Or to make void any Pension granted to any Person instrumental in preserving the King at Worcester.

XI. Provided always, That neither this Act, nor any Thing therein contained, shall extend, be judged or interpreted any ways to hurt or prejudice the Peerage of any Peer of this Realm, or to take away any Right, Power, Privilege or Profit, which any Person (being a Peer of this Realm) hath or ought to enjoy by Reason of his Peerage, either in Time of Parliament or otherwise; (2) or to take away Creation-money or Bills of Impost, nor to take away or make void any Pension or Salary granted by his Majesty to any Person for valuable and sufficient Consideration for Life, Lives or Years, other than such as relate to any Office, or to any Place of Trust under his Majesty, and other than Pensions of Bounty or voluntary Pensions; (3) nor to take away or make void any Estate of Inheritance granted by his Majesty, or any his Predecessors, to any Person or Persons of or in any Lands, Rents, Tithes or Hereditaments, not being Offices; (4) nor to take away or make void any Pension or Salary already granted by his Majesty to any Person who was instrumental in the happy Preservation of his sacred Majesty after the Battle at *Worcester* in the Year one thousand six hundred fifty-one, until his Majesty's Arrival beyond the Seas; (5) nor to take away or make void the Grant of any Office or Offices of Inheritance, or any Fee, Salary or Reward for executing such Office or Offices, or thereto any Way belonging, granted by his Majesty or any his Predecessors, to, or enjoyed, or which hereafter shall be enjoyed by, any Person or Persons who shall refuse or neglect to take the said Oaths, or either of them, or to receive the Sacrament, or to subscribe the Declaration mentioned in this Act, in Manner therein expressed: (6) Nevertheless so as such Person or Persons having or enjoying any such Office or Offices of Inheritance, do or shall substitute and appoint his or their sufficient Deputy or Deputies (which such Officer or Officers respectively are hereby impowered from Time to Time to make or change, any former Law or Usage to the contrary notwithstanding) to exercise the said Office or Offices, until such Time as the Person or Persons having such Office or Offices shall voluntarily in the

Popish Officers who have Offices of Inheritance, must appoint Deputies who must take the Oaths, &c.

Court of Chancery, before the Lord Chancellor or Lord Keeper for the Time being, or in the Court of King's Bench, take the said Oaths, and receive the Sacrament according to Law, and subscribe the said Declaration, and so as all and every the Deputy and Deputies so as aforesaid to be appointed, take the said Oaths, receive the Sacrament, and subscribe the said Declaration from Time to Time, as they shall happen to be so appointed, in Manner as by this Act such Officers whose Deputies they be, are appointed to do; and so as such Deputies be from Time to Time approved of by the King's Majesty under his Privy Signet: (7) But that all and every the Peers of this Realm shall have, hold and enjoy what is provided for as aforesaid, and all and every other Person or Persons before-mentioned, denoted or intended within this Proviso, shall have, hold and enjoy what is provided for as aforesaid, notwithstanding any Incapacity or Disability mentioned in this Act. And subscribe.

XII. Provided also, That the said Peers and every of them may take the said Oaths, and make the said Subscription, and deliver the said Certificates, before the Peers sitting in Parliament, if the Parliament be sitting within the Time limited for doing thereof, and in the Intervals of Parliament in the High Court of Chancery, in which respective Courts all the said Proceedings are to be recorded in Manner aforesaid. The Peers may take the Oaths, &c. in Parliament.

XIII. Provided always, That no married Woman, or Person under the Age of eighteen Years, or being beyond or upon the Seas, or found by the lawful Oaths of twelve Men to be *Non compos mentis*, and so being and remaining at the End of *Trinity* Term in the Year of our Lord one thousand six hundred seventy-three, having any Office, shall by Virtue of this Act lose or forfeit any such his or her Office (other than such married Woman during the Life of her Husband only) for any Neglect or Refusal of taking the Oaths, and doing the other Things required by this Act to be done by Persons having Offices, so as such respective Persons within four Months after the Death of the Husband, coming to the Age of eighteen Years, returning into this Kingdom, and becoming of sound Mind, shall respectively take the said Oaths, and perform all other Things in Manner as by this Act is appointed for Persons to do, who shall happen to have any Office or Offices to them given or fallen after the End of the said *Trinity* Term. A Saving for married Women, &c.

XIV. Provided also, That any Person who by his or her Neglect or Refusal, according to this Act, shall lose or forfeit any Office, may be capable by a new Grant of the said Office, or of any other, and to have and hold the same again, such Person taking the said Oaths, and doing all other Things required by this Act, so as such Office be not granted to, and actually enjoyed by, some other Person at the Time of the Regranting thereof. Any Person forfeiting his Office by Virtue hereof, may upon Taking of the Oaths, &c. be capable of a new Grant thereof.

XV. Provided also, That nothing in this Act contained shall extend to make any Forfeiture, Disability, or Incapacity in, by, or upon any Non-Commission Officer or Officers in his Majesty's Navy, if such Officer or Officers shall only subscribe the Declaration therein required, in Manner as the same is directed. Not to extend to Non-Commission Officers in the Navy, if they subscribe the Declaration.

XVI. Provided also, That nothing in this Act contained shall extend to prejudice *George* Earl of *Bristol*, or *Anne* Countess of *Bristol* his Wife, in the Pension or Pensions granted to them by Patent under the Great Seal of *England*, bearing Date the sixteenth Day of *July* in the Year of our Lord one thousand six hundred sixty and nine, being in Lieu of a just Debt due to the said Earl from his Majesty, particularly expressed in the said Patent. A Saving for the Pensions granted to the Earl of Bristol and his Lady.

XVII. Provided also, That this Act, or any Thing therein contained, shall not extend to the Office of any High Constable, Petty Constable, Tithingman, Headborough, Overseer of the Poor, Church-wardens, Surveyor of the Highways, or any like inferior Civil Office, or to any Office of Forester, or Keeper of any Park, Chace, Warren, or Game, or of Bailiff of any Manor or Lands, or to any like private Offices, or to any Person or Persons having only any the before-mentioned, or any the like Offices. Not to extend to Constables, Tithingmen, Church-wardens, &c. Or private Officers. *See further* 10 *Ann. c.* 2. 12 *Ann. stat.* 2. *c.* 12. 5 *Geo.* 1. *c.* 4. *and* 16 *Geo.* 2. *c.* 30.

## CAP. III.

An Act for enabling his Majesty to make Leases of his Lands belonging to the Duchy of *Cornwall*. What Leases shall be made of Lands belonging to the Duchy of *Cornwall*, and how. An Exception to entire Honours, Lordships, or Manors. For what Terms or Times. Not dispunishable of Waste. Ancient Rent reserved. Where no Rent was payable, then a reasonable Rent. All Covenants in the Leases shall bind. A Saving of the Rights of all Persons, except the Right of the King, the Duke of *Cornwall*, and those who shall be Dukes. EXP. 13 Car. 2. Stat. 2. c. 4.

## CAP. IV.

An Act for Repeal of a Clause in a former Act to prohibit Salesmen from selling fat Cattle.

'WHEREAS by an Act made this present Parliament, intituled, *An Act to prevent Frauds in the Buying and Selling of Cattle in* Smithfield *and elsewhere*, (amongst other Things) It is enacted, That 'no Jobber, Salesman, or other Broker or Factor, who do or shall commonly buy or sell Cattle for others, 'be allowed or employed either for buying or selling any Fat Cattle, other than Swine or Calves, by or 'for any Butcher or other Person or Persons whatsoever, within fourscore Miles of the Cities of *London* and '*Westminster*, upon Pain of the Forfeiture of the Value of the said Cattle so bought or sold by him or them 'as aforesaid, to be paid by the Owner of such Cattle; (2) and upon further Pain, That all and every 'Person and Persons taking upon him or them to use or exercise the said Employment of a Jobber or Bro-'ker, or of a Salesman or Factor, for the buying and selling of Cattle contrary to the said Act, shall for-'feit for every such Offence the Value of all such Cattle so bought or sold, or exposed to Sale, by him or 'them as aforesaid; (3) but for that the said Clause in the said Act contained, is found by Experience 22 & 23 Car. 2. c. 19. §. 2.

'to be very prejudicial to the Sale of the Cattle of this Realm, and a great Inconvenience and Discouragement to those that feed the said Cattle in their respective Counties, who by Reason thereof are forced to make Journies up in their own Persons to *London*, or to send others purposely for that Employment, which commonly taketh up and wasteth all or the greatest Part of the Profit or Gain that they make of their said Cattle;' (4) Be it therefore enacted by the King's most Excellent Majesty, and by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Clause, and all and singular Penalties in the said Act relating thereunto, so far forth as the same do or may any Ways concern Salesmen or Factors employed by Feeders or Farmers, but not as the same do concern Salesmen or Factors employed by Butchers, Jobbers or Brokers, shall be and do stand repealed, and be utterly null and void to all Intents and Purposes whatsoever. 7 Ann. c. 6.

Part of the Act made 22 & 23 Car. 2. c. 19. §. 2. repealed.

## CAP. V.

An Act for the King's Majesty's most Gracious, General, and Free Pardon. EXP.

## CAP. VI.

An Act for taking off Aliens Duty upon Commodities of the Growth, Product, and Manufacture of the Nation.

'WHEREAS by a Statute made in the eleventh Year of King *Henry* the Seventh it is enacted, That all Merchant-Strangers, and others that be made Denizens by the King's Letters Patents, or otherwise, shall pay such Customs and Subsidies for their Goods and Merchandize inwards and outwards, as they should have paid if such Letters Patents had never to them been made; (2) and whereas by one other Statute made in the twelfth Year of the Reign of our Sovereign Lord the King that now is, intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes Exported and Imported*, and afterwards confirmed by an Act of Parliament made in the thirteenth Year of his said Majesty's Reign, it is enacted, That every Merchant, Natural-born Subject, Denizen and Alien, shall pay the Sum of twelve Pence for all manner of Goods or Merchandize to be carried out of this Realm or to be brought into the same by way of Merchandize, amounting to the Value of twenty Shillings according to the Book of Rates, whereto Reference is made by the said Statute; (3) and that every Merchant-Alien shall pay the Sum of twelve Pence over and above the twelve Pence aforesaid, for all Manner of the Native Commodities of this Realm, or Manufactures wrought of any such Native Commodities, of the Value of twenty Shillings, to be carried out of this Realm by such Merchants-Aliens; (4) and whereas by another Clause of the said Statute of the twelfth Year of his Majesty's Reign that now is, it is enacted, That all Strangers and Aliens shall pay six Shillings and eight Pence *per* Piece for every Short Cloth to be carried out of this Realm by such Strangers or Aliens; (5) and whereas by the twelfth Article of Rules, Orders, Directions and Allowances annexed to the said Book of Rates, it is recited, ordered and directed, That Merchant-Strangers should pay double Petty-Custom for Lead, Tin, Woollen Cloth, and for Native Manufactures of Wool or Part of Wool, and for all other Goods, as well inwards as outwards, rated to pay the Subsidy of Poundage, three Pence in the Pound, and other Duties payable by *Charta Mercatoria*, besides the Subsidy;' (6) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such Clauses only of the said Statutes of the eleventh Year of *Henry* the Seventh, and of the twelfth Year of our Sovereign Lord the King that now is, and of the said twelfth Article of Rules, Orders, Directions and Allowances, and of *Charta Mercatoria* therein mentioned, and all other Clauses contained in any other Act or Statutes of this Realm whatsoever, as do any ways concern any Custom or Subsidy upon any of the Native Commodities of this Kingdom, (except Coals) or Manufactures wrought or made in this Kingdom, or Town of *Berwick* upon *Tweed*, to be exported out of this Realm, payable by any Merchant-Alien made Denizen, or other Stranger or Alien, over and above the Custom and Subsidy payable by his Majesty's Natural-born Subjects, and no more, be hereby repealed.

11 H. 7. c. 14. for the Inforcement of this Act see 1 Ann. Stat. 1. c. 13.

12 Car. 2. c. 4. §. 6.

13 Car. 2. Stat. 1. c. 7.

12 Car. 2. c. 4. §. 2.

Part of the said Statutes of 11 H. 7. c. 14. 12 Car. 2. c. 4. &c. repealed. 8 Geo. 1. c. 15.

II. And for the further Explanation hereof, Be it further enacted by the Authority aforesaid, That from and after the first Day of *May* which shall be in the Year one thousand six hundred and seventy-three, every such Merchant, Denizen, Stranger or Alien, shall pay for all Merchandize consisting of any the Native Commodities of this Realm (except Coals) or Manufactures wrought or made in the Kingdom of *England*, or Town of *Berwick* upon *Tweed*, to be carried out of this Realm by such any Merchant, Denizen, Stranger or Alien, such Customs and Subsidies only, and no other or greater, than Merchants being the King's Natural-born Subjects do by Virtue of the said Statute of the twelfth Year of his Majesty that now is pay for any Merchandize of the Native Commodities of this Realm, (except Coals) or Manufactures wrought or made in this Kingdom or Town of *Berwick* upon *Tweed*, to be exported out of this Realm by such Natural-born Subjects; any Law, Custom or Statute to the contrary notwithstanding.

Denizens, Strangers and Aliens, shall pay no more for the Native Commodities of this Nation, than the King's Natural born Subjects: Except for Coals, or Manufactures wrought in this Kingdom or Berwick.

III. And be it further enacted by the Authority aforesaid, That from and after the first Day of *May* which shall be in the Year of our Lord one thousand six hundred seventy and three, every Merchant, Denizen or Alien shall pay for all Sorts of Fish caught by *Englishmen*, and exported in *English* Shipping, and whereof the Master and three Fourths of the Mariners shall be *English*, such Customs and Subsidies only and no greater or other than Merchants being Natives of this Realm do pay for the same. [Continued by 2 Will. & Mar. c. 4. §. 3. 1 Ann. St. 1. c. 13. §. 2. 9 Ann. c. 6. §. 2. 3 Geo. 1. c. 7.]

What they shall pay for Fish.

*Concerning Customs, see farther* 2 *W. & M. stat.* 2. *c.* 4. 4 & 5 *W. & M. c.* 5 & 15. 6 *W. & M. c.* 1. 6 & 7 *W.* 3. *c* 7. 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 7 *Geo.* 1. *stat.* 1. *c.* 21. 8 *Geo.* 1. *c.* 15, 18, & 31. 9 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 7 & 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *stat.* 2. *c.* 17. 9 *Geo.* 2. *c.* 35. 15 *Geo.* 2. *c.* 31. 18 *Geo.* 2. *c.* 28. 19 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 2. 28 *Geo.* 2. *c.* 21. 3 *Geo.* 2. *c.* 18 & 29. 32 *Geo.* 2. *c.* 10.

## CAP. VII.

### An Act for the Encouragement of the *Greenland* and *Eastland* Trades, and for the better Securing the Plantation-Trade.

12 *Car.* 2. *c.* 18. 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26.

'FOrasmuch as the Whale-fishing is a very considerable and profitable Trade, giving Imployments to great Numbers of Seamen and Shipping: And whereas Neighbouring Nations do yearly make great Advantage thereby; not only supplying themselves with that Sort of Oil and Fins, but vending into other Parts great Quantities thereof, and particularly into this Kingdom, where the said Trade is in a Manner quite decayed and lost: For Remedy thereof and Encouragement of such as shall be willing to employ themselves and their Estates in this Trade;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for all his Majesty's Subjects of this his Realm of *England*, and *Wales*, and Town of *Berwick* upon *Tweed*, and for every other Person or Persons of what Nation soever residing and inhabiting here, during the Time of such their Residence, freely to Trade into and from *Greenland* and those Seas, and there to take Whales and all other Sorts of Fish, and to import into this Kingdom all Sorts of Oil, Blubber and Fins thereof, and to use and exercise all other Trade to and from *Greenland* and those Parts. (3) And for the further Encouraging of the said Trade, Be it enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons, Native or Foreigner, to import Train-Oil or Blubber of *Greenland* and Parts adjacent, and those Seas, or of *Newfoundland*, or of any other his Majesty's Colonies and Plantations, made of Fish or of any other Creature living in the Seas, and Whale-fins caught in any Ships or Vessels truly and properly belonging to *England* or *Wales*, or Town of *Berwick* upon *Tweed*, and imported in such Ships, without paying any Custom or other Duty for the same; (4) and for the Ton of such Oil taken by any Shipping belonging to any of his Majesty's Colonies and Plantations, and imported in such Shipping, there shall be paid the Sum of six Shillings; (5) and for every Ton of Whale-fins taken and imported in such Shipping, the Sum of fifty Shillings; (6) and for the Ton of such Oil taken by the said Shipping but imported in Shipping belonging to *England*, *Wales* or the Town of *Berwick* upon *Tweed*, the Sum of three Shillings; (7) and for every Ton of Whale-fins taken and imported in such Shipping, the Sum of five and twenty Shillings; (8) and for the Ton of all such Oil and Blubber of Foreign Fishing, the Sum of nine Pounds; (9) and for every Ton of Whale-fins of Foreign Fishing, the Sum of eighteen Pounds, and no more. (10) And in regard there are at present great want of Harpiniers and Seamen skilled and exercised in the Trade of Whale-fishing; (11) Be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Ship or Vessel truly belonging to *England*, *Wales* or the Town of *Berwick* upon *Tweed*, and whereof the Master shall be an *Englishman* and inhabiting within the Places aforesaid, from and after the first Day of *May* which shall be in the Year of our Lord one thousand six hundred seventy and three, and until the five and twentieth Day of *March* which shall be in the Year of our Lord one thousand six hundred eighty and three, employed for the Catching of Whales, during such Voyage to be Navigated with one Moiety of the Harpiniers and one Moiety of the rest of the Mariners only *English*, and yet to pay no further or other Custom for the Oil, Blubber or Fins, caught and imported in such Ship or Vessel, than if such Ship or Vessel had been Navigated with three Fourths of the Mariners *English*; any Law, Statute or Usage to the contrary in any wise notwithstanding.

Liberty given to all Persons to Trade into Greenland, and to import all sorts of Oil, &c.

Without paying any Custom or Duty for such Goods brought in by any English or Welsh Vessel.

If by any Shipping of the King's Colonies or Plantations, then the several Rates mentioned in this Act.

Liberty given to have one Moiety of Harpiniers, and one Moiety of English Mariners in an English Vessel, with the same Privilege as before.

By 4 & 5 W. & M. *c.* 17. §. 27. one third English is sufficient.

II. Provided always, and it is hereby further enacted by the Authority aforesaid, That no *English* built Ship or other Ship or Vessel belonging to *England*, *Wales* or the Town of *Berwick* upon *Tweed*, importing Whale, Oil or Blubber, or other Fish, Oil or Whale-fins of *Greenland* or those Seas, shall enjoy any Benefit or Privilege by this Act, unless such Ship or Vessel did proceed on her Voyage to *Greenland* and those Seas, from *England* or *Wales*, or the Town of *Berwick* upon *Tweed*, and was Victualled for the said Voyage in some of those Places, to be attested by the Collector of the Port where the said Ship or Vessel was Victualled; (2) 'And whereas by one Act passed in this present Parliament in the twelfth Year of your Majesty's Reign, intituled, *An Act for Encouragement of Shipping and Navigation*, and by several other Laws passed since that Time, it is permitted to ship, carry, convey and transport Sugar, Tobacco, Cotton-Wool, Indico, Ginger, Fustick and all other Dying-Wood of the Growth, Production and Manufacture of any of your Majesty's Plantations in *America*, *Asia* or *Africa*, from the Places of their Growth, Production and Manufacture, to any other of your Majesty's Plantations in those Parts, (*Tangier* only excepted) and that without paying of Custom for the same, either at the Lading or Unlading of the said Commodities, by Means whereof the Trade and Navigation in those Commodities, from one Plantation to another is greatly increased; (3) and the Inhabitants of divers of those Colonies, not contenting themselves with being supplied with those Commodities for their own Use, free from all Customs, (while the Subjects of this your Kingdom of *England* have paid great Customs and Impositions for what of them hath been spent here) but contrary to the express Letter of the aforesaid Laws, have brought into divers Parts of *Europe* great Quantities thereof, and do also daily Vend great Quantities thereof, to the Shipping of other Nations who bring them into divers Parts of *Europe*, to the great Hurt and Diminution of your Majesty's Customs, and of the Trade and Navigation of this your Kingdom;' (4) For the Prevention thereof, We your Majesty's Commons in Parliament assembled, do pray that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That from and after the first Day of *September* which shall be in the Year of our Lord one thousand six hundred seventy and three, If any Ship or Vessel which by Law may Trade in any of your Majesty's Plantations, shall come to any of them to Ship and take on Board any of the aforesaid Commodities, and that Bond shall not be first given with one sufficient Surety to bring the same to *England* or *Wales*, or the Town of *Berwick*

The English built Ship, which is to have the Benefit of this Act, must proceed from England to Greenland. 12 Car. 2. c. 18.

This Act extended by 3 & 4 Ann. c. 5. §. 12. & 8 Geo. 1. c. 18. §. 22. as to Rice and Melasses and Copper Ore. Explained by 7 & 8 W. 3.

c. 22. §. 8. Bond to be given to bring all Goods of the American Plantations to England. And Suits on such Bonds restrained by 8 Ann. c. 13. §. 23.

*Berwick* upon *Tweed*, and to no other Place, and there to unload and put the same on Shore, (the Danger of the Seas only excepted) That there shall be answered and paid to your Majesty, your Heirs and Successors, for so much of the said Commodities as shall be Laded and put on Board such Ship or Vessel, these following Rates or Duties: That is to say, for Sugar White, the Hundred Weight containing one hundred and twelve Pounds, five Shillings; and Brown Sugar and Muscovadoes, the Hundred Weight containing one hundred and twelve Pounds, one Shilling and six Pence; (5) for Tobacco, the Pound one Peny; for Cotton-Wool, the Pound one Half-peny; for Indico, the Pound two Pence; for Ginger, the hundred Weight containing one hundred and twelve Pounds, one Shilling; (6) for Logwood, the hundred Weight containing one hundred and twelve Pounds, five Pounds; for Fustick and all other Dying wood, the hundred Weight containing one hundred and twelve Pounds, six Pence: And also for every Pound of Cocoa-Nuts, one Peny; (7) to be levied, collected and paid at such Places and to such Collectors and other Officers as shall be appointed in the respective Plantations to collect, levy and receive the same, before the Lading thereof, and under such Penalties both to the Officers and upon the Goods, as for Non-payment of or defrauding his Majesty of his Customs in *England*.

The Rates for the Customs to be paid. Penalty.

The Duty to be levied by the Commissioners of the Customs in England. By 1 Geo. 1. Stat. 2. c. 12.

III. And for the better Collection of the several Rates and Duties aforesaid imposed by this Act, Be it enacted, and it is hereby further enacted by the Authority aforesaid, That this whole Business shall be ordered and managed, and the several Duties hereby imposed shall be caused to be levied by the Commissioners of the Customs in *England* now and for the Time being, by and under the Authority and Directions of the Lord Treasurer of *England* or Commissioners of the Treasury for the Time being.

§. 4. Money arising by this Act to be paid into the Exchequer, &c.

If the Party shall not have ready Money, then the Commissioners to take a Proportion of the Commodities.

IV. And in case any Person or Persons liable by this Law to pay any of the Duties aforementioned, shall not have Monies wherewith to answer and pay the same, Be it further enacted by the Authority aforesaid, That the Officers appointed to collect the same, shall accept instead of such Monies such a Proportion of the Commodities to be shipped, as shall amount to the Value thereof, according to the current Rate of the said Commodities in such Plantation respectively.

It shall be free for all Persons to trade to Sweden, Denmark and Norway.

V. And for Encouragement of the *Eastland* Trade, Be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for every Person and Persons, Native or Foreigner, from and after the first Day of *May* which shall be in the Year of our Lord one thousand six hundred seventy and three, at all Times to have free Liberty to Trade into and from *Sweden*, *Denmark* and *Norway*; any Thing in the Charter of the Governor, Assistants and Fellowship of Merchants of *Eastland*, or any other Charter, Grant, Act, or any Thing else heretofore made or done, or hereafter to be done, to the contrary in any wise notwithstanding.

Any Person Subject of this Realm shall be admitted into the Eastland Company, paying for his Admittance 40s.

VI. And it is hereby further enacted by the Authority aforesaid, That whatsoever Person or Persons, Subjects of this Realm, shall desire to be admitted into the said Fellowship of Merchants of *Eastland*, That every such Person shall be admitted into the said Fellowship, paying for his Admission the Sum of forty Shillings, and no more. [Continued by 2 Will. & Mar. c. 4. §. 3, 4. 1 Ann. c. 13. §. 2. 9 Ann. c. 6. §. 2. 3 Geo. 1. c. 7.] *Farther Provisions relating to the Plantations*, 7 & 8 *W.* 3. *c.* 22. 11 *W.* 3. *c.* 12. 3 & 4 *Ann. c.* 5 & 10. 6 *Ann. c.* 30 & 37. 8 *Ann. c.* 13. 9 *Ann. c.* 17 & 27. 10 *Ann. c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 3 *Geo.* 2. *c.* 12 & 28. 4 *Geo.* 2. *c.* 15. 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. *and* 30 *Geo.* 2. *c.* 9.

## CAP. VIII.

### An Act for continuing a former Act concerning Coinage.

18 Car. 2. c. 5.

'FOrasmuch as great Advantage hath accrued to this Kingdom, by one Act of this present Parliament, passed in the eighteenth Year of your Majesty's Reign, intituled, *An Act for the Encouragement of Coinage*, for that very great Quantities of Gold and Silver have been brought into this Realm, and converted into the current Coins thereof, by reason of the Encouragement given thereto by the said Act; (2) and whereas the said Act was to continue until the twentieth of *December* in the Year of our Lord one thousand six hundred seventy and one, and until the End of the first Session of Parliament then next following and no longer, so as that unless the said Act be now renewed, the Encouragement given thereby to Coinage will cease, and this Kingdom be deprived for the future of so great a good as it hath thereby for these Years last past enjoyed:' We therefore your Majesty's dutiful and loyal Subjects, do humbly pray that it may be enacted; (3) and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, now in Parliament assembled, and by the Authority of the same, That the said Act shall continue and be in Force for the Space of seven Years, to commence from and after the Determination of this present Session of this Parliament, and until the End of the first Session of Parliament then next following, and no longer. [Continued for seven Years from the first of *March* one thousand seven hundred forty-five, and to the End of the first Session of Parliament, by 19 Geo. 2. c. 14.]

How long to continue.

Where the Monies collected upon the Act 18 Car. 2. c. 5. were to be paid.

II. Provided always, That whereas by the said Act it is enacted, That the Monies levied, collected and paid by Virtue thereof, should be levied, collected and paid at the respective Custom-houses, to the Collectors and other Officers of the Customs for the Time being, and be by them respectively paid into the Receipt of the Exchequer, whereby each of the said Collectors are obliged to pass a distinct Account in the Exchequer, for the Monies received by them by Virtue of the said Acts, although the Sums received by many of them are very small and inconsiderable, and yet no Allowance to be made unto them for the doing thereof:

III. For

III. For the avoiding of this unneceſſary Trouble and Inconvenience to the ſaid Collectors; (2) Be it enacted, and it is hereby enacted by the Authority aforeſaid, That during ſuch Time as the Cuſtoms ſhall be in Collection under the Management of Commiſſioners, the Monies collected, levied and paid by Virtue of this Act, ſhall be levied, collected and paid to ſuch Officers as do or ſhall from Time to Time collect and receive the Cuſtoms in the reſpective Ports, upon the Commodities charged by this Act, and ſhall be by them reſpectively anſwered and paid to the Receiver General of the Cuſtoms now and for the Time being, whoſe Acquittance ſhall be to them and every of them a ſufficient Diſcharge for the Monies by them paid to him, and a Certificate by them obtained yearly or oftner, from the Comptroller General of the Accounts of the Cuſtoms now and for the Time being, with the Allowance of the Commiſſioners of the Cuſtoms, or any three or more of them, of their having ſo paid all the Monies by them received, ſhall be to them and every of them a *Quietus*, and free them from all other Accounts or Trouble for the ſame. To whom the Monies collected upon this Act ſhall be paid. Quietus.

IV. And in Caſe the Cuſtoms ſhall be Farmed, that the Monies levied, collected and paid by Virtue of this Act, during ſuch Time, ſhall be collected, levied and paid in the reſpective Ports, to ſuch Perſons as ſhall be appointed by the Lord Treaſurer, or Commiſſioners of the Treaſury for the Time being, to levy, collect and receive the ſame, and be by them paid to ſuch Perſon as ſhall be in like Manner appointed to receive the ſaid Monies from them, whoſe Acquittance ſhall be to them and every of them a ſufficient Diſcharge for the Monies by them paid to him; and a Certificate by them obtained yearly or oftner, from ſuch Perſon or Perſons as ſhall be in like Manner appointed to give ſuch Certificate of their having ſo paid all the Monies by them received, ſhall be to them and every of them a *Quietus*, and free them from all other Accounts or Trouble for the ſaid Monies; any Thing in the ſaid Act for the Encouragement of Coinage, or any other Law, Statute or Uſage to the contrary in any wiſe notwithſtanding. Quietus.

V. And it is hereby enacted by the Authority aforeſaid, That the Monies to be levied, collected and paid by Virtue of this Act ſhall be levied, collected and paid at the Importation of the Commodities charged thereby, and that over and above all other Duties and Sums of Monies charged and payable upon the ſame, and under the ſame Penalties and Forfeitures as for Non-payment of or Defrauding his Majeſty of his Cuſtoms upon the ſaid Commodities. To be paid at the Importation of the Commodities. Penalty.

VI. And it is hereby further enacted by the Authority aforeſaid, That the Monies collected in the reſpective Ports by Virtue of this Act ſhall be by the reſpective Officers who ſhall collect the ſame, diſtinguiſhed and kept apart from all other Monies by them collected upon the ſame Commodities, or upon any other Commodity or Merchandize whatſoever, and ſhall be by them reſpectively ſo anſwered and paid monthly at leaſt from the Officers of the Port of *London*, and quarterly at leaſt from the Officers of the Out-Ports, to the Receiver General of the Cuſtoms for the Time being; and when there ſhall be no ſuch Receiver General, to ſuch other Perſon as ſhall be appointed as aforeſaid, to receive the ſame from them: (2) And that ſuch Receiver General or other Perſon, who ſhall receive the ſaid Monies from the Officers of the reſpective Ports, ſhall alſo keep the ſame diſtinct from all other Monies whatſoever, and ſo pay the ſame once in every Month at the leaſt into the Receipt of the Exchequer, there alſo to be kept diſtinct and apart from all other Monies ariſing by the Cuſtoms, or by any other Way or Revenue whatſoever. The Money to be kept by itſelf, and paid monthly.

VII. And laſtly, Be it enacted by the Authority aforeſaid, That for the Encouragement of the reſpective Officers before-mentioned, it ſhall be lawful for the Lord Treaſurer, or Commiſſioners of the Treaſury for the Time being, to allow unto them out of the Monies ariſing by this Act for the Services above-mentioned, ſuch Salaries and Allowances as to them ſhall ſeem meet and reaſonable, ſo as that the ſaid Salaries and Allowances do not exceed in the Whole the Sum of twelve Pence in the Pound of the Monies collected by this Act. Salaries to be allowed to the Officers for collecting it. *Farther Proviſions relating hereto, 1 Jac. 2. c. 7. 4 & 5. W. & M. c. 24. 12 W. 3. c. 11. 4 Ann. c. 22. 7 Ann. c. 24. 1 Geo. 1. ſtat. 2. c. 43. 9 Geo. 1. c. 19. 12 Geo. 2. c. 5. 19 Geo. 2. c. 14. 27 Geo. 2. c. 11.*

## CAP. IX.

### An Act to enable the County Palatine of *Durham* to ſend Knights and Burgeſſes to ſerve in Parliament.

'WHEREAS the Inhabitants of the County Palatine of *Durham* have not hitherto had the Liberty and Privilege of electing and ſending any Knights and Burgeſſes to the High Court of Parliament, although the Inhabitants of the ſaid County Palatine are liable to all Payments, Rates and Subſidies granted by Parliament, equally with the Inhabitants of other Counties, Cities and Boroughs in this Kingdom, who have their Knights and Burgeſſes in the Parliament, and are therefore concerned equally with others the Inhabitants of this Kingdom, to have Knights and Burgeſſes in the ſaid High Court of Parliament of their own Election, to repreſent the Condition of their County, as the Inhabitants of other Counties, Cities and Boroughs of this Kingdom have;' (2) Wherefore may it pleaſe your Majeſty, that may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Aſſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from Time to Time, and at all Times from and after the End of this preſent Seſſion of Parliament, the ſaid County Palatine of *Durham* may have two Knights for the ſame County, and the City of *Durham* two Citizens to be Burgeſſes for the ſame City, for ever hereafter to ſerve in the High Court of Parliament; (3) to be elected and choſen by Virtue of your Majeſty's Writ, to be awarded by the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, in that Behalf, to the Lord Biſhop of *Durham*, or his Temporal Chancellor of the ſaid County of *Durham*, and a Precept to be thereupon grounded and made by the Lord Biſhop of *Durham*, or his Temporal Chancellor for the Time being, to the Sheriff of the ſaid County for the Time being; (4) and the ſame Election from Time to Time to be made in Manner and Form following, that is to ſay, the Elections of the Knights to ſerve for the ſaid County Palatine from Time to Time hereafter to be made by the greater Number of Freeholders The County Palatine of Durham to ſend two Knights, and the City of Durham to ſend two Burgeſſes to Parliament. How the Elections are to be made.

of

of the said County Palatine of *Durham*, which from Time to Time shall be present at such Elections, accordingly as is used in other Counties in this your Majesty's Kingdom; (5) and that the Election of the said Burgesses from Time to Time to serve in the High Court of Parliament for the City of *Durham*, to be made from Time to Time by the major Part of the Mayor, Aldermen and Freemen of the said City of *Durham*, which from Time to Time shall be present at such Elections; (6) which said Knights and Burgesses and every of them, so elected or chosen, shall be returned by the said Sheriff into the Chancery of *England*, in due Form, and upon the like Pains as be ordained for the Sheriff or Sheriffs of any other County of this Kingdom to make his or their Returns in like Cases; (7) and that the said Knights and Burgesses and every of them, so elected and returned, shall be by Authority of this present Act Knights and Burgesses of the High Court of Parliament, to all Intents and Purposes, and have and use the like Voice, Authority and Places therein, to all Intents and Purposes, as any other the Knights and Burgesses of the said High Court of Parliament have, use and enjoy, and likewise shall and may, by Virtue of this present Act, take, have, use and enjoy, all such and the like Liberties, Advantages, Dignities and Privileges concerning the said Court of Parliament, to all Intents, Constructions and Purposes, as any other the Knights and Burgesses of the said High Court of Parliament have taken, had, used or enjoyed, or shall, may or ought hereafter to have, take or enjoy.

To be returned by the Sheriff.

## CAP. X.

19 Car. 2. c. 2.
22 Car. 2. c. 11.

An Act for reviving the Judicature for Determination of Differences touching Houses burnt down and demolished by Reason of the late Fire which happened in *London*, and for rebuilding of the Navy-Office. The Judicature for Determination of Differences occasioned by the Fire, continued until *February* 25, 1675. The King's Surveyor shall have Power to set out so much Ground near the Navy-Office lately burnt, as shall be commodious for it. Satisfaction shall be made for the same Ground. The Lord Mayor to impanel a Jury. Conclusive against the Owners. If any Controversy shall arise between any Person concerning the Dividend of the Money for the Ground, then it is referred to the Court of Judicature to determine. Power given to the Court of Judicature to determine Differences between Landlord and Tenant, concerning Houses demolished in *Seething-lane*. EXP.

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# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo septimo.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and there continued by several Prorogations to the thirteenth Day of *October* one thousand six hundred seventy-five.'

PR.

An Act for the better and more easy Rebuilding the Town of *Northampton*. A Court of Record constituted. How to proceed, and what to determine between Landlord and Tenant, &c. Defalcation or apportioning of Rent. Bodies Politick. Definitive Order to be final. Power to make a Decree to charge, &c. an Estate, or to order a new or longer Estate to be made, notwithstanding Infancy, Coverture, &c. Infants, &c. Bishops, &c. Corporations. To make Rules and Directions in the Forms and Orders of Buildings. To enlarge or alter Streets, Lanes, Roads and Passages. To treat and compound for Ground to be used for those Purposes. In Case of Refusal or Disability by Infancy, &c. then to impanel a Jury. To make Alterations in the Foundations, if they see Cause. Satisfaction to be awarded. A Jury to be impanelled in Case of Disability. A Proviso not to take away any Ground, but only for Enlargement of the Streets. The Corner-house taken away. Several other Houses to be taken away. If any Person shall not build within three Years, then the Court to dispose of the Ground to such Person as will build. Satisfaction to be made to the Proprietor of the Soil. In Case of Refusal a Jury to be impanelled. All Houses to be covered with Lead, Slate or Tile. Perilous Trades prohibited. Penalty. To appeal from an Order made by less than seven of the Judges. A Review of the Decree. Costs. All Judgments and Decrees shall be good both in Law and Equity. There shall lie no Writ of Error or *Certiorari*. A Register-Book for the Orders to be kept by the Mayor. All Justices of the County that inhabit in the Town, shall be Justices in the Town. Any Person that shall build a House worth 300 *l.* to have thereby his Freedom. All Persons that execute any Power by this Act to take an Oath. To plead the General Issue.

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# Anno Regni Caroli II. Regis, Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo nono.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and from thence continued by several Prorogations to the fifteenth of *February* one thousand six hundred seventy-six.'

CAP.

## CAP. I.

An Act for raising the Sum of five hundred eighty-four thousand nine hundred seventy-eight Pounds two Shillings and Two-pence Half-peny, for the speedy building thirty Ships of War. EXP.

## CAP. II.

An Act for an additional Excise upon Beer, Ale and other Liquors, for three Years. EXP.

## CAP. III.

### An Act for Prevention of Frauds and Perjuries.

'FOR Prevention of many fraudulent Practices, which are commonly endeavoured to be upheld by Perjury and Subornation of Perjury;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the four and twentieth Day of *June*, which shall be in the Year of our Lord one thousand six hundred seventy and seven, all Leases, Estates, Interests of Freehold, or Terms of Years, or any uncertain Interest of, in, to or out of any Messuages, Manors, Lands, Tenements or Hereditaments, made or created by Livery and Seisin only, or by Parol, and not put in Writing, and signed by the Parties so making or creating the same, or their Agents thereunto lawfully authorized by Writing, shall have the Force and Effect of Leases or Estates at Will only, and shall not either in Law or Equity be deemed or taken to have any other or greater Force or Effect; any Consideration for making any such Parol Leases or Estates, or any former Law or Usage, to the contrary notwithstanding.

1 Roll Abr. 24.

2 Lev. 227. Parol Leases and Interest of Freehold shall have the Force of Estates at Will only.

II. Except nevertheless all Leases not exceeding the Term of three Years from the making thereof, whereupon the Rent reserved to the Landlord, during such Term, shall amount unto two third Parts at the least of the full improved Value of the Thing demised.

Except Leases not exceeding three Years, &c.

III. And moreover, That no Leases, Estates or Interests, either of Freehold, or Terms of Years, or any uncertain Interest, not being Copyhold or customary Interest, of, in, to or out of any Messuages, Manors, Lands, Tenements or Hereditaments, shall at any Time after the said four and twentieth Day of *June* be assigned, granted or surrendred, unless it be by Deed or Note in Writing, signed by the Party so assigning, granting or surrendring the same, or their Agents thereunto lawfully authorized by Writing, or by Act and Operation of Law.

No Leases or Estates of Freehold shall be granted or surrendred by Word.

IV. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* no Action shall be brought whereby to charge any Executor or Administrator upon any special Promise, to answer Damages out of his own Estate; (2) or whereby to charge the Defendant upon any special Promise to answer for the Debt, Default or Miscarriages of another Person; (3) or to charge any Person upon any Agreement made upon Consideration of Marriage; (4) or upon any Contract or Sale of Lands, Tenements or Hereditaments, or any Interest in or concerning them; (5) or upon any Agreement that is not to be performed within the Space of one Year from the making thereof; (6) unless the Agreement upon which such Action shall be brought, or some *Memorandum* or Note thereof, shall be in Writing, and signed by the Party to be charged therewith, or some other Person thereunto by him lawfully authorized.

Promises and Agreements by Parol.

2 Shower 16. Skinn. 142, 143. 2 Mod. 310. * 1 Vent. 361, 362. 3 Lev. 67, 66. 1 Salk. 280.

V. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* all Devises and Bequests of any Lands or Tenements, devisable either by Force of the Statute of Wills, or by this Statute, or by Force of the Custom of *Kent*, or the Custom of any Borough, or any other particular Custom, shall be in Writing, and signed by the Party so devising the same, or by some other Person in his Presence and by his express Directions, and shall be attested and subscribed in the Presence of the said Devisor by three or four credible Witnesses, or else they shall be utterly void and of none Effect.

Devises of Lands shall be in Writing and attested by three or four Witnesses.

3 Lev. 86. Carthew 35, 514. 3 Mod. 218, 362.

VI. And moreover, No Devise in Writing of Lands, Tenements or Hereditaments, nor any Clause thereof, shall at any Time after the said four and twentieth Day of *June* be revocable, otherwise than by some other Will or Codicil in Writing, or other Writing declaring the same, or by Burning, Cancelling, Tearing or Obliterating the same by the Testator himself, or in his Presence and by his Directions and Consent; (2) but all Devises and Bequests of Lands and Tenements shall remain and continue in Force, until the same be Burnt, Cancelled, Torn or Obliterated by the Testator, or his Directions, in Manner aforesaid, or unless the same be altered by some other Will or Codicil in Writing, or other Writing of the Devisor signed in the Presence of three or four Witnesses, declaring the same; any former Law or Usage to the contrary notwithstanding.

How the same shall be revocable.

3 Mod. 260.

VII. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* all Declarations or Creations of Trusts or Confidences of any Lands, Tenements or Hereditaments, shall be manifested and proved by some Writing signed by the Party who is by Law enabled to declare such Trust, or by his last Will in Writing, or else they shall be utterly void and of none Effect.

All Declarations or Creations of Trusts shall be in Writing.

Explained by 4 Ann. c. 16. §. 15.

VIII. Provided always, That where any Conveyance shall be made of any Lands or Tenements by which a Trust or Confidence shall or may arise or result by the Implication or Construction of Law, or be transferred or extinguished by an Act or Operation of Law, then and in every such Case such Trust or Confidence shall be of the like Force and Effect as the same would have been if this Statute had not been made; any Thing herein before contained to the contrary notwithstanding.

Trusts arising, transferred or extinguished by Implication of Law, are excepted.

IX. And be it further enacted, That all Grants and Assignments of any Trust or Confidence shall likewise be in Writing, signed by the Party granting or assigning the same, or by such Last Will or Devise, or else shall likewise be utterly void and of none Effect.

Assignments of Trusts shall be in Writing.



* Read 2 *Vent.*

Lands, &c. shall be liable to the Judgments, &c. of Cestuy que Trust.

X. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* it shall and may be lawful for every Sheriff or other Officer to whom any Writ or Precept is or shall be directed, at the Suit of any Person or Persons, of, for and upon any Judgment, Statute or Recognizance hereafter to be made or had, to do, make and deliver Execution unto the Party in that Behalf suing, of all such Lands, Tenements, Rectories, Tithes, Rents and Hereditaments, as any other Person or Persons be in any Manner of wise seised or possessed, or hereafter shall be seised or possessed, in Trust for him against whom Execution is so sued, like as the Sheriff or other Officer might or ought to have done, if the said Party against whom Execution hereafter shall be so sued, had been seised of such Lands, Tenements, Rectories, Tithes, Rents or other Hereditaments of such Estate as they be seised of in Trust for him at the Time of the said Execution sued; (2) which Lands, Tenements, Rectories, Tithes, Rents and other Hereditaments, by Force and Virtue of such Execution, shall accordingly be held and enjoyed freed and discharged from all Incumbrances of such Person or Persons as shall be so seised or possessed in Trust for the Person against whom such Execution shall be sued; (3) and if any *Cestuy que Trust* hereafter shall die, leaving a Trust in Fee-simple to descend to his Heir, there and in every such Case such Trust shall be deemed and taken, and is hereby declared to be, Assets by Descent, and the Heir shall be liable to and chargeable with the Obligation of his Ancestors for and by reason of such Assets, as fully and amply as he might or ought to have been, if the Estate in Law had descended to him in Possession in like Manner as the Trust descended; any Law, Custom or Usage to the contrary in any wise notwithstanding.

And held free from the Incumbrances of the Persons seised in Trust. Trust shall be Assets in the Hands of Heirs. 2 Vern. 248. c. 232.

No Heir shall by Reason thereof become chargeable of his own Estate.

XI. Provided always, That no Heir that shall become chargeable by reason of any Estate or Trust made Assets in his Hands by this Law, shall by reason of any kind of Plea or Confession of the Action, or suffering Judgment by *Nient dedire*, or any other Matter, be chargeable to pay the Condemnation out of his own Estate; (2) but Execution shall be sued of the whole Estate so made Assets in his Hands by Descent, in whose Hands soever it shall come after the Writ purchased, in the same Manner as it is to be at and by the Common Law, where the Heir at Law pleading a true Plea, Judgment is prayed against him thereupon; any Thing in this present Act contained to the contrary notwithstanding.

Estates pur auter vie shall be deviseable. 14 Geo. 2. c. 20. §. 9. And shall be Assets in the Heir's Hand. And where there is no special Occupant, shall go to the Executors. Carthew 376. 2. Salk. 464. 2 Vern. 719. c. 307.

XII. And for the Amendment of the Law in the Particulars following; (2) Be it further enacted by the Authority aforesaid, That from henceforth any Estate *pur auter vie* shall be devisable by a Will in Writing, signed by the Party so devising the same, or by some other Person in his Presence and by his express Directions, attested and subscribed in the Presence of the Devisor by three or more Witnesses; (3) and if no such Devise thereof be made, the same shall be chargeable in the Hands of the Heir, if it shall come to him by reason of a special Occupancy, as Assets by Descent, as in Case of Lands in Fee-simple; (4) and in Case there be no special Occupant thereof, it shall go to the Executors or Administrators of the Party that had the Estate thereof by Virtue of the Grant, and shall be Assets in their Hands.

'XIII. And whereas it hath been found mischievous, that Judgments in the King's Courts at *Westminster* 'do many Times relate to the first Day of the Term whereof they are entred, or to the Day of the Return 'of the Original, or Filing the Bail, and bind the Defendants Lands from that Time, although in Truth 'they were acknowledged or suffered and signed in the Vacation-time after the said Term, whereby many 'Times Purchasers find themselves aggrieved:'

The Day of Signing any Judgment shall be entred on the Margent of the Roll.

XIV. Be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* any Judge or Officer of any of his Majesty's Courts of *Westminster*, that shall sign any Judgments, shall at the signing of the same, without Fee for doing the same, set down the Day of the Month and Year of his so doing, upon the Paper Book, Docket or Record which he shall sign; which Day of the Month and Year shall be also entred upon the Margent of the Roll of the Record where the said Judgment shall be entred.

This Clause extends to Counties Palatine by 8 Geo. 1. c. 25. §. 6.

And such Judgments as against Purchasers shall relate to such Time only.

XV. And be it enacted, That such Judgments as against Purchasers *bona fide* for valuable Consideration of Lands, Tenements or Hereditaments to be charged thereby, shall in Consideration of Law be Judgments only from such Time as they shall be so signed, and shall not relate to the first Day of the Term whereof they are entred, or the Day of the Return of the Original or Filing the Bail; any Law, Usage or Course of any Court to the contrary notwithstanding.

Writs of Execution shall bind the Property of Goods but from the Time of their Delivery to the Officer. 1 Salk. 320. Carthew 419. 1 Mod. 188. 2 Keb. 257.

XVI. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* no Writ of *Fieri facias* or other Writ of Execution shall bind the Property of the Goods against whom such Writ of Execution is sued forth, but from the Time that such Writ shall be delivered to the Sheriff, Under-Sheriff or Coroners, to be executed: And for the better Manifestation of the said Time, the Sheriff, Under-Sheriff and Coroners, their Deputies and Agents, shall upon the Receipt of any such Writ, (without Fee for doing the same) endorse upon the Back thereof the Day of the Month or Year whereon he or they received the same.

Contracts for Sales of Goods for ten Pounds or more. Thuan. Hist. lib. 39. § 25.

XVII. And be it further enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* no Contract for the Sale of any Goods, Wares and Merchandizes, for the Price of ten Pounds Sterling or upwards, shall be allowed to be good, except the Buyer shall accept Part of the Goods so sold, and actually receive the same, or give something in earnest to bind the Bargain, or in Part of Payment, or that some Note or *Memorandum* in Writing of the said Bargain be made and signed by the Parties to be charged by such Contract, or their Agents thereunto lawfully authorized.

The Day of the Enrolment of Recognizances shall be set down, and Lands in the Hands of Purchasers bound from that Time only.

XVIII. And be it further enacted by the Authority aforesaid, That the Day of the Month and Year of the Enrolment of the Recognizances shall be set down in the Margent of the Roll where the said Recognizances are enrolled; (2) and that from and after the said four and twentieth Day of *June* no Recognizance shall bind any Lands, Tenements or Hereditaments in the Hands of any Purchaser *bona fide* and for Valuable Consideration, but from the Time of such Enrolment; any Law, Usage or Course of any Court to the contrary in any wise notwithstanding.

'XIX. And for Prevention of fraudulent Practices in setting up Nuncupative Wills, which have been

'the Occasion of much Perjury;' (2) Be it enacted by the Authority aforesaid, That from and after the aforesaid four and twentieth Day of *June* no Nuncupative Will shall be good, where the Estate thereby bequeathed shall exceed the Value of thirty Pounds, that is not proved by the Oaths of three Witnesses (at the least) that were present at the Making thereof; (3) nor unless it be proved that the Testator at the Time of pronouncing the same, did bid the Persons present, or some of them, bear Witness, that such was his Will, or to that Effect; (4) nor unless such Nuncupative Will were made in the Time of the last Sickness of the Deceased, and in the House of his or her Habitation or Dwelling, or where he or she hath been Resident for the Space of ten Days or more next before the making of such Will, except where such Person was surprized or taken sick, being from his own Home, and died before he returned to the Place of his or her Dwelling. Nuncupative Wills. Explained by 4 Ann. c. 16. § 14.

XX. And be it further enacted, That after six Months passed after the speaking of the pretended Testamentary Words, no Testimony shall be received to prove any Will Nuncupative, except the said Testimony, or the Substance thereof, were committed to Writing within six Days after the making of the said Will.

XXI. And be it further enacted, That no Letters Testamentary or Probate of any Nuncupative Will shall pass the Seal of any Court, till fourteen Days at the least after the Decease of the Testator be fully expired; (2) nor shall any Nuncupative Will be at any Time received to be proved, unless Process have first issued to call in the Widow, or next of Kindred to the Deceased, to the End they may contest the same, if they please. Probates of Nuncupative Wills.

XXII. And be it further enacted, That no Will in Writing concerning any Goods or Chattels, or Personal Estate, shall be repealed, nor shall any Clause, Devise or Bequest therein, be altered or changed by any Words, or Will by Word of Mouth only, except the same be in the Life of the Testator committed to Writing, and after the Writing thereof read unto the Testator, and allowed by him, and proved to be so done by three Witnesses at the least. Raymond 334.

XXIII. Provided always, That notwithstanding this Act, any Soldier being in actual Military Service, or any Mariner or Seaman being at Sea, may dispose of his Moveables, Wages and Personal Estate, as he or they might have done before the making of this Act. Soldiers and Mariners Wills excepted.

XXIV. And it is hereby declared, That nothing in this Act shall extend to alter or change the Jurisdiction or Right of Probate of Wills concerning Personal Estates, but that the Prerogative Court of the Archbishop of *Canterbury*, and other Ecclesiastical Courts, and other Courts having Right to the Probate of such Wills, shall retain the same Right and Power as they had before, in every respect; subject nevertheless to the Rules and Directions of this Act. The Jurisdiction of Courts saved.

XXV. And for the explaining one Act of this present Parliament, intituled, *An Act for the better settling of Intestates Estates*; (2) Be it declared by the Authority aforesaid, That neither the said Act, nor any Thing therein contained, shall be construed to extend to the Estates of Feme Coverts that shall die Intestate, but that their Husbands may demand and have Administration of their Rights, Credits, and other Personal Estates, and recover and enjoy the same, as they might have done before the making of the said Act. [Made perpetual by 1 Jac. 2. c. 17. §. 5.] 22 & 23 Car. 2. c. 10. Husbands not compellable to make Distribution of the Personal Estates of their Wives. 1 Mod. 231.

## CAP. IV.

An Act for erecting a Judicature to determine Differences touching Houses burnt and demolished by the late dreadful Fire in *Southwark*. Who shall be Commissioners. Their Power and Manner of Proceeding. Their Decrees shall be binding and conclusive. Their Summons of Parties and Witnesses how to be granted. And how to be served. Upon Default they may proceed to determine the Controversy. If the Persons cannot be found to be summoned, no Proceedings shall be thereon till after six Months. Tofts of such as will not begin to build within two Years, &c. may be disposed of to such as will build. And Satisfaction awarded to the Proprietors. Or assessed by a Jury where the Parties will not or cannot accept the same. Decrees made by fewer than seven, and excepted to within thirty Days, may be reversed or altered by any seven or more, &c. Such Appeals to be finished within six Months. Such Orders and Decrees shall be effectual, and conclude all Persons. And not reversed by Writ of Error or *Certiorari*. Such Judgments and Decrees how to be entred. The Books to be kept by the Town-Clerk of *London*. The Powers given by this Act to continue for three Years. An Oath to be taken by the Judges of the Court. Encroachments and Purprestures upon the High Street, how to be regulated. A Proviso for Stall-boards notwithstanding. Differences concerning Party-walls and other Walls, and Lights, Passages, &c. how to be mediated. The Court shall order what Fees their Officers shall take. Affidavits of serving Process how to be taken. The Penalty of committing Perjury in the same. Decrees may be signed by the Survivors of those that made them. Leases and Agreements since the Fire shall be of Force, and may be corroborated by Decree of the Court. Persons interested shall not have Votes. Damages may be recovered at Law for Non-performance of any Decree, or a Bill in Equity maintained for a Performance *in specie*. Persons not abating Annoyances may be indicted. An Action at Law given for Money decreed, the Decree may be given in Evidence. Persons prosecuted may plead the General Issue, &c. *Southwark* Market shall be kept where it anciently has been.

## CAP. V.

An Act for taking Affidavits in the Country, to be made Use of in the Courts of King's Bench, Common Pleas and Exchequer.

'FOR the greater Ease and Benefit of all Persons whatsoever in the taking of Affidavits to be made Use of and read in his Majesty's Courts of King's Bench, Common Pleas and Exchequer at *Westminster*, 'as well in Matters and Things relating to his Majesty, and his Revenue, as in all other Matters and Causes

'whatsoever depending or to be depending in all or any of the Courts aforesaid, or any wise concerning the 'Proceedings of or in the same.'

Who may impower Persons by Commission to take Affidavits.

II. Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Chief Justice, and other the Justices of the said Court of King's Bench for the Time being, or any two of them, whereof the Chief Justice for the Time being to be one for the said Court of King's Bench; (2) and the Chief Justice of the Common Pleas, and the rest of the Justices there for the Time being, or any two of them, whereof the Chief Justice of the same Court to be one for the said Court of Common Pleas; (3) and also the Lord Treasurer, Chancellor and Barons of the Court of Exchequer for the Time being, or any two or more of them, whereof the Lord Treasurer, Chancellor, or Lord Chief Baron for the Time being, to be one for the said Court of Exchequer; (4) shall and may by one or more Commission or Commissions under the several Seals of the said respective Courts, from Time to Time as Need shall require, impower what and as many Persons as they shall think fit and necessary, in all and every the several Shires and Counties within the Kingdom of *England* and Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, to take and receive all and every such Affidavit and Affidavits as any Person or Persons shall be willing and desirous to make before any of the Persons so impowered, in or concerning any Cause, Matter or Thing depending, or hereafter to be depending, or any wise concerning any of the Proceedings to be in the said respective Courts, as Masters of Chancery in extraordinary do use to do; (5) and that it shall and may be lawful for any Judge of Assize in his Circuit to take and receive any Affidavit or Affidavits as any Person or Persons shall be willing and desirous to make before him, in or concerning any Cause, Matter or Thing depending, or hereafter to be depending, or in any wise concerning any Proceedings to be had in the said Courts of King's Bench, Common Pleas and Exchequer, or any of them; (6) which said Affidavits taken as aforesaid shall be filed in their several and respective Offices of the said Courts the same do concern, and then be read and made Use of in the said Courts, to all Intents and Purposes as other Affidavits taken in the said Courts now are, and that all and every Affidavit and Affidavits taken as aforesaid, shall be of the same Force as Affidavits taken in the said respective Courts now are; (7) and all and every Person and Persons forswearing him, her or themselves in such Affidavit or Affidavits, shall incur and be liable unto the same Penalties, as if such Affidavit or Affidavits had been made and taken in open Court.

2 Salk. 461.

Judges of Assize in their Circuits may take Affidavits concerning Matters depending in the King's Bench, Common Pleas and Exchequer.

The Penalty on such as forswear themselves in such Affidavits.

The Person taking the same shall receive but 12 d. besides the King's Duty.

III. Provided, That for the Taking of every such Affidavit, the Person or Persons so impowered and taking the same, shall for so doing receive only the Sum or Fee of twelve Pence, and no more, besides the Duty payable to his Majesty for the same, which said Duty to his Majesty shall not be paid to the said Commissioner, but to the proper Officers in the said respective Courts, before such Affidavit or Affidavits be therein filed or made Use of.

## CAP. VI.

An Act for the Naturalizing of Children of his Majesty's *English* Subjects, born in Foreign Countries during the late Troubles. All Persons whose Parents were Subjects born out of the King's Dominions between the 15th of *June* 1641. and the 24th of *March* 1660. declared natural-born Subjects. Such Persons shall within seven Years receive the Sacrament, and within one Month after take the Oaths of Allegiance and Supremacy. And have no Benefit of this Act till Proof thereof made by Certificate and Witnesses. Upon Proof whereof by Certificate and Witnesses, such Person may prove his Qualification *viva voce*, and have a Certificate thereof under Seal of the Court. EXP.

## CAP. VII.

### An Act for the better Observation of the Lord's Day, commonly called Sunday.

1 *Car.* 1. *c.* 1.

FOR the better Observation and keeping Holy the Lord's Day, commonly called Sunday; (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of

3 Car. 1. c. 1.

the same, That all the Laws enacted and in Force concerning the Observation of the Lord's Day, and repairing to the Church thereon, be carefully put in Execution; (3) and that all and every Person and Persons whatsoever, shall on every Lord's Day apply themselves to the Observation of the same, by exercising themselves thereon in the Duties of Piety and true Religion, publickly and privately; (4) and that no Tradesman, Artificer, Workman, Labourer, or other Person whatsoever, shall do or exercise any worldly Labour, Business or Work of their ordinary Callings, upon the Lord's Day, or any Part thereof (Works of Necessity and Charity only excepted;) (5) and that every Person being of the Age of fourteen Years or upwards, offending in the Premisses, shall for every such Offence forfeit the Sum of five Shillings; (6) and that no Person or Persons whatsoever, shall publickly cry, shew forth, or expose to Sale, any Wares, Merchandizes, Fruit, Herbs, Goods or Chattels whatsoever, upon the Lord's Day, or any Part thereof, upon Pain that every Person so offending shall forfeit the same Goods so cried or shewed forth, or exposed to Sale.

Tradesmen, Artificers and Labourers.

None shall cry or expose to Sale Wares.

Drovers, Horse-coursers, Waggoners, Butchers and Higlers, Boats and Barges. Provisions for Coaches, by 5 & 6 W. & M. c. 22. §. 18. & 9 Ann. c. 23. §. 20.

II. And it is further enacted, That no Drover, Horse-courser, Waggoner, Butcher, Higler, their or any of their Servants, shall travel or come into his or their Inn or Lodging upon the Lord's Day or any Part thereof, upon Pain that each and every such Offender shall forfeit twenty Shillings for every such Offence; (2) and that no Person or Persons shall use, imploy or travel upon the Lord's Day with any Boat, Wherry, Lighter or Barge, except it be upon extraordinary Occasion, to be allowed by some Justice of the Peace of the County, or Head-Officer, or some Justice of the Peace of the City, Borough or Town Corporate, where the Fact shall be committed; (3) upon Pain that every Person so offending shall forfeit and lose the Sum of five Shillings for every such Offence. (4) And that if any Person offending in any of the Premisses shall be thereof convicted before any Justice of the Peace of the County, or the Chief Officer or Officers,

or

or any Justice of the Peace of or within any City, Borough or Town Corporate, where the said Offences shall be committed, upon his or their View, or Confession of the Party, or Proof of any one or more Witnesses by Oath (which the said Justices, Chief Officer or Officers is by this Act authorized to administer) the said Justice, or Chief Officer or Officers shall give Warrant under his or their Hand and Seal, to the Constables or Church-wardens of the Parish or Parishes where such Offence shall be committed, to seize the said Goods cried, shewed forth or put to Sale as aforesaid, and to sell the same, and to levy the said other Forfeitures or Penalties, by Way of Distress and Sale of the Goods of every such Offender distrained, rendring to the said Offenders the Overplus of the Monies raised thereby; (5) and in Default of such Distress, or in Case of Insufficiency or Inability of the said Offender to pay the said Forfeitures or Penalties, that then the Party offending be set publickly in the Stocks by the Space of two Hours. (6) And all and singular the Forfeitures or Penalties aforesaid shall be imployed and converted to the Use of the Poor of the Parish where the said Offences shall be committed, saving only that it shall and may be lawful to and for any such Justice, Mayor or Head Officer or Officers, out of the said Forfeitures or Penalties to reward any Person or Persons that shall inform of any Offence against this Act, according to their Discretions, so as such Reward exceed not the third Part of the Forfeitures or Penalties.

In what Manner the Conviction shall be.

The Penalty, how to be levied.

In Case of Insufficiency, the Offender shall be set in the Stocks.

The Forfeitures, how to be disposed of.

III. Provided, That nothing in this Act contained shall extend to the Prohibiting of Dressing of Meat in Families, or Dressing or Selling of Meat in Inns, Cooks Shops or Victualling-houses, for such as otherwise cannot be provided, nor to the crying or selling of Milk before nine of the Clock in the Morning or after four of the Clock in the Afternoon.

A Provision for private Families, Victualling-houses, &c.

IV. Provided also, That no Person or Persons shall be impeached, prosecuted or molested for any Offence before-mentioned in this Act, unless he or they be prosecuted for the same within ten Days after the Offence committed.

The Prosecution to be within ten Days.

V. Provided, and be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever which shall travel upon the Lord's Day shall be then robbed, That no Hundred or the Inhabitants thereof shall be charged with or answerable for any Robbery so committed, but the Person or Persons so robbed shall be barred from bringing any Action for the said Robbery; any Law to the contrary notwithstanding: (2) Nevertheless, the Inhabitants of the Counties and Hundreds (after Notice of any such Robbery to them or some of them given, or after Hue and Cry for the same to be brought) shall make or cause to be made fresh Suit and Pursuit after the Offenders, with Horsemen and Footmen, according to the Statute made in the twenty-seventh Year of the Reign of Queen *Elizabeth*, upon Pain of forfeiting to the King's Majesty, his Heirs and Successors, as much Money as might have been recovered against the Hundred by the Party robbed if this Law had not been made.

The Hundred not responsible to Persons travelling on the Lord's Day.

But shall make fresh Suit after the Offenders.

27 Eliz. c. 13.

VI. Provided also, That no Person or Persons upon the Lord's Day shall serve or execute, or cause to be served or executed, any Writ, Process, Warrant, Order, Judgment or Decree (except in Cases of Treason, Felony or Breach of the Peace) but that the Service of every such Writ, Process, Warrant, Order, Judgment or Decree, shall be void to all Intents and Purposes whatsoever: (2) And the Person or Persons so serving or executing the same, shall be as liable to the Suit of the Party grieved, and to answer Damages to him for doing thereof, as if he or they had done the same without any Writ, Process, Warrant, Order, Judgment or Decree at all.

Service of Process on the Lord's Day shall be void. Carthew 504. *See further* 10 & 11 *W.* 3. c. 24. *sect.* 14.

## CAP. VIII.

### An Act for confirming and perpetuating Augmentations made by Ecclesiastical Persons to small Vicarages and Curacies.

'WHEREAS divers Archbishops, Bishops, Deans and Chapters, and other Ecclesiastical Persons, in 'Obedience to his Majesty's Letters, bearing Date the first Day of *June* in the twelfth Year of 'his said Majesty's Reign, and out of a pious Care to improve poor Vicarages and Curacies, where the En- 'dowment thereof was found too small to afford a competent Maintenance to those that serve the Cure, 'have since his Majesty's happy Return, upon their renewing of Leases of Rectories, or Tithes impropriate 'or appropriate, made or may hereafter make divers Reservations beyond the ancient Rent, to the Intent 'the same should or might become payable to the said Vicars or Curates, in Augmentation of their Endow- 'ments, which have been for the most part enjoyed accordingly: (2) But in Regard that such Reservations 'were not made to the Vicars or Curates; or if they were, no convenient Remedy could be had by such 'Vicars or Curates for the Recovery thereof, and they were not at the Time thereof capable of taking any 'Interest to their own Use, whereby the said Provisions will depend upon the good Pleasure of the Succes- 'sors, and may in Time be disappointed:'

II. For the Establishment thereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Augmentation of what Nature soever, granted, reserved or agreed to be made payable, or intended to be granted, reserved or made payable, since the said first Day of *June* in the twelfth Year of his said Majesty's Reign, or which shall at any Time hereafter be granted, reserved or made payable to any Vicar or Curate, or reserved by Way of Increase of Rent to the Lessors, but intended to be to or for the Use or Benefit of any Vicar or Curate, by any Archbishop, Bishop, Dean, Provost, Dean and Chapter, Archdeacon, Prebendary, or other Ecclesiastical Corporation, Person or Persons whatsoever, so making the said Reservation out of any Rectory impropriate, or Portion of Tithes, belonging to any Archbishop, Bishop, Dean, Provost, Dean and Chapter, or other Ecclesiastical Corporation, Person or Persons, shall be deemed and adjudged to continue and be, and shall for ever hereafter continue and remain, as well during the Continuance of the Estate or Term upon which the said Augmentations were granted, reserved or agreed to be made payable, as afterwards, in whose Hands soever the said Rectories or Portion of Tithes shall be or come; which Rectories or Portion of Tithes shall be chargeable therewith, whether the same be reserved again, or not; (2) and the said Vicars and Curates respectively are hereby adjudged to be in the actual Possession thereof, for the Use of themselves and their Successors,

Augmentations shall continue during the Estate upon which they are reserved, and afterwards.

Successors, and the same shall for ever hereafter be taken, received and enjoyed by the said Vicars and Curates, and their Successors, as well during the Continuance of the Term or Estate upon which the said Augmentations were granted, reserved or agreed to be made payable, as afterwards; (3) and the said Vicars and Curates shall have Remedy for the same, either by Distress upon the Rectories impropriate, or Portions of Tithes charged therewith, or by Action of Debt against that Person who ought to have paid the same, his Executors or Administrators; any Disability in the Person or Persons, Bodies Politick or Corporate so granting, or any Disability or Incapacity in the Vicars or Curates, to whom, or to or for whose Use or Benefit, the same are granted or intended to be granted; the Statute of *Mortmain*, or any other Law, Custom, or other Matter or Thing whatsoever, to the contrary notwithstanding.

Remedy for the same.

Magna Charta, c. 36.

III. Provided always, That no future Augmentation be confirmed by Virtue of this Act, which shall exceed one Moiety of the clear yearly Value, above all Reprizes, of the Rectory impropriate out of the which the same shall be granted or reserved.

Augmentations exceeding one Moiety of the Value of the Rectory not confirmed.

IV. And to the End the said Vicars and Curates may the better make appear the Certainty of the said Augmentations; (2) Be it enacted by the Authority aforesaid, That every Archbishop, Bishop, Dean and Chapter respectively, on or before the nine and twentieth Day of *September* next coming, shall cause every Lease or Grant whereon any such Augmentation is made, to be fairly entred in a Book of Parchment, to be kept by their respective Registers for that Purpose. (3) And every Dean, Archdeacon, Prebendary, or other Ecclesiastical Person respectively, shall cause every Lease or Grant whereon any such Augmentation hath been made by himself, his Predecessor or Predecessors, to be entred in the said Book, to be kept by the Register of the Bishop of the Diocese; for the entring whereof no Fee shall be paid, nor any Thing demanded, save only a reasonable Reward to the Clerk for entring the same, not exceeding five Shillings; (4) which said Entry being examined by the respective Archbishop, Bishop or Dean, and by them respectively attested in the said Book to be a true Copy of the original Lease or Grant, and that the Augmentation in the same was intended for such Use, shall be as a Record; a true Copy whereof, proved by Witnesses to be a true Copy, shall be deemed, taken, adjudged and expounded to be good and sufficient Evidence in the Law, whereupon the said Vicars and Curates respectively shall and may by Virtue of this Act from Time to Time recover the Benefit of such Augmentation.

Augmentation-Leases, where to be entred.

Fee for Entring.

Such Entry how to be attested, to be a Record and Evidence at Law.

V. And be it further enacted by the Authority aforesaid, That where any Archbishop, Bishop, Dean and Chapter, or any other Ecclesiastical Corporation or Person whatsoever, upon the Renewing or Granting any Lease or Estate, have made any Agreement for an Augmentation for the Vicar or Curate, and such Augmentation hath for any Time been accordingly paid, although the said Agreement is not expressed or mentioned in the said Lease or Grant, every such Ecclesiastical Person shall cause the Substance of such Agreement to be entred in the said Book, to remain for a Memorial of it to Perpetuity.

Agreements for Augmentations, to be entred likewise.

VI. And be it further enacted, That such Augmentation so entred shall likewise continue, and be for ever hereafter good and available in the Law, for the Benefit of the Vicar or Curate for whom it was intended, and their Successors, as well against the Archbishop, Bishop or other Ecclesiastical Corporation or Person, who agreed for the same, and his and their Successors, as against every other Person enjoying the said Rectories or Portions of Tithes intended to be charged therewith, in the same Manner, and for which they shall have the same Remedy, as they should or ought to have by Virtue of this Act, if the same had been mentioned and reserved in and by the Lease.

VII. And if any Question shall hereafter arise concerning the Validity of such Grants, or any other Matter or Thing in this Act mentioned and contained, such favourable Constructions, and such further Remedy if Need be, shall be had and made for the Benefit of the Vicars and Curates, as heretofore hath been had and made, or may be had for other charitable Uses, upon the Statutes for charitable Uses.

Augmentations to be favoured in Construction, as charitable Uses.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That if upon the Surrender, Expiration or other Determination of any Lease wherein any such Augmentation as aforesaid hath been or shall be granted, any new Lease of the Premisses or any Part thereof shall hereafter be made, without express Continuance of the said Augmentation, every such new Lease shall be utterly void to all Intents and Purposes.

New Leases without express Continuance of the Augmentations to be void.

IX. Provided always, That this Act, or any Thing therein contained, shall not extend or be construed to invalidate, alter or make void one Lease, bearing Date the nineteenth of *October* one thousand six hundred seventy and six, made by the Dean and Chapter of *York*, of the Parsonage and Tithes of *Stourton* in the County of *Nottingham*, wherein there is an Augmentation of six and thirty Pounds *per Annum* reserved and made due and payable to the Vicar of *Stourton* aforesaid, but that the said Sum of six and thirty Pounds be always paid to the Vicar and his Successors accordingly; any Thing in this Act contained to the contrary in any wise notwithstanding.

A Lease of the Parsonage of Stourton saved.

X. Provided, That this Act, or any Thing therein contained, shall not extend or be construed to invalidate, alter or make void one Lease lately made by the Dean and Chapter of *Exon*, unto *Arthur Sprey* Esq; of the Tithe-sheaf of the Parish of St. *Ewall* in the County of *Cornwal*, whereon there is an Augmentation of twenty Pounds *per Annum* already made due and payable to the Vicar of the said Parish during the said Lease, but that the said Sum of twenty Pounds be always paid to the Vicar and his Successors accordingly; any Thing in this Act contained to the contrary in any wise notwithstanding.

A Lease of St. Ewall in Cornwal saved.

## CAP. IX.

### An Act for taking away the Writ *De Hæretico comburendo*.

BE it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Writ commonly called *Breve de Hæretico comburendo*, with all Process and Proceedings thereupon, in order to the Executing such Writ, or following or depending thereupon, and all Punishment by Death, in Pursuance of any Ecclesiastical Censures, be from henceforth utterly taken away and abolished;

abolished; any Law, Statute, Canon, Constitution, Custom or Usage, to the contrary heretofore or now in Force, in any wise notwithstanding.

II. Provided always, That nothing in this Act shall extend or be construed to take away or abridge the Jurisdiction of Protestant Archbishops or Bishops, or any other Judges of any Ecclesiastical Courts, in Cases of Atheism, Blasphemy, Heresy or Schism, and other damnable Doctrines and Opinions, but that they may proceed to punish the same according to his Majesty's Ecclesiastical Laws, by Excommunication, Deprivation, Degradation and other Ecclesiastical Censures, not extending to Death, in such Sort and no other, as they might have done before the Making of this Act; any Thing in this Law contained to the contrary in any wise notwithstanding. A Saving of the Ecclesiastical Jurisdiction. 1 Salk. 135, 136.

## C A P. X.

An Act for the better Repairing and Maintaining the Pier of *Great Yarmouth*. The Duty not to exceed six Pence *per* Chalder, Last, Weigh and Ton, &c. The Powers in the former Act revived. Commissioners how to be chosen. And how often to meet. This Act when to commence. P R. 22 Car. 2. c. 2. §. 12.

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# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, vicesimo nono & tricesimo.

'AT the Parliament begun at *Westminster* the eighth of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and by several Prorogations and Adjournments there continued to the fifteenth Day of *February* in the twenty-ninth Year of his Majesty's Reign; and thence continued to the thirteenth Day of *May* in the thirtieth Year of his Majesty's Reign.' 'The former Editions have it, Continued to the twenty-eighth Day of January, and thence to the twentieth Day of March.'

## C A P. I.

An Act for raising Money by a Poll and otherwise, to enable his Majesty to enter into an actual War against the French King, and for prohibiting several *French* Commodities. E X P.

## C A P. II.

### An Act for Continuance of two former Acts for preventing of Theft and Rapine upon the Northern Borders of *England*.

'WHEREAS an Act was made in the fourteenth Year of the Reign of our Sovereign Lord the King that now is, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of* England: And whereas also another Act was made in the eighteenth Year of the Reign of our said Sovereign Lord the King, intituled, *An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of* England: Both which Acts are expired, and have been found very necessary for the Preservation of those Places from that great Number of lewd, disorderly and lawless Persons, that usually frequented thereabouts:' (2) Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority thereof, That the said two former Acts, and either of them, and every Matter, Clause and Clauses therein contained, and all and every the Powers and Authorities thereby given, shall be, continue and remain in full Force from henceforth, for and during the Space and Time of seven Years, and also from thence until the End of the first Session of the next Parliament. 13 & 14 Car. 2. c. 22. 18 Car. 2. c. 3. The Acts of 13 & 14 Car. 2. c. 22. & 18 Car. 2. c. 3. continued.

II. And for the better Management of the Powers and Authorities in or by the said two former Acts given; (2) Be it further enacted by the Authority aforesaid, That the said several Justices of Peace of the said respective Counties shall from Time to Time, at the respective Quarter-Sessions, take good and sufficient Security of the Person or Persons by them employed in the said Service, for the Preservation of the said respective Counties from Theft and Rapine, to answer the Damages sustained by any Person or Persons by his or their Neglect or Default therein, and to pay and satisfy the same within four Months after that Proof thereof shall be made by the Oath of one or more credible Witnesses before the Justices of Peace of the said respective Counties, at the next Quarter-Sessions in the respective County; (3) which Oath or Oaths the said Justice or Justices are hereby authorized to administer; so as the Goods stolen be entred in one of the Books to be kept for that Purpose within the Space of forty-eight Hours after the same shall be stolen or gone; (4) and that Books shall be kept for that End in every Market-Town of the said respective Counties, and at such other convenient Places therein, and by such Person or Persons, as the said Justices of the Peace in the said respective Counties, at their General Sessions of the Peace, shall order or appoint. The Justices of Peace shall take Security of such as they employ to answer the Damages sustained by their Neglect. Books shall be kept in Market-Towns for Entry of Goods stolen.

III. And be it further enacted by the Authority aforesaid, That the said several Justices of the Peace of the said respective Counties, at the General Quarter-Sessions of the Peace for the said Counties respectively, shall yearly, or every two Years at the farthest, in open Court, make Choice of and appoint such Person or Persons as they shall respectively think fit, for the said Counties respectively, to be employed in the said Service. The Justices of Peace shall yearly, or every two Years, appoint Persons to be employed in the Service.

IV. Provided, that every Person and Persons employed for the Preservation of the said respective Counties from Theft and Rapine, or as Treasurer for the said Service, do receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, in some publick Church, upon some Lord's Day, commonly called Sunday, within the Space of three Months after they shall enter upon such Employment, and deliver a Certificate thereof to the next Quarter-Sessions in the respective County where they shall be so employed, and take the Oaths of Allegiance and Supremacy, and make and subscribe the Declaration appointed to be made and subscribed in and by one Act of this present Parliament, intituled, *An* The Persons to be employed shall take the Sacrament and the Oaths of Allegiance and Supremacy, and make the Declaration

*Act*

appointed by 25 Car. 2. c. 2.

*Act for preventing Dangers which may happen from Popish Recusants*, under the Penalties and Forfeitures by the said Act appointed. [Continued by 17 Geo. 2. c. 40.]

# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tricesimo.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our most gracious Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and by several Prorogations and Adjournments there continued to the twenty-third of *May* * in the thirtieth Year of his Majesty's Reign.'

* The former Editions have it the fifteenth of July.'

## CAP. I.

An Act for granting a Supply to his Majesty of six hundred nineteen thousand three hundred eighty-eight Pounds eleven Shillings and nine Pence, for Disbanding the Army, and other Uses therein mentioned. EXP.

## CAP. II.

An Act for granting an Additional Duty to his Majesty upon Wines for three Years. EXP.

## CAP. III.

### An Act for Burying in Woollen.

18 Car. 2. c. 4.

'WHEREAS an Act made in the eighteenth Year of his Majesty's Reign that now is, intituled, *An Act for Burying in Woollen only*, was intended for the lessening the Importation of Linen from beyond the Seas, and the Encouragement of the Woollen and Paper Manufactures of this Kingdom, had the same been observed; (2) but in respect there was not a sufficient Remedy thereby given for the Discovery and Prosecution of Offences against the said Law, the same hath hitherto not had the Effect thereby intended:'

The Stat. of 18 Car. 2. c. 4. repealed.

II. For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and all the Clauses and Provisoes therein, shall be and are hereby annulled and repealed, to all Intents, Constructions and Purposes whatsoever.

No Corps shall be buried but in Woollen.

III. And it is hereby enacted by the Authority aforesaid, That from and after the first Day of *August* one thousand six hundred and seventy-eight, no Corps of any Person or Persons shall be buried in any Shirt, Shift, Sheet or Shroud, or any Thing whatsoever made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or in any Stuff or Thing, other than what is made of Sheeps Wool only, or be put in any Coffin lined or faced with any sort of Cloth or Stuff, or any other Thing whatsoever, that is made of any Material but Sheeps Wool only: (2) upon Pain of the Forfeiture of five Pounds of lawful Money of *England*, to be recovered and divided as is hereafter in this Act expressed and directed.

The Penalty.

Registers shall be kept in every Parish of Persons buried there.

IV. And it is enacted by the Authority aforesaid, That all Persons in Holy Orders, Deans, Parsons, Deacons, Vicars, Curates and their or any of their Substitutes, do within their respective Parishes, Precincts and Places, take an exact Account, and keep a Register, of all and every Person or Persons buried in his or their respective Parishes or Precincts, or in such common Burial-places as their respective Parishioners are usually buried; (2) and that some one or more of the Relations of the Party deceased, or other credible Person, shall within eight Days next after such Interment, bring an *Affidavit* in Writing under the Hands and Seals of two or more credible Witnesses, and under the Hand of the Magistrate or Officer before whom the same was sworn (for which nothing shall be paid) to the Minister or Parson, That the said Person was not put in, wrapt or wound up, or buried in any Shirt, Shift, Sheet or Shroud, made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or other than what is made of Sheeps Wool only, or in any Coffin lined or faced with any Cloth, Stuff or any other Thing whatsoever, made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or any other Material but Sheeps Wool only; (3) and if no Relation of the Party buried, or other Person, shall bring an *Affidavit* as aforesaid, to the Parson or Minister, within the Time aforesaid, That then the Goods and Chattels of the Party deceased shall be and are hereby made liable to the aforesaid Forfeiture of five Pounds; (4) to be levied by way of Distress and Sale thereof, by Warrant of the Chief Magistrate in any Town Corporate, or any Justice of the Peace, or in Default thereof, by like Distress and Sale of the Goods of the Person in whose House the said Party died, or of any that had a Hand in putting such Person into any Shirt, Shift, Sheet, Shroud or Coffin, contrary to this Act, or did order or dispose the Doing thereof; (5) and in Case such Person were a Servant, and that he or she died in the Family of his or her Master or Mistress, That the same be levied on the Goods or Chattels of his or her Master or Mistress; (6) and if such Person died in the Family of his or her Father or Mother, That then the same be levied upon the Goods and Chattels of his or her Father or Mother, in Manner and by Warrant as aforesaid; (7) which said Forfeiture or Forfeitures shall be levied, paid and allowed out of the Estate of the said deceased Person, before any Statute, Judgment, Debt, Legacy, or any other Duty whatsoever, due, owing or payable from the said Deceased.

The Forfeiture in Default thereof.

Affidavit to be made within eight Days after each Burial, that the Person was buried in Woollen.

Such Affidavits before whom to be taken. By 32 Car. 2. c. 1. §. 3. it may be taken before the Parson, &c.

V. And it is hereby further enacted, That the said *Affidavit* shall be made or taken before some one Justice of the Peace, or Master of Chancery, Ordinary or Extraordinary, Mayor, Bailiff, or other Chief Officer of the City, County, Borough, Corporation or Market-Town in the County where the said Party was buried, who are hereby authorized and required to administer the said Oath, and to attest the same under their Hands upon such *Affidavit*, *gratis*: (2) And in Case no such Affidavit shall be brought to the Parson or Minister where the said Party was buried as aforesaid, within the said eight Days, That such Parson or

or Minister shall forthwith give or cause Notice thereof to be given in Writing under his Hand, to the Church-warden or Overseers of the Poor of such Parish, who shall within eight Days after such Notice repair to the Chief Magistrate in any Town Corporate, if such Party was buried in such City or Town Corporate, or else to any Justice of the Peace, who upon the Certificate thereof from the said Person, Minister or Curate, officiating in the said Parish, shall forthwith grant a Warrant for the levying of the said Forfeiture on the Goods and Chattels of the Parties before mentioned, rendring the Overplus to the Parties whose Goods were so distrained upon, all reasonable Charges being deducted; (3) one Moiety of which Forfeitures shall be to the Use and Benefit of the Poor of the Parish where such Party shall be buried contrary to the Directions of this Act, and the other Moiety thereof to the Use of the Person that shall inform and sue for the same, to be recovered by Warrant of the Chief Magistrate or any Justice of the Peace in the City, Town Corporate or County, where such Party was buried.

What Course shall be taken for levying the Forfeiture, if no such Affidavit be brought to the Person within eight Days after Interment.

VI. And in Case any Parson or Minister shall neglect to give Notice to the Church-wardens or Overseers of the Poor as aforesaid, or not give unto them a Note or Certificate under his Hand, testifying that such an Affidavit and Certificate was not brought to him within the Time limited by this Act, concerning the Parties being interred according to the Directions thereof; (2) or that the Church-wardens or Overseers of the Poor shall not within eight Days after the Receipt of such Certificate repair to such Chief Magistrate, or to some other Justice of the Peace, with such Certificate, and shew the same to him, and demand his Warrant thereupon for levying the Forfeiture by this Act before appointed; (3) and in Case such Chief Magistrate or Justice of the Peace shall neglect his Duty in not issuing his Warrant for the levying the said Forfeiture; (4) he or they so neglecting or offending shall forfeit for every such Offence the Sum of five Pounds of lawful Money of *England*; (5) to be recovered by such Person as shall sue for the same by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Wager of Law or Protection shall be allowed, and wherein also the Prosecutor shall recover his full Costs, so as the Suit be commenced within six Months after the Offence shall be committed; (6) one fourth Part of which said Forfeitures shall be to the Use of his Majesty, his Heirs and Successors; two other fourth Parts thereof shall be to the Use of the Poor of the Parish where the Person so offending or neglecting his Duty shall dwell; and one other fourth Part to the Person that shall inform and sue for the same.

The Parson, Churchwarden, &c. or Chief Magistrate, &c. neglecting their Duty, shall forfeit 5 l.

The Forfeiture how to be recovered.

And how distributed.

VII. And it is hereby further enacted, That the Parson or Minister of every Parish shall keep a Register in a Book to be provided at the Charge of the Parish, and make a true Entry of all Burials within his Parish, and of all Affidavits brought to him as aforesaid, within the Time limited as aforesaid; (2) and where no such Affidavit shall be brought to him within such Time, that he enter a Memorial thereof in the said Registry, against the Name of the Party interred, and of the Time when he notified the same to the Church-wardens or Overseers of the Poor.

All Burials and Affidavits, and where no Affidavits are brought, Memorials thereof shall be entred.

VIII. And it is hereby further enacted by the Authority aforesaid, That in the first Account to be given in by any Overseers of the Poor, after the first Day of *August* one thousand six hundred seventy-eight, they do and shall give an Account, as by this Act is hereafter directed, of all Burials within their Parishes from the said first Day of *August* one thousand six hundred seventy-eight to the Time of the giving in the said Account; (2) and that for the future when and as often as the Overseers of the Poor do give up their Accounts to the Justices of the Peace at the Quarter-Sessions, or Petty-Sessions, or any two Justices of the Peace in their Monthly Meetings, that they do and shall give an Account of the Name and Quality of every Person interred within their Parish, from the Time of their former Account, and of such Certificates as came to their Hands from the Parson or Minister of the said Parish, that the Persons therein mentioned were interred contrary to the Directions and true Intent of this Act, and of their levying the Penalty on the Offenders according to this Act, and also a true Account of the Disposal of the same; (3) under the Penalty of five Pounds, to be levied by Distress and Sale of the Goods of such Churchwardens or Overseers, by Warrant from the said Justices of the Peace, or any two of them; (4) and that no Account of any Overseers of the Poor shall be allowed after the first Day of *August* one thousand six hundred seventy-eight, until they shall therein account for the Burials within the respective Parishes as is before directed.

Accounts of Burials, and Minisiers Certificates, and levying the Penalties, and the Disposal thereof, shall be made from Time to Time by the Overseers of the Poor.

IX. Provided, That no Penalty appointed by this Act shall be incurred for or by reason of any Person that shall die of the Plague, although such Persons shall not be buried as by this Act is directed.

Persons that die of the Plague excepted.

X. And it is further enacted by the Authority aforesaid, That from and after the said first Day of *August*, the said Judges at their respective Assizes, and the Justices of the Peace at their respective Quarter-Sessions, shall give this Act in Charge; (2) and moreover that this Act shall be publickly read upon the first *Sunday* after the Feast of St. *Bartholomew* every Year for seven Years next following, presently after Divine Service.

This Act to be given in Charge at the Assizes and Quarter-Sessions, and read the first Sunday after St. Bartholomew's Day for seven Years.

XI. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, Suit or Information, shall be commenced or prosecuted against any Person or Persons, for what he or they shall do in Pursuance or Execution of this Act, such Person or Persons so sued shall and may plead the General Issue, Not guilty, and upon Issue joined may give this Act in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit or suffer Discontinuance, or if a Verdict pass against him, or if upon a Demurrer Judgment pass against him, the Defendant shall recover his treble Costs for such Molestation.

Persons prosecuted for any Thing done in Pursuance of this Act, may plead the General Issue, &c.

## CAP. IV.

An Act for the further Relief and Discharge of poor distressed Prisoners for Debt.

22 & 23 Car. 2. c. 20.

## CAP. V.

An Act for Repealing certain Words in a Clause in a former Act, intituled, *An Act for Enlarging and Repairing of Common Highways.*

'WHEREAS by an Act of Parliament made in the fourteenth Year of his Majesty's Reign, intituled, *An Act for Enlarging and Repairing of Common Highways*, it is provided, That no travelling Wag-

13 & 14 Car. 2. c. 6. §. 9.

'gon, Wain, Cart or Carriage, wherein any Burthens, Goods or Wares, are or shall be drawn for Hire '(otherwise than is therein excepted) shall at any Time travel, be drawn, or go in any publick Highways 'or Roads with above seven Horse-Beasts, whereof six shall draw in Pairs, and not with above eight Oxen, 'or six Oxen and two Horse-Beasts; (2) nor shall at any Time carry above twenty hundred Weight be-'tween the first of *October* and the first of *May*, nor above thirty hundred Weight from the first of *May* to 'the first of *October*; (3) nor above five Quarters of Wheat, Meal, Meslin, Rye, Pease, Beans and Tares, 'nor above eight Quarters of Barley, Malt or Oats, and after that Proportion, under such Penalties as by 'the said Act is expressed; (4) which Act, by reason of these Words *For Hire*, hath not that good Effect 'which was expected; many pretending that they carry not for Hire, but the Goods and Wares they carry 'are their own, and many Actions have been brought by Colour thereof against such Persons as have en-'deavoured to put the said Law in Execution, and others discouraged from doing their Duty therein:'

5 Geo. 1. c. 12. 14 Geo. 2. c. 42. 15 Geo. 2. c. 2. 26 Geo. 2. c. 29.

II. For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That these Words *For Hire* in the said Act expressed, shall from hence-forth stand void and be repealed to all Intents and Purposes whatsoever.

## CAP. VI.

An Act for Reviving a former Act, intituled, *An Act for avoiding unnecessary Suits and Delays*, and for Continuance of one other Act, intituled, *An Act for the better Settling of Intestates Estates*.

17 Car. 2. c. 8. & c. 13. 22 & 23 Car. 2. c. 10. 28 Car. 2. c. 6. 1 Jac. 2. c. 17.

'WHEREAS one Act of this present Parliament, intituled, *An Act for avoiding unnecessary Suits and 'Delays*, and also one other Act, intituled, *An Act for the better Settling of Intestates Estates*, have 'been found to be very beneficial;' (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the said Acts of Parliament shall be in Force from the first Day of this present Session of Parliament, and so to continue for seven Years, and from thence to the End of the next Session of Parliament, and no longer.

## CAP. VII.

An Act to enable Creditors to recover their Debts of the Executors and Administrators of Executors in their own Wrong.

'WHEREAS the Executors and Administrators of such Persons who have possessed themselves of 'considerable personal Estates of other dead Persons, and converted the same to their own Use, have 'no Remedy by the Rules of the Common Law, as it now stands, to pay the Debts of those Persons whose 'Estate hath been so converted by their Testator or Intestate, which hath been found very mischievous, and 'many Creditors defeated of their just Debts, although their Debtors left behind them sufficient to satisfy 'the same, with a great Overplus:'

3 Mod. 113.

II. For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority thereof, That all and every the Executors and Administrators of any Person or Persons, who as Executor or Executors in his or their own Wrong, or Administrators, shall from and after the first Day of *August* next ensuing waste or convert any Goods, Chattels, Estate or Assets of any Person deceased, to their own Use, shall be liable and chargeable in the same Manner as their Testator or Intestate would have been if they had been living. (2) This Act to continue in Force for three Years, and from thence to the End of the next Session of Parliament, and no longer. [Made perpetual and enlarged by 4 & 5 W. & M. c. 24. §. 12.]

1 Jac. 2. c. 17.

## CAP. VIII.

PR. 9 H. 5. *stat.* 2. c. 10.

An Act for the Admeasurement of Keels and Boats carrying Coals. Commissioners shall be appointed for measuring and marking Boats and Wains, used for Carriage of Coals. Farther provided for by 6 & 7 *W.* 3. *c.* 10. The Content of a Wain, of a Cart, of a Chalder. Keels and Boats, how and by whom to be marked. And when. The Penalty. Oaths by whom to be administred to Officers. The Penalty for removing or altering the Marks.

## CAP. IX.

PR. 1 Eliz. c. 17.

An Act for Preservation of Fishing in the River of *Severn*. The Penalty for destroying the Spawn or Fry of Fish. Conservators of the River. Unlawful Instruments, how to be destroyed. The said Offences, how to be punished. The Forfeitures, how to be disposed. The Jurisdiction of Lords of Leets and Franchises saved. A Saving of the King's Rights.

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# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tricesimo.

'AT the Parliament begun at *Westminster* the eighth Day of *May*, *Anno Dom.* one thousand six hundred sixty-one, in the thirteenth Year of the Reign of our Sovereign Lord *Charles*, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. and by several Prorogations and Adjournments there continued to the twenty-first of *October* * in the thirtieth Year of his Majesty's Reign.'

* The former Editions have it the thirtieth Day of November.

## STAT. II.

### An Act for the more effectual Preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.

'FOrasmuch as divers good Laws have been made for preventing the Increase and Danger of Popery in this Kingdom, which have not had the desired Effects, by reason of the free Access which Popish Recusants have had to his Majesty's Court, and by reason of the Liberty which of late some of the Recusants have had and taken to sit and vote in Parliament.' 3 Car. 1. c. 2. [3.]

II. Wherefore, and for the Safety of his Majesty's Royal Person and Government, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *December*, which shall be in the Year of our Lord God one thousand six hundred seventy and eight, no Person that now is or hereafter shall be a Peer of this Realm, or Member of the House of Peers, shall vote, or make his Proxy in the House of Peers, or sit there during any Debate in the said House of Peers; (2) nor any Person that now is, or hereafter shall be a Member of the House of Commons, shall vote in the House of Commons, or sit there during any Debate in the said House of Commons after their Speaker is chosen; (3) until such Peer or Member shall from Time to Time respectively, and in Manner following, first take the several Oaths of Allegiance and Supremacy, and make, subscribe and audibly repeat this Declaration following. For these Oaths, see 1 W. & M. Sess. 1. c. 1. §. 3, &c.

III. 'I *A. B.* do solemnly and sincerely in the Presence of God profess, testify and declare, That I do believe that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ at or after the Consecration thereof by any Person whatsoever: (2) And that the Invocation or Adoration of the Virgin *Mary* or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of *Rome*, are superstitious and idolatrous. (3) And I do solemnly in the Presence of God profess, testify and declare, That I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the Words read unto me, as they are commonly understood by *English* Protestants, without any Evasion, Equivocation or mental Reservation whatsoever, and without any Dispensation already granted me for this Purpose by the Pope, or any other Authority or Person whatsoever, or without any Hope of any such Dispensation from any Person or Authority whatsoever, or without thinking that I am or can be acquitted before God or Man, or absolved of this Declaration or any Part thereof, although the Pope, or any other Person or Persons, or Power whatsoever, should dispense with or annul the same, or declare that it was null or void from the Beginning.' The Declaration. This Declaration to be subscribed by all professed Papists at their Age of eighteen, by 1 Annæ, Stat. 1. c. 32. §. 7.

IV. Which said Oaths and Declaration shall be in this and every succeeding Parliament solemnly and publickly made and subscribed betwixt the Hours of Nine in the Morning and Four in the Afternoon, by every such Peer and Member of the House of Peers, at the Table in the Middle of the said House, before he take his Place in the said House of Peers, and whilst a full House of Peers is there with their Speaker in his Place; (2) and by every such Member of the House of Commons, at the Table in the Middle of the said House, and whilst a full House of Commons is there duly sitting with their Speaker in his Chair; (3) and that the same be done in either House in such like Order or Method as each House is called over by respectively. The Time and Place of taking the Oaths, and making and subscribing the Declaration.

V. And be it further enacted, That from and after the said first Day of *December* every Peer of this Realm, and Member of the House of Peers, and every Peer of the Kingdom of *Scotland*, or of the Kingdom of *Ireland*, being of the Age of one and twenty Years or upwards, not having taken the said Oaths, and made and subscribed the said Declaration; (2) and every Member of the said House of Commons, not having as aforesaid taken the said Oaths, and made and subscribed the said Declaration; (3) and every Person now, or hereafter convicted of Popish Recusancy, (4) who hereafter shall at any Time after the said first Day of *December* come advisedly into or remain in the Presence of the King's Majesty or Queen's Majesty, or shall come into the Court or House where they or any of them reside, as well during the Reign of his present Majesty (whose Life God long preserve) as during the Reigns of any his Royal Successors Kings or Queens of *England*; (5) shall incur and suffer all the Pains, Penalties, Forfeitures and Disabilities in this Act mentioned or contained; (6) unless such Peer, Member or Person so convicted, do respectively in the next Term after such his Coming or Remaining, take the said Oaths, and make and subscribe the said Declaration in his Majesty's High Court of Chancery between the Hours of nine and twelve in the Forenoon. Members of Parliament not swearing and declaring as aforesaid, and Recusants convict, forbidden the King's or Queen's Presence.

VI. And be it further enacted by the Authority aforesaid, That if any Person that now is or hereafter shall be a Peer of this Realm, or Member of the House of Peers, or Member of the House of Commons, shall presume to do any Thing contrary to this Act, or shall offend in any of the Cases aforesaid; That then every such Peer and Member so offending shall from thenceforth be deemed and adjudged a Popish Recusant convict to all Intents and Purposes whatsoever, (2) and shall forfeit and suffer as a Popish Recusant convict; (3) and shall be disabled to hold or execute any Office or Place of Profit or Trust Civil or Military, in any of his Majesty's Realms of *England* or *Ireland*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or in any of his Majesty's Islands or Foreign Plantations to the said Realms belonging; (4) and shall be disabled from thenceforth to sit or vote in either House of Parliament, or make a Proxy in the House of Peers, (5) or to sue or use any Action, Bill, Plaint or Information in Course of Law, or to prosecute any Suit in any Court of Equity, (6) or to be Guardian of any Child, or Executor or Administrator of any Person, (7) or capable of any Legacy or Deed of Gift; (8) and shall forfeit for every wilful Offence against this Act the Sum of five hundred Pounds, to be recovered and received by him or them that shall sue for the same, and to be prosecuted by any Action of Debt, Suit, Bill, Plaint or Information in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Protection or Wager of Law shall lie. The Penalty upon Members of Parliament offending contrary to this Act.

Either House of Parliament may cause any of their Members to swear and subscribe as aforesaid.

VII. And be it further enacted by the Authority aforesaid, That from the said first Day of *December* it shall and may be lawful to and for the House of Peers and House of Commons, or either of them respectively, as often as they or either of them shall see Occasion, either in this present Parliament, or any other hereafter to be holden, to order and cause all or any of the Members of their respective Houses of Parliament, openly in their respective Houses of Parliament, to take the said Oaths, and to make and subscribe the said Declaration, at such Times, and in such Manner, as they shall appoint. (2) And if any Peer shall, contrary to such Order made by their said House, wilfully presume to sit therein, without taking the said Oaths, and subscribing the said Declaration, according to the said Order, every such Peer or Member of the House of Peers, so presuming to sit, shall be adjudged, and is hereby declared, to be uncapable and disabled in Law to all Intents and Purposes whatsoever, to sit in the said House of Peers, and give any Voice therein, either by Proxy or otherwise howsoever, during that Parliament: (3) And if any Member or Members of the House of Commons shall, contrary to such Order made by their House, wilfully presume to sit therein, without taking the said Oaths, and making and subscribing the said Declaration, every such Member or Members of the House of Commons, so presuming to sit, shall be adjudged and is hereby declared to be uncapable and disabled in Law to all Intents and Purposes whatsoever to sit in the said House of Commons, or give any Voice therein during that Parliament.

The Places of Members of the House of Commons disabled to vote, shall be void, and Writs issue out for new Elections.

VIII. And be it enacted, That in every Case where any Member, or Members of the House of Commons shall by Virtue of this Act be disabled to sit or vote in the House of Commons, then and in every such Case, without any further Conviction or other Proceedings against such Member or Members, the Place or Places for which they or any of them were elected, is hereby declared void; (2) and a new Writ or Writs shall issue out of the High Court of Chancery by Warrant or Warrants from the Speaker of the House of Commons for the Time being, and by Order of the said House, for the Election of a new Member or Members to serve in the House of Commons, in the Place or Places of such Member or Members so disabled, to all Intents and Purposes, as if such Member or Members were naturally dead.

The King's and Queen's Sworn Servants shall swear as aforesaid, and make and subscribe the said Declaration. 25 Car. 2. c. 2. Repealed by 2 Geo. 2. c. 31. § 9.

IX. And be it further enacted by the Authority aforesaid, That from and after the first Day of *December* one thousand six hundred seventy and eight, every Person then being, and who after that Time shall be, a Sworn Servant to the King's or Queen's Majesty, not having before that Time duly taken the Oaths, and made and subscribed the Declaration contained in an Act, intituled, *An Act for preventing Dangers which may happen from Popish Recusants*, shall take the said Oaths, and make and subscribe the Declaration before expressed, in his Majesty's High Court of Chancery, in the Manner aforesaid, either in the next Term after the said first Day of *December*, or in the next Term after any such Person shall be so sworn a Servant; or in case of lawful Impediment by Sickness, proved upon Oath, and allowed to be such under the Hand of the Lord Chancellor or Lord Keeper for the Time being, then in the next Term after such Impediment removed; (2) and if any such Person shall refuse or neglect to do the same, and yet after such Refusal or Neglect shall advisedly come into or remain in the Presence of the King's or Queen's Majesty, or shall come into the Court or House where they or any of them reside, as well during the Reign of his present Majesty, as during the Reigns of his and their Royal Successors, Kings or Queens of *England*, and every of them, every such Person shall be disabled to hold any Place as such sworn Servant, and shall incur and suffer all the Pains, Penalties, Forfeitures and Disabilities in this Act mentioned or contained.

A Provision for the Queen to have eighteen Popish Servants.

X. Provided, That nothing in this Act shall relate to or have any Effect upon any Person being a natural-born Subject of the King of *Portugal*, who now is or hereafter shall be a sworn Servant to the Queen's Majesty, not exceeding nine in Number at any one Time: (2) Nor to such Women Servants as her Majesty shall under her Hand and Seal from Time to Time for that Purpose be pleased to nominate, the said Women Servants so nominated not exceeding the Number of nine at any one Time.

XI. And be it enacted, That during the Time of taking of the said Oaths, and making and subscribing the said Declaration, all other Matters and Proceedings, as well in the said Houses of Parliament, as in the said Court, shall cease; (2) and the said Oaths, Declaration and Subscription, together with a Schedule of the Names of the Persons who shall by Virtue of this Act take and subscribe the same, shall be made, entred and filed in Parchment-Rolls from Time to Time, duly provided for that Purpose by the Clerk of the House of Lords, and the Clerk of the House of Commons, and by the Clerk of the Petty Bag in Chancery, for the several and respective Uses as aforesaid; (3) and none of the Peers or Members shall give or pay any Fee or Reward to any such Clerk, above the Sum of Twelve-pence for the Entry of his taking the said Oaths, and making and subscribing the said Declaration: (4) All which Rolls respectively the said Clerks are hereby required from Time to Time, without any Fee or Reward, to shew to any Person desiring to look upon the same: (5) And the said House of Peers, and House of Commons, and Court of Chancery are hereby severally impowered and required in the first Place, all other Business laid aside, to administer the said Oaths, Declaration and Subscription respectively, as Occasion shall be from Time to Time, to all and every the Person and Persons aforesaid, duly demanding the same, according to the Directions, Purport and Meaning of this present Act.

Such as have Licence from six Privy Councellors, may come into the King's or Queen's Presence, notwithstanding this Act.

XII. Provided always, That this Act, nor any Thing herein contained, shall extend to the Prejudice of any Person for coming into or remaining in the Presence of the King or Queen's Majesty, who shall first have Licence so to do by any Warrant under the Hands and Seals of six or more Privy Councillors, by Order of his Majesty's Privy Council, upon some urgent Occasion therein to be expressed, so as such Licence exceed not the Space of ten Days, and that the said Licence be first filed and put upon Record in the Office of the Petty Bag in Chancery, for any Body to view without Fee or Reward, and no Person be licenced for above the Number of thirty Days in any one Year.

Offenders against this Act that shall take the said Oaths, &c.

XIII. Provided nevertheless, That if any Offender contrary to this Act shall at any Time after such Offence take the said Oaths, and make and subscribe the said Declaration, in his Majesty's High Court of Chancery, and in the Manner aforesaid, every such Person shall be from thenceforth freed and discharged of and from all Seizures, Penalties and Losses which he might otherwise sustain or bear for or by reason of being a Popish

Recusant convict by Virtue of this Act; (2) and shall be freed and discharged from all Disabilities and Incapacities incurred thereby; (3) so as such Freedom and Discharge extend not to restore any such Person to any Office or Place filled and supplied upon Voidance by this Act; (4) nor to any other Office till after the Expiration of one Year from the taking the said Oath, and making the Declaration aforesaid; (5) nor to make void, or at any Time discharge the said Forfeiture of five hundred Pounds, incurred as aforesaid.

shall be discharged of all Penalties, &c.

XIV. Provided always, That nothing in this Act contained shall extend to his Royal Highness the Duke of *York*.

A Proviso for the Duke of York. *See further concerning Papists,* 1 *W. & M. stat.* 1. *c.* 9, 15, 17, & 26. 11 & 12 *W.* 3. *c.* 4. 12 *Ann. stat.* 2. *c.* 14. 1 *Geo.* 1. *stat.* 2. *c.* 55. 3 *Geo.* 1. *c.* 18. 11 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 13.

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# Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tricesimo primo.

'AT the Parliament begun and held at *Westminster* on the sixth Day of *March* one thousand six hundred seventy-eight, in the one and thirtieth Year of the Reign of our Sovereign Lord *Charles* the Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, Defender of the Faith, &c. on the twenty-seventh * Day of *May* one thousand six hundred seventy-nine, the following Acts passed the Royal Assent.'

* 'The former Editions have it the ninth Day.'

## CAP. I.

An Act for granting a Supply to his Majesty of two hundred and six thousand four hundred sixty-two Pounds seventeen Shillings and Three Pence, for paying off and disbanding the Forces raised since the nine and twentieth of *September* one thousand six hundred seventy-seven, EXP. except the last Clause.

'LIV. And whereas by the Laws and Customs of this Realm the Inhabitants thereof cannot be compelled against their Wills to receive Soldiers into their Houses, and to sojourn them there;' (2) Be it declared and enacted by the Authority aforesaid, That no Officer, Military or Civil, nor any other Person whatever, shall from henceforth presume to Place, Quarter or Billet any Soldier or Soldiers upon any Subject or Inhabitant of this Realm, of any Degree, Quality or Profession whatever, without his Consent; (3) and that it shall and may be lawful for every such Subject and Inhabitant to refuse to Sojourn or Quarter any Soldier or Soldiers, notwithstanding any Command, Order, Warrant or Billeting whatever.

7 *H.* 7. *c.* 1. Soldiers shall not be Quartered on any Persons against their Consent.

*Farther Provisions relating hereto,* 12 *Ann. stat.* 1. *c.* 13. 1 *Geo.* 1. *stat.* 2. *c.* 47. 3 *Geo.* 1. *c.* 2. 22 *Geo.* 2. *c.* 44. 33 *Geo.* 2. *c.* 6, 8, & 18. *And see the annual Mutiny Acts.*

## CAP. II.

An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonments beyond the Seas.

'WHEREAS great Delays have been used by Sheriffs, Gaolers and other Officers, to whose Custody any of the King's Subjects have been committed for Criminal or supposed Criminal Matters, in making Returns of Writs of *Habeas Corpus* to them directed, by standing out an *Alias* and *Pluries Habeas Corpus*, and sometimes more, and by other Shifts to avoid their yielding Obedience to such Writs, contrary to their Duty and the known Laws of the Land, whereby many of the King's Subjects have been and hereafter may be long detained in Prison, in such Cases where by Law they are Bailable, to their great Charges and Vexation:'

II. For the Prevention whereof, and the more speedy Relief of all Persons imprisoned for any such Criminal or supposed Criminal Matters; (2) Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority thereof, That whensoever any Person or Persons shall bring any *Habeas Corpus* directed unto any Sheriff or Sheriffs, Gaoler, Minister or other Person whatsoever, for any Person in his or their Custody, and the said Writ shall be served upon the said Officer, or left at the Gaol or Prison with any of the Under-Officers, Under-Keepers or Deputy of the said Officers or Keepers, that the said Officer or Officers, his or their Under-Officers, Under-Keepers or Deputies, shall within three Days after the Service thereof as aforesaid (unless the Commitment aforesaid were for Treason or Felony, plainly and specially expressed in the Warrant of Commitment) upon Payment or Tender of the Charges of bringing the said Prisoner, to be ascertained by the Judge or Court that awarded the same, and endorsed upon the said Writ, not exceeding twelve Pence *per* Mile, and upon Security given by his own Bond to pay the Charges of carrying back the Prisoner, if he shall be remanded by the Court or Judge to which he shall be brought according to the true Intent of this present Act, and that he will not make any Escape by the Way, make Return of such Writ; (3) and bring or cause to be brought the Body of the Party so committed or restrained, unto or before the Lord Chancellor, or Lord Keeper of the Great Seal of *England* for the Time being, or the Judges or Barons of the said Court from whence the said Writ shall issue, or unto and before such other Person or Persons before whom the said Writ is made returnable, according to the Command thereof; (4) and shall then likewise certify the true Causes of his Detainer or Imprisonment, unless the Commitment of the said Party be in any Place beyond the Distance of twenty Miles from the Place or Places where such Court or Person is or shall be residing; and if beyond the Distance of twenty Miles

Writs of Habeas Corpus within three Days after Service to be returned, and the Body brought, if within twenty Miles, &c. *Vin. V.* 14. 209, &c.

Miles, and not above one hundred Miles, then within the Space of ten Days, and if beyond the Distance of one hundred Miles, then within the Space of twenty Days, after such Delivery aforesaid, and not longer.

Such Writs how to be marked.

III. And to the Intent that no Sheriff, Gaoler or other Officer may pretend Ignorance of the Import of any such Writ; (2) Be it enacted by the Authority aforesaid, That all such Writs shall be marked in this Manner, *Per Statutum tricesimo primo Caroli Secundi Regis*, and shall be signed by the Person that awards the same; (3) and if any Person or Persons shall be or stand committed or detained as aforesaid, for any Crime, unless for Felony or Treason plainly expressed in the Warrant of Commitment, in the Vacation-Time, and out of Term, it shall and may be lawful to and for the Person or Persons so committed or detained (other than Persons Convict or in Execution by legal Process) or any one on his or their Behalf, to appeal or complain to the Lord Chancellor or Lord Keeper, or any one of his Majesty's Justices, either of the one Bench or of the other, or the Barons of the Exchequer of the Degree of the Coif; (4) and the said Lord Chancellor, Lord Keeper, Justices or Barons or any of them, upon View of the Copy or Copies of the Warrant or Warrants of Commitment and Detainer, or otherwise upon Oath made that such Copy or Copies were denied to be given by such Person or Persons in whose Custody the Prisoner or Prisoners is or are detained, are hereby authorized, and required, upon Request made in Writing by such Person or Persons, or any on his, her or their Behalf, attested and subscribed by two Witnesses who were present at the Delivery of the same, to award and grant an *Habeas Corpus* under the Seal of such Court whereof he shall then be one of the Judges, (5) to be directed to the Officer or Officers in whose Custody the Party so committed or detained shall be, returnable *immediate* before the said Lord Chancellor or Lord Keeper, or such Justice, Baron or any other Justice or Baron of the Degree of the Coif of any of the said Courts; (6) and upon Service thereof as aforesaid, the Officer or Officers, his or their Under-Officer or Under-Officers, Under-Keeper or Under-Keepers, or their Deputy, in whose Custody the Party is so committed or detained, shall within the Times respectively before limited, bring such Prisoner or Prisoners before the said Lord Chancellor or Lord Keeper, or such Justices, Barons or one of them, before whom the said Writ is made returnable, and in Case of his Absence before any other of them, with the Return of such Writ, and the true Causes of the Commitment and Detainer; (7) and thereupon within two Days after the Party shall be brought before them, the said Lord Chancellor or Lord Keeper, or such Justice or Baron before whom the Prisoner shall be brought as aforesaid, shall discharge the said Prisoner from his Imprisonment, taking his or their Recognizance, with one or more Surety or Sureties, in any Sum according to their Discretions, having regard to the Quality of the Prisoner and Nature of the Offence, for his or their Appearance in the Court of King's Bench the Term following, or at the next Assizes, Sessions or General Gaol-delivery of and for such County, City or Place where the Commitment was, or where the Offence was committed, or in such other Court where the said Offence is properly Cognizable, as the Case shall require, and then shall certify the said Writ with the Return thereof, and the said Recognizance or Recognizances into the said Court where such Appearance is to be made; (8) unless it shall appear unto the said Lord Chancellor or Lord Keeper, or Justice or Justices, or Baron or Barons, that the Party so committed is detained upon a legal Process, Order or Warrant, out of some Court that hath Jurisdiction of Criminal Matters, or by some Warrant signed and sealed with the Hand and Seal of any of the said Justices or Barons, or some Justice or Justices of the Peace, for such Matters or Offences for the which by the Law the Prisoner is not bailable.

Writs of Habeas Corpus, and the Proceedings thereon in Vacation time.

Persons neglecting two Terms to pray a Habeas Corpus, shall have none in Vacation time, in Pursuance of this Act.

IV. Provided always, and be it enacted, That if any Person shall have wilfully neglected by the Space of two whole Terms after his Imprisonment, to pray a *Habeas Corpus* for his Enlargement, such Person so wilfully neglecting shall not have any *Habeas Corpus* to be granted in Vacation-time, in Pursuance of this Act.

Officers how to be proceeded against for not obeying such Writs.

V. And be it further enacted by the Authority aforesaid, That if any Officer or Officers, his or their Under-Officer or Under-Officers, Under-Keeper or Under-Keepers, or Deputy, shall neglect or refuse to make the Returns aforesaid, or to bring the Body or Bodies of the Prisoner or Prisoners according to the Command of the said Writ, within the respective Times aforesaid, or upon Demand made by the Prisoner or Person in his Behalf, shall refuse to deliver, or within the Space of six Hours after Demand shall not deliver, to the Person so demanding, a true Copy of the Warrant or Warrants of Commitment and Detainer of such Prisoner, which he and they are hereby required to deliver accordingly; all and every the Head Gaolers and Keepers of such Prisons, and such other Person in whose Custody the Prisoner shall be detained, shall for the first Offence forfeit to the Prisoner or Party grieved the Sum of one hundred Pounds; (2) and for the second Offence the Sum of two hundred Pounds, and shall and is hereby made incapable to hold or execute his said Office; (3) the said Penalties to be recovered by the Prisoner or Party grieved, his Executors or Administrators, against such Offender, his Executors or Administrators, by any Action of Debt, Suit, Bill, Plaint or Information, in any of the King's Courts at *Westminster*, wherein no Essoin, Protection, Privilege, Injunction, Wager of Law, or Stay of Prosecution by *Non vult ulterius prosequi*, or otherwise, shall be admitted or allowed, or any more than one Imparlance; (4) and any Recovery or Judgment at the Suit of any Party grieved, shall be a sufficient Conviction for the first Offence; and any after Recovery or Judgment at the Suit of a Party grieved for any Offence after the first Judgment, shall be a sufficient Conviction to bring the Officers or Person within the said Penalty for the second Offence.

Persons set at large not to be recommitted but by Order of Court.

VI. And for the Prevention of unjust Vexation by reiterated Commitments for the same Offence; (2) Be it enacted by the Authority aforesaid, That no Person or Persons which shall be delivered or set at large upon any *Habeas Corpus*, shall at any Time hereafter be again imprisoned or committed for the same Offence by any Person or Persons whatsoever, other than by the legal Order and Process of such Court wherein he or they shall be bound by Recognizance to appear, or other Court having Jurisdiction of the Cause; (3) and if any other Person or Persons shall knowingly contrary to this Act recommit or imprison, or knowingly procure or cause to be recommitted or imprisoned, for the same Offence or pretended Offence, any Person or Persons delivered or set at large as aforesaid, or be knowingly aiding or assisting therein, then he

or

or they shall forfeit to the Prisoner or Party grieved the Sum of five hundred Pounds; any colourable Pretence or Variation in the Warrant or Warrants of Commitment notwithstanding, to be recovered as aforesaid.

VII. Provided always, and be it further enacted, That if any Person or Persons shall be committed for High Treason or Felony, plainly and specially expressed in the Warrant of Commitment, upon his Prayer or Petition in open Court the first Week of the Term, or first Day of the Sessions of *Oyer* and *Terminer* or General Gaol-delivery, to be brought to his Trial, shall not be indicted some Time in the next Term, Sessions of *Oyer* and *Terminer* or General Gaol-delivery, after such Commitment; it shall and may be lawful to and for the Judges of the Court of King's Bench and Justices of *Oyer* and *Terminer* or General Gaol-delivery, and they are hereby required, upon Motion to them made in open Court the last Day of the Term, Sessions or Gaol-delivery, either by the Prisoner or any one in his Behalf, to set at Liberty the Prisoner upon Bail, unless it appear to the Judges and Justices upon Oath made, that the Witnesses for the King could not be produced the same Term, Sessions or General Gaol-delivery; (2) and if any Person or Persons committed as aforesaid, upon his Prayer or Petition in open Court the first Week of the Term or first Day of the Sessions of *Oyer* and *Terminer* and General Gaol-delivery, to be brought to his Trial, shall not be indicted and tried the second Term, Sessions of *Oyer* and *Terminer* or General Gaol-delivery, after his Commitment, or upon his Trial shall be acquitted, he shall be discharged from his Imprisonment.

Persons committed for Treason or Felony, shall be indicted the next Term, or let to Bail.

And tried the Term, &c. after, or discharged. 1 Vent. 346.

VIII. Provided always, That nothing in this Act shall extend to discharge out of Prison any Person charged in Debt, or other Action, or with Process in any Civil Cause, but that after he shall be discharged of his Imprisonment for such his Criminal Offence, he shall be kept in Custody according to the Law, for such other Suit.

IX. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, Subjects of this Realm, shall be committed to any Prison or in Custody of any Officer or Officers whatsoever, for any Criminal or supposed Criminal Matter, that the said Person shall not be removed from the said Prison and Custody into the Custody of any other Officer or Officers; (2) unless it be by *Habeas Corpus* or some other legal Writ; or where the Prisoner is delivered to the Constable or other inferior Officer to carry such Prisoner to some Common Gaol; (3) or where any Person is sent by Order of any Judge of Assize or Justice of the Peace, to any common Work-House or House of Correction; (4) or where the Prisoner is removed from one Prison or Place to another within the same County, in order to his or her Trial or Discharge in due Course of Law; (5) or in Case of sudden Fire or Infection, or other Necessity; (6) and if any Person or Persons shall after such Commitment aforesaid make out and sign, or countersign any Warrant or Warrants for such Removal aforesaid, contrary to this Act; as well he that makes or signs, or countersigns such Warrant or Warrants as the Officer or Officers that obey or execute the same, shall suffer and incur the Pains and Forfeitures in this Act before mentioned, both for the first and second Offence respectively, to be recovered in Manner aforesaid by the Party grieved.

X. Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Prisoner and Prisoners as aforesaid, to move and obtain his or their *Habeas Corpus* as well out of the High Court of Chancery or Court of Exchequer, as out of the Courts of King's Bench or Common Pleas, or either of them; (2) and if the said Lord Chancellor or Lord Keeper, or any Judge or Judges, Baron or Barons for the Time being, of the Degree of the Coif, of any of the Courts aforesaid, in the Vacation-time, upon View of the Copy or Copies of the Warrant or Warrants of Commitment or Detainer, or upon Oath made that such Copy or Copies were denied as aforesaid, shall deny any Writ of *Habeas Corpus* by this Act required to be granted, being moved for as aforesaid, they shall severally forfeit to the Prisoner or Party grieved the Sum of five hundred Pounds, to be recovered in Manner aforesaid.

The Penalty for denying a Habeas Corpus.

XI. And be it declared and enacted by the Authority aforesaid, That an *Habeas Corpus* according to the true Intent and Meaning of this Act, may be directed and run into any County Palatine, the Cinque-Ports, or other privileged Places within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and the Islands of *Jersey* or *Guernsey*; any Law or Usage to the contrary notwithstanding.

Habeas Corpus shall run in Counties Palatine and privileged Places.

XII. And for preventing illegal Imprisonments in Prisons beyond the Seas; (2) Be it further enacted by the Authority aforesaid, That no Subject of this Realm that now is, or hereafter shall be an Inhabitant or Resiant of this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, shall or may be sent Prisoner into *Scotland*, *Ireland*, *Jersey*, *Guernsey*, *Tangier*, or into Parts, Garrisons, Islands or Places beyond the Seas, which are or at any hereafter shall be within or without the Dominions of his Majesty, his Heirs or Successors; (3) and that every such Imprisonment is hereby enacted and adjudged to be illegal; (4) and that if any of the said Subjects now is or hereafter shall be so imprisoned, every such Person and Persons so imprisoned, shall and may for every such Imprisonment maintain by Virtue of this Act an Action or Actions of False Imprisonment, in any of his Majesty's Courts of Record, against the Person or Persons by whom he or she shall be so committed, detained, imprisoned, sent Prisoner or transported, contrary to the true Meaning of this Act, and against all or any Person or Persons that shall frame, contrive, write, seal or countersign any Warrant or Writing for such Commitment, Detainer, Imprisonment or Transportation, or shall be advising, aiding or assisting in the same, or any of them; (5) and the Plaintiff in every such Action shall have Judgment to recover his treble Costs, besides Damages, which Damages so to be given, shall not be less than five hundred Pounds; (6) in which Action no Delay, Stay or Stop of Proceeding by Rule, Order or Command, nor no Injunction, Protection or Privilege whatsoever, nor any more than one Imparlance shall be allowed, excepting such Rule of the Court wherein the Action shall depend, made in open Court, as shall be thought in Justice necessary, for special Cause to be expressed in the said Rule; (7) and the Person or Persons who shall knowingly frame, contrive, write, seal or countersign any Warrant for such Commitment, Detainer or Transportation, or shall so commit, detain, imprison or transport any Person or Persons contrary to this Act, or be any ways advising, aiding or assisting therein being lawfully convicted thereof, shall be disabled from thenceforth to bear any Office of Trust or Profit within the said Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, or any of the Islands, Territories

No Subjects shall be sent to Foreign Prisons. 2 *Vent.* 314.

The Penalty.

ritories or Dominions thereunto belonging; (8) and shall incur and sustain the Pains, Penalties and Forfeitures limited, ordained and provided in and by the Statute of Provision and *Præmunire* made in the sixteenth Year of King *Richard* the Second; (9) and be incapable of any Pardon from the King, his Heirs or Successors, of the said Forfeitures, Losses or Disabilities, or any of them.

16 R. 2. c. 5.

Persons receiving Earnest upon Contracts to be transported, excepted.

XIII. Provided always, That nothing in this Act shall extend to give Benefit to any Person who shall by Contract in Writing agree with any Merchant or Owner of any Plantation, or other Person whatsoever, to be transported to any Parts beyond the Seas, and receive Earnest upon such Agreement, although that afterwards such Person shall renounce such Contract.

Persons convicted of Felony, and praying Transportation, excepted.

XIV. Provided always, and be it enacted, That if any Person or Persons lawfully convicted of any Felony, shall in open Court pray to be transported beyond the Seas, and the Court shall think fit to leave him or them in Prison for that Purpose, such Person or Persons may be transported into any Parts beyond the Seas; this Act, or any Thing therein contained to the contrary notwithstanding.

Imprisonments before the first of June 1679. excepted.

XV. Provided also, and be it enacted, That nothing herein contained shall be deemed, construed or taken, to extend to the Imprisonment of any Person before the first Day of *June* one thousand six hundred seventy and nine, or to any Thing advised, procured, or otherwise done, relating to such Imprisonment; any thing herein contained to the contrary notwithstanding.

Offenders may be sent to be tried where their Offences were committed.

XVI. Provided also, That if any Person or Persons at any Time resiant in this Realm, shall have committed any Capital Offence in *Scotland* or *Ireland*, or any of the Islands, or Foreign Plantations of the King, his Heirs or Successors, where he or she ought to be tried for such Offence, such Person or Persons may be sent to such Place, there to receive such Trial, in such Manner as the same might have been used before the making of this Act; any Thing herein contained to the contrary notwithstanding.

Prosecutions for Offences within what Time to be made.

XVII. Provided also, and be it enacted, That no Person or Persons shall be sued, impleaded, molested or troubled for any Offence against this Act, unless the Party offending be sued or impleaded for the same within two Years at the most after such Time wherein the Offence shall be committed, in Case the Party grieved shall not be then in Prison; and if he shall be in Prison, then within the Space of two Years after the Decease of the Person imprisoned, or his or her Delivery out of Prison, which shall first happen.

After the Assizes proclaimed, no Prisoner to be removed, but before the Judge of Assize.

XVIII. And to the Intent no Person may avoid his Trial at the Assizes or General Gaol-delivery, by procuring his Removal before the Assizes, at such Time as he cannot be brought back to receive his Trial there; (2) Be it enacted, That after the Assizes proclaimed for that County where the Prisoner is detained, no Person shall be removed from the Common Gaol upon any *Habeas Corpus* granted in Pursuance of this Act, but upon any such *Habeas Corpus* shall be brought before the Judge of Assize in open Court, who is thereupon to do what to Justice shall appertain.

XIX. Provided nevertheless, That after the Assizes are ended, any Person or Persons detained, may have his or her *Habeas Corpus* according to the Direction and Intention of this Act.

In Suits for Offence against this Law, the Defendants may plead the General Issue, &c.

XX. And be it also enacted by the Authority aforesaid, That if any Information, Suit or Action shall be brought or exhibited against any Person or Persons for any Offence committed or to be committed against the Form of this Law, it shall be lawful for such Defendants to plead the General Issue, that they are Not Guilty, or that they owe nothing, and to give such special Matter in Evidence to the Jury that shall try the same, which Matter being pleaded had been good and sufficient Matter Law to have discharged the said Defendant or Defendants against the said Information, Suit or Action, and the said Matter shall be then as available to him or them, to all Intents and Purposes, as if he or they had sufficiently pleaded, set forth or alledged the same Matter in Bar or Discharge of such Information, Suit or Action.

Persons committed as Accessaries before to Petty Treason or Felony, shall not be removed or bailed otherwise than before this Act made.

'XXI. And because many Times Persons charged with Petty Treason or Felony, or as Accessaries thereunto, are committed upon Suspicion only, whereupon they are bailable, or not, according as the Circumstances making out that Suspicion are more or less weighty, which are best known to the Justices of Peace that committed the Persons, and have the Examinations before them, or to other Justices of the Peace in the County;' (2) Be it therefore enacted, That where any Person shall appear to be committed by any Judge or Justice of the Peace, and charged as Accessary before the Fact, to any Petty Treason or Felony, or upon Suspicion thereof, or with Suspicion of Petty Treason or Felony, which Petty Treason or Felony shall be plainly and specially expressed in the Warrant of Commitment, that such Person shall not be removed or bailed by Virtue of this Act, or in any other Manner than they might have been before the Making of this Act.

## CAP. III.

An Act for Reingrossing of the Records of Fines burnt or lost in the late Fire in the *Temple*. The Cyrographer shall certify the Notes of Fines lost or burnt. A Copy of such Certificate to be set up near the Common Pleas: And at the Assizes or Quarter-Sessions. The Justices of the Common Pleas may upon Examination direct the Cyrographer to new engross the Note and Foot of Fines burnt or lost. And shall subscribe their Names at the bottom thereof. The same shall be filed. The Force and Effect of such Fines. The Judges Subscription to be certified, together with the Note and Foot of such Fines. All this to be done without Fee. EXP.

# De Annis Regni GULIELMI & MARIÆ sexto & septimo.

'AT the Parliament begun at *Westminster* the twentieth Day of *March*, *Anno Dom.* 1689, in the Second Year of the Reign of our Sovereign Lord and Lady, *WILLIAM* and *MARY*, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King and Queen, Defenders of the Faith, *&c.* And from thence continued by several Prorogations and Adjournments to the twelfth Day of *November* 1694. being the sixth Session of this present Parliament.'

## CAP. I.

### An Act for granting to their Majesties a Subsidy of Tunnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported.

*Most Gracious Sovereigns,*

THE Commons assembled in Parliament, reposing Trust and Confidence in Your Majesties, for the guarding and defending of the Seas against all Persons who shall attempt to invade this Your Realm, or to disturb Your Subjects in their Trade and Commerce, towards the defraying the necessary Charge thereof, and also for the better enabling Your Majesties to prosecute the present War against the *French* King with Vigour, have cheerfully and unanimously given and granted, and do hereby give and grant unto Your Majesties the Subsidy of Tunnage and Poundage, and other Sums of Money given and granted unto His late Majesty King CHARLES the Second for his Life, by an Act of Parliament made in the Twelfth Year of His Reign, intituled, *A Subsidy granted to the King of Tunnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported*, according to the Rates in the said Act mentioned, and Rules and Orders thereunto annexed (other than such concerning which it is otherwise provided or ordained by an Act made in the last or in this present Parliament) and do most humbly beseech Your Majesties, that it may be enacted; Made perpetual 1 Geo. 1. c. 12. 9 Ann. c. 6. 3 Geo. 1. c. 7. 12 Car. 2. c. 4.

II. And be it enacted by the King's and Queen's most Excellent Majesties, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the aforesaid Subsidy of Tunnage and Poundage, and other Sums of Money payable upon Merchandize, be levied, collected and paid unto their Majesties for the Term of Five Years, and no longer, to commence on the twenty-sixth Day of *December* in the Year of our Lord one thousand six hundred ninety-four; and that the aforesaid Act, and every Article, Rule and Clause therein mentioned, and also an Order of the Commons in Parliament assembled, made in Pursuance of the Rules and Orders annexed to the aforesaid Act, for settling of Officers Fees, dated the seventeenth of *May* one thousand six hundred sixty-two, and signed by Sir *Edward Turner* then Speaker, shall be of full Force and Effect to all Intents and Purposes, during the said Term of five Years, as fully and in like Manner, as if the same were particularly and at large recited and set down in the Body of this Act. Tunnage and Poundage given for 5 Years. 12 Car. 2. c. 4. revived.

III. And be it further enacted by the Authority aforesaid, That an Act of Parliament made in the twelfth Year of the Reign of the said King CHARLES the Second, intituled, *An Act to prevent Frauds and Concealments of His Majesty's Customs and Subsidies:* As also an Act made in the Fourteenth Year of the Reign of the said late King, intituled, *An Act for preventing Frauds, and regulating Abuses in His Majesty's Customs:* And also an Act made in the two and twentieth Year of the Reign of the said late King CHARLES the Second, intituled, *An Act for Improvement of Tillage, and the Breed of Cattle:* And also One other Act made in the twenty-fifth Year of the Reign of the said late King CHARLES the Second, intituled, *An Act for taking off Aliens Duty upon Commodities of the Growth, Product, and Manufacture of the Nation:* And also One other Act made in the said Twenty fifth Year of the said late King CHARLES the Second, intituled, *An Act for the Encouragement of the* Greenland *and* Eastland *Trades, and for the better securing the Plantation Trade:* And also One other Act made in the first Year of the late King JAMES the Second, intituled, *An additional Act for Improvement of Tillage*, be of full Force and Effect during the said Term of five Years. Provided nevertheless, and be it declared and enacted, That nothing herein contained shall be construed or taken to determine any Articles or Clauses in any of the before mentioned Acts, which were appointed and intended to be perpetual, or which are continued by any Act of Parliament, for any Time which will not expire within the said Term of five Years, but that the same and every of them shall continue and remain in Force, as if this present Act had not been made; but such of the said Acts, and such Clauses in any of them, as would otherwise determine within the said Term of five Years, shall hereby be revived, and stand, continue, and be in Force for the said Term of five Years only, and no longer. Several Acts revived for 5 Years. 12 Car. 2. c. 19. 13 & 14 Car. 2. c. 11. 22 Car. 2. c. 13. 25 Car. 2. c. 6. 25 Car. 2. c. 7. 1 Jac. 2. c. 19.

IV. Provided nevertheless, and be it further enacted by the Authority aforesaid, That if any Goods, Wares or Merchandize, shall happen to be imported into this Kingdom upon the five and twentieth Day of *December* one thousand six hundred ninety-four, and not landed or put on Shore upon the said Day, all the said Goods so imported, and not landed, shall be subject unto like Duties, Rates, Payments and Penalties, as if the same had been imported after the Commencement of this Grant; any thing herein contained to the contrary notwithstanding. Goods landed upon 25 December to pay Duty.

V. And be it further enacted by the Authority aforesaid, That two of their Majesties Commissioners of the Customs, first named in the Commission, whereby they are now authorized to act, shall respectively take their corporal Oaths before the Chancellor or Chief Baron of the *Exchequer*, or Master of the Rolls for the time being; which they and every of them respectively are hereby authorized and required to administer Commissioners and Officers of Customs to take Oath of Execution, upon Penalty of forfeiting their Offices.

ſter to them, on or before the firſt Day of *January* next enſuing, for the true and faithful Execution, to the beſt of their Knowledge and Power, of their ſeveral reſpective Truſts committed to their Charge and Inſpection, and that they will not take or receive any Reward or Gratuity, directly or indirectly, other than their reſpective Salaries, and what is or ſhall be allowed them from the Crown, or the regular Fees eſtabliſhed by Law, for any Service done or to be done in the Execution of their Employment in the Cuſtoms, on any Account whatſoever. And every other of the ſaid Commiſſioners, and the Patent Officers, and every of their Deputies, Clerks or Servants, and all other Officers who have or ſhall have any Employment in or about their Majeſties Cuſtoms within the Port of *London*, ſhall before the firſt Day of *February* next enſuing, or at their reſpective Admiſſions hereafter to their reſpective Employments, take the ſaid Oath before any Two Commiſſioners of the Cuſtoms, who are hereby authorized to adminiſter the ſame unto them, after they ſhall themſelves have taken the ſaid Oath as aforeſaid. And all and every ſuch other Patent Officers, and every of their Deputies, Clerks or Servants, and all other Officers who have or ſhall have any Employment in or about their Majeſties Cuſtoms in the Out Ports, or elſewhere, ſhall before the five and twentieth Day of *March* next enſuing, or at their reſpective Admiſſions into their reſpective Employments, take the ſaid Oath before Two Juſtices of the Peace, in the County, Town, or Place, where his or their Employments ſhall be, who are hereby authorized and required to adminiſter the ſame accordingly. And when any new Commiſſion ſhall be at any Time hereafter made or granted for the conſtituting of Commiſſioners of the Cuſtoms, the ſaid Oath ſhall be adminiſtred and taken in like Manner by the ſeveral and reſpective new Commiſſioners, as is before directed. And if any of the ſaid Commiſſioners or Officers, their Deputies, Clerks or Servants, ſhall neglect or refuſe to take the ſaid Oath in ſuch Manner as is hereby directed and appointed, every ſuch Perſon ſo refuſing or neglecting ſhall forfeit ſuch his Office or Employment.

Certificate of Oath taken to be returned to the Seſſions.

VI. And be it further enacted by the Authority aforeſaid, That the Perſons hereby reſpectively authorized and required to adminiſter the Oath hereby appointed to be taken, ſhall certify the taking thereof to the next General Quarter-Seſſions of the Peace, to be held for the County, City or Place, where ſuch Oath ſhall be adminiſtred and taken; which Certificate ſhall be recorded and kept amongſt the Rolls of the ſaid General Quarter-Seſſions.

Debentures, &c. due ſince December 24 to be paid.

VII. And leaſt any Doubt ſhould ariſe by the Intermiſſion or Diſcontinuance of the Duties hereby granted, whether Debentures for any Goods and Merchandize exported, or any Allowances or Abatements for any Damage or Defects upon any Goods or Merchandize imported, or for Over-entries, which according to the ordinary Courſe of the Cuſtoms ought to have been made or paid, ſhall be due and payable out of the Duties hereby granted; it is hereby further enacted, That all ſuch Debentures, Allowances and Abatements, as have incurred or grown due, according to the common Rules and Courſe of the Cuſtoms, ſince the four and twentieth Day of *December* in the Year of our Lord one thouſand ſix hundred and ninety, ſhall ſtill remain due and payable, and be allowed in their ordinary Courſe, as if no ſuch Intermiſſion or Diſcontinuance had been made.

## CAP. II.

### An Act for the frequent Meeting and Calling of Parliaments.

Parliament to be held once in 3 Years.
4 Ed. 3. c. 14.
36 Ed. 3. c. 10.
16 Car. 2. c. 1.
1 W. & M. ſeſſ. 2. c. 2.
By 1 Geo. 1. ſtat. 2. c. 38.
Parliaments are to continue for 7 Years.
Writs to be iſſued out once in 3 Years.

'WHEREAS by the ancient Laws and Statutes of this Kingdom, frequent Parliaments ought to be held; and whereas frequent and new Parliaments tend very much to the happy Union and good Agreement of the King and People;' we your Majeſties moſt loyal and obedient Subjects, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, do moſt humbly beſeech Your moſt Excellent Majeſties, that it may be declared and enacted in this preſent Parliament; and it is hereby declared and enacted by the King's and Queen's moſt Excellent Majeſties, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth a Parliament ſhall be holden once in Three Years at the leaſt.

II. And be it further enacted by the Authority aforeſaid, That within three Years at the fartheſt, from and after the Diſſolution of this preſent Parliament, and ſo from time to time for ever hereafter, within three Years at the fartheſt, from and after the Determination of every other Parliament, legal Writs under the Great Seal ſhall be iſſued by Directions of Your Majeſties, Your Heirs and Succeſſors, for calling, aſſembling and holding another new Parliament.

No Parliament to laſt longer than 3 Years.

III. And be it further enacted by the Authority aforeſaid, that from henceforth no Parliament whatſoever, that ſhall at any Time hereafter be called, aſſembled or held, ſhall have any Continuance longer than for three Years only at the fartheſt, to be accounted from the Day on which by the Writs of Summons the ſaid Parliament ſhall be appointed to meet.

Preſent Parliament to ceaſe 1 November 1696.

IV. And be it further enacted by the Authority aforeſaid, That this preſent Parliament ſhall ceaſe and determine on the firſt Day of *November*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſix, unleſs their Majeſties ſhall think fit to diſſolve it ſooner.

*Further Proviſions relating to Parliament*, 7 *W.* 3. *c.* 4. 7 & 8 *W.* 3. *c.* 7, 15 & 25. 10 & 11 *W.* 3. *c.* 7. 11 & 12 *W.* 3. *c.* 2. *ſect.* 151. 12 & 13 *W.* 3. *c.* 3 & 10. 2 & 3 *Ann. c.* 18. 6 *Ann. c.* 7 & 23. 9 *Ann. c.* 5. 10 *Ann. c.* 19 & 23. 1 *Geo.* 1. *ſtat.* 2. *c.* 38 & 56. 2 *Geo.* 2. *c.* 24. 6 *Geo.* 2. *c.* 23. 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. *and* 33 *Geo.* 2. *c.* 20.

## CAP. III.

AN

An Act for granting to his Majeſty an Aid of four Shillings in the Pound for one Year; and for applying the yearly Sum of three hundred thouſand Pounds for five Years, out of the Duties of Tonnage and Poundage,

Poundage, and other Sums of Money, payable upon Merchandizes exported and imported, for carrying on the War againſt *France* with Vigour.

## CAP. IV.

### An Act for exempting Apothecaries from ſerving the Offices of Conſtable, Scavenger, and other Pariſh and Ward Offices, and from ſerving upon Juries.

'WHEREAS the Art of the Apothecary is of great and general Uſe and Benefit, by Reaſon of their 'conſtant and neceſſary Aſſiſtance to His Majeſty's Subjects, which ſhould oblige them ſolely to 'attend the Duty of their Profeſſions; yet by Reaſon that they are compelled to ſerve ſeveral Pariſh, 'Ward, and Leet Offices, in the Places where they live, and are frequently ſummoned to ſerve on Juries 'and Inqueſts, which take up great Part of their Time, they cannot perform the Truſts repoſed in them as 'they ought, nor attend the Sick with ſuch Diligence as is required: And whereas King JAMES the Firſt, 'by His Letters Patents under the Great Seal of *England*, did incorporate the Apothecaries exerciſing that 'Art within *London* and ſeven Miles Compaſs, by the Name of *The Maſter, Wardens, and Society of the Art 'and Myſtery of the Apothecaries of the City of* London:'

Apothecaries within London, and 7 Miles thereof, exempt from Offices.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon and Perſons, uſing and exerciſing, or that hereafter ſhall uſe and exerciſe, the Art of an Apothecary within the ſaid City of *London*, and ſeven Miles thereof, being Free of the ſaid Society, and who already have been, or hereafter ſhall be duly examined of his Skill in the ſaid Myſtery, and ſhall be approved of for the ſame, and every of them, for ſo long as he or they ſhall uſe and exerciſe the ſaid Art, and no longer, ſhall and may at all Times hereafter be freed and exempted from the ſeveral Offices of Conſtable, Scavenger, Overſeer of the Poor, and all other Pariſh, Ward, and Leet Offices, and of and from the being put into or ſerving upon any Juries or Inqueſts; and if at any Time hereafter any ſuch Perſon or Perſons uſing the ſaid Art, and being qualified as aforeſaid, ſhall be choſen or elected into any of the ſaid Offices, or returned, required, or appointed to ſerve in any Jury, Leet, or Inqueſt, or be diſquieted or diſturbed by Reaſon thereof, that then ſuch Perſon or Perſons, producing a Teſtimonial under the common Seal of the ſaid Corporation, of ſuch his Examination, Approbation, and Freedom, to the Perſon or Perſons, by whom he ſhall be ſo elected or appointed, or by or before whom he ſhall be ſo ſummoned, returned, or required to ſerve or hold any of the ſaid Offices or Duties, ſhall be abſolutely diſcharged from the ſame, and ſuch Nomination, Election, Return, and Appointment ſhall be utterly void, and of none Effect; any Order, Cuſtom, Law, or Statute, to the contrary in any wiſe notwithſtanding.

Country Apothecaries, who have ſerved 7 Years, exempted from Offices. 5 El. c. 4.

III. And be it further enacted by the Authority aforeſaid, That all Perſons uſing and exerciſing, or that hereafter ſhall uſe and exerciſe the ſaid Art of an Apothecary within any other Parts of this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and who have been brought up and ſerved, or hereafter ſhall be brought up and ſerve in the ſaid Art as an Apprentice, by the Space of ſeven Years, according to the Statute of the fifth of Queen ELIZABETH, ſhall likewiſe from henceforth be freed and exempted from all and ſingular the Offices and Duties aforeſaid, within the ſeveral Counties, Cities, and Places, where they live and inhabit, for ſo long as he or they ſhall uſe and exerciſe the ſaid Art, and no longer; and if any Perſon or Perſons ſo qualified ſhall be elected or choſen into any of the ſaid Offices, or returned to ſerve in any Jury, Leet, or Inqueſt, ſuch Nomination, Election, Return, and Appointment, ſhall be void, unleſs ſuch Perſon or Perſons ſhall voluntarily conſent and agree to hold ſuch Office, or ſerve upon ſuch Jury, Leet, or Inqueſt. Provided always, That nothing herein contained ſhall be conſtrued to exempt or excuſe any Apothecary that is or ſhall, before the Commencement of this Act, be elected or appointed to ſerve any of the ſaid Offices, from ſerving in the ſaid Offices for the uſual Time for which he was ſo elected and appointed. Provided always, That this Act ſhall continue for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament, and no longer. [Made perpetual by 9 Geo. 1. Cap. 8. §. 1.]

Apothecaries already choſen not exempted. This Act to continue 7 Years. *Farther continued by* 1 *Ann. ſtat.* 1. *c.* 11.

## CAP. V.

### An Act for enabling ſuch Perſons as have Eſtates for Life in Annuities, payable by ſeveral former Acts therein mentioned, to purchaſe and obtain further or more certain Intereſts in ſuch Annuities; and in Default thereof, for admitting other Perſons to purchaſe or obtain the ſame, for raiſing Monies for carrying on the War againſt *France*.

'WHEREAS in and by an Act of this preſent Parliament made in a Seſſion which was held in the 'fourth and fifth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for 'granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, for ſecuring 'certain Recompences and Advantages, in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the 'Sum of ten hundred thouſand Pounds towards carrying on the War againſt* France, certain Rates or Duties 'of Exciſe upon Beer, Ale, Vinegar, Cyder, Perry, Brandy, and other Liquors or Commodities, therein 'enumerated and mentioned, are granted, charged, and made payable, during the Space and Term of 'Ninety and nine Years, commencing from the five and twentieth Day of *January* in the Year of Our 'Lord one thouſand ſix hundred ninety and two, which Rates or Duties are thereby appointed to be levied, 'collected, and paid, during the ſaid Term of ninety and nine Years, and to be brought into the Re- 4 & 5 W. & M. c. 3.

ceipt of *Exchequer*, in ſuch Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as in and by the ſaid Act are preſcribed, mentioned, or referred unto: And it was thereby enacted, That it ſhould or might be lawful for any Perſons, Natives or Foreigners, to contribute towards the advancing the Sum of ten hundred thouſand Pounds for the Purpoſes therein mentioned, by paying into the Receipt of *Exchequer*, ſuch Sum or Sums of Money, by ſuch Time, and upon ſuch Terms reſpectively, as in the ſaid Act are particularly mentioned and expreſſed:

II. And whereas by another Act of this preſent Parliament, made in a Seſſion held in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tunnage of Ships, and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of fifteen hundred thouſand Pounds, towards carrying on the War againſt* France, divers Impoſitions, Rates and Duties for and upon the Tunnage of ſuch Ships and Veſſels as are therein mentioned, are granted and made payable, during the Term of four Years, commencing from the firſt Day of *June* in the Year of our Lord one thouſand ſix hundred ninety-four: And it was thereby further enacted, That from and after the ſeventeenth Day of *May*, which ſhould be in the Year of our Lord one thouſand ſix hundred ninety-ſeven, there ſhould be raiſed, levied, collected, and paid to His Majeſty and the late Queen (of Bleſſed Memory) their Heirs and Succeſſors, for Beer, Ale, Cyder, and other Liquors therein expreſſed, by way of Exciſe, certain additional Rates and Duties therein particularly expreſſed; and the ſaid Impoſitions, Rates, or Duties, ſo to ariſe by or upon the Tunnage of Ships or Veſſels, granted for the Term of four Years, as aforeſaid; and the ſaid additional Rates or Duties of Exciſe, ſo granted and made payable for ever by the Act laſt mentioned, are to be raiſed, levied, and collected, and to be brought into the Receipt of *Exchequer*, in ſuch Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as by the ſame Act are preſcribed: And it is hereby further enacted, That each Weekly or other Payment, ariſing by and out of the Duties and Impoſitions granted by the Act laſt mentioned, ſhould, by the Auditor of the Receipt of the *Exchequer*, from time to time, as the ſame ſhould be paid in, be ſeparated and divided into five ſeventh Parts, and two ſeventh Parts: And it was thereby enacted, That it ſhould and might be lawful for any Perſons, Natives or Foreigners, to contribute towards the advancing of the Sum of three hundred thouſand Pounds (Part of the Sum of fifteen hundred thouſand Pounds therein mentioned) by paying into the Receipt of the *Exchequer*, ſuch Sum and Sums of Money, within ſuch Time, and upon the ſeveral and reſpective Terms of having and receiving certain Annuities, for one, two, or three Lives, according to the ſeveral Rates and Proportions as are in the ſame Act particularly expreſſed, as by the ſaid ſeveral Acts of Parliament (Relation being thereunto had) may more fully appear:

III. And whereas by virtue or in purſuance of the ſaid Act, which granted certain Duties of Exciſe, to ſecure Recompences and Advantages to the Perſons that ſhould advance the Sum of ten hundred thouſand Pounds, as aforeſaid, and another Act of this preſent Parliament, for ſupplying the Deficiency of the Money, which was to be raiſed by the Act laſt mentioned, and by virtue or in purſuance of the Clauſes relating to the ſaid Sum of three hundred thouſand Pounds in the ſaid Act, impoſing a Duty of Tunnage upon Ships, and additional Rates of Exciſe, as aforeſaid, divers Perſons as well Natives as Foreigners, have actually advanced and contributed, and paid into the Receipt of the *Exchequer*, ſeveral Sums of Money, amounting in the whole to thirteen hundred thouſand Pounds, upon the ſeveral and reſpective Terms in the ſame Acts mentioned in relation to ſuch Contributions; and for Part thereof, to wit, for the Sum of nine hundred eighty-one thouſand ſix hundred and nineteen Pounds one Shilling and nine Pence, or thereabouts, ſo advanced and contributed, the reſpective Contributors of the ſame are or were intituled to have, receive, and enjoy, for and during ſeveral ſingle Lives only (that is to ſay) during the Life of every ſuch Contributor, or the Nominee of ſuch Contributors reſpectively, an Annuity, yearly Rent, or Payment, after the Rate of fourteen Pounds of lawful *Engliſh* Money for every hundred Pounds ſo advanced or contributed, payable at the four moſt uſual Feaſts in the Year by equal Portions:

IV. And whereas the Perſons, who are or may be intituled to ſuch Eſtates for ſingle Lives in the ſaid Annuities, or ſome of them, are or may be willing and deſirous (for a reaſonable Price or Conſideration) to have ſuch their reſpective Eſtates for ſingle Lives changed or converted into a certain Term or Terms for ninety-ſix Years, to be computed from the five and twentieth Day of *January*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-five, of and in ſuch or the like Annuities as they have for ſingle Lives, as aforeſaid, or that they, or ſuch as they ſhall nominate, his, her, or their Executors, Adminiſtrators, and Aſſigns reſpectively (for the like Price or Conſideration) ſhall or may be intituled to have, receive, and enjoy the like Annuity, from and after the Determination of his, her, or their Eſtate for a ſingle Life, as aforeſaid, for and during the Reſidue which ſhall be then to come and unexpired of the ſaid Term of ninety-ſix Years; and in Caſes where the preſent Owner of an Annuity for a ſingle Life, as aforeſaid, is or may be unwilling (if any ſuch be) to purchaſe a further or more certain Eſtate or Intereſt therein, it is likely that ſome other Perſon or Perſons is or may be deſirous to be admitted (though at a Rate or Conſideration ſomething higher) to purchaſe a future Eſtate or Intereſt in ſuch or the like Annuity or Annuities, to take Effect from and after the Determination of the Term for the ſingle Life in being, and to continue for and during the Reſidue and Remainder of the ſaid Term of ninety-ſix Years, which ſhall be then to come and unexpired:' Now for the Encouragement of ſuch Perſons as ſhall voluntarily contribute or advance, at the reſpective Rates herein after mentioned, any Monies into the Receipt of his Majeſty's *Exchequer* for ſuch further or more certain Eſtates or Intereſts, as aforeſaid, and for the better ſupplying of Monies (with as much Eaſe, and at as little Charge, as may be) for the carrying on the War againſt the *French* King;

5 & 6 W. & M. c. 20.

4 & 5 W. & M. c. 3.
5 & 6 W. & M. c. 5.

V. Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, being (as original Contributors, or by meſne Aſſignments, or by other lawful Ways and Means) intituled to any Eſtate for one Life (his own, or the Life of any other Perſon) of or in any Annuity purchaſed or obtained upon the Acts aforeſaid, or any of them, at the ſaid Rates of one hundred Pounds for every fourteen Pounds *per Annum*, at any Time before the four and twentieth Day of *July* one thouſand ſix hundred ninety-five, to advance and pay into the Receipt of his Majeſty's *Exchequer*, ſo much Money as every or any ſuch Annuity, being computed for four Years and an half, doth or ſhall amount to (that is to ſay) Every ſuch Perſon ſhall or may pay to his Majeſty's Uſe, for every Hundred Pounds that was paid for the ſingle Life in an Annuity of fourteen Pounds *per Annum*, the Sum of ſixty-three Pounds more for changing or converting the ſame into a certain Term for the ſaid ninety-ſix Years, or for a further Intereſt, to take Effect after the Eſtate for Life, as aforeſaid, and in the ſame Proportion for higher or larger Annuities; and every ſuch Perſon, on ſuch Payment made, ſhall immediately have one or more Talley or Tallies, importing the Receipt of the Conſideration Money ſo paid, and upon every ſuch Talley there ſhall be written proper Words purporting (at the Election of the Contributor, or of the Perſon by him authorized to pay in his Money) that ſuch Payment is made either in Conſideration of changing and converting ſuch his Annuity for Life into a certain and abſolute Eſtate or Term for the ſaid ninety-ſix Years, or elſe in Conſideration of a like Annuity, to be payable to him or them, or to ſuch as he or they ſhall nominate, his, her, or their Executors, Adminiſtrators, and Aſſigns, from the Determination of ſuch Eſtate for Life, during the then Reſidue of the ſaid ninety-ſix Years, and that by or upon the making every ſuch Payment, as aforeſaid, in every Caſe where the Talley ſhall import the changing or converting the Eſtate for Life into a Term of ninety-ſix Years, the Perſon or Perſons ſo contributing the ſaid Conſideration Money, or the Perſon or Perſons to be nominated, as aforeſaid, his, her, or their Executors, Adminiſtrators, and Aſſigns, ſhall be intituled to have, receive, and enjoy, and ſhall have, receive, and enjoy, and ſhall have a good, ſure, and abſolute Eſtate and Intereſt of and in an Annuity, yearly Rent, or Payment (equal by the Year to the Annuity which he, ſhe, or they had before for one Life) for and during the ſaid whole Term of ninety-ſix Years, to be paid and payable out of ſome of the Funds in the ſaid Acts mentioned (that is to ſay) out of ſuch of them reſpectively, as the Annuity for Life was by the ſaid Act charged upon, and to be paid at the four moſt uſual Feaſts in the Year, by equal Portions, as the Annuities by the ſaid former Acts are payable; and in all ſuch Caſes the preſent Eſtates for Life ſhall be underſtood to be merged or extinguiſhed in the ſaid Term of Years; and that in every Caſe where the ſaid Tallies ſhall import the Conſideration Money to be paid for a future Intereſt, to take Effect either in the Perſon that contributes the ſame, or in any others to be nominated as aforeſaid, the Perſon or Perſons ſo contributing the ſaid Conſideration Money, or ſo to be nominated, his, her or their Executors, Adminiſtrators and Aſſigns, ſhall preſently have a good, ſure and abſolute Eſtate veſted in him, her or them by this Act, and which ſhall take Effect (as a future Intereſt) after the Determination of the Eſtate for Life, and continue and endure, during ſo long Time as ſhall be then to come and unexpired, of and in the ſaid Term of ninety-ſix Years; and in the Caſes laſt mentioned it is to be underſtood, that the preſent Eſtate for Life is continued.

Any Perſon having 14 l. per Cent. for Life upon the former Acts may turn it into an Eſtate of 96 Years for 63 l.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, being intituled to any Eſtate for one Life in being, in any ſuch preſent Annuity or Annuities as aforeſaid, ſhall not before the ſaid four and twentieth Day of *July* one thouſand ſix hundred ninety-five, advance and pay into the Receipt of the *Exchequer*, ſuch Rate or Conſideration Money as is before mentioned, for changing ſuch his, her or their Eſtate for Life, into a Term certain, or for a future Intereſt as aforeſaid, that then and in every ſuch Caſe it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, Natives or Foreigners (having or not having any Property or Intereſt in ſuch Eſtate for Life) at any Time or Times after the ſaid four and twentieth Day of *July*, and on or before the twelfth Day of *November* in the Year of our Lord one thouſand ſix hundred ninety-five, to contribute, advance and pay into the ſaid Receipt of the *Exchequer*, ſo much Money as any ſuch Annuity, being computed for five Years, doth or ſhall amount to (that is to ſay) For every Hundred Pounds that was paid for the ſingle Life, in an Annuity of fourteen Pounds a Year, there ſhall be paid in all the Caſes laſt mentioned, the Sum of ſeventy Pounds for the ſaid Term of ninety-ſix Years (to commence and be reckoned as aforeſaid, and to be charged with and ſubject to the preſent Eſtate for Life) of and in the ſame or the like Annuity, and there ſhall be paid a Rate or Conſideration in the ſame Proportion for Annuities exceeding fourteen Pounds a Year; and every ſuch Perſon, on ſuch Payment made, ſhall immediately have a Talley or Tallies importing the Receipt of the Conſideration Money ſo paid; and upon every ſuch Talley proper Words ſhall be written, ſignifying that ſuch Payment is made in Conſideration that ſuch Contributor or Contributors, or ſuch Perſon or Perſons as ſhall be named by him, her or them, or by ſuch as he, ſhe or they ſhall authorize to pay in the Money, his, her or their Executors, Adminiſtrators and Aſſigns, are to have and enjoy the ſaid Terms of ninety-ſix Years in ſuch Annuity, charged with and ſubject nevertheleſs to the ſaid particular Eſtate for Life then in being; and that by or upon the making of every ſuch Payment, after the Rate of ſeventy Pounds *per Centum*, the Perſon or Perſons ſo contributing or advancing the Conſideration Money, or the Perſon or Perſons to be nominated as aforeſaid, his, her or their Executors, Adminiſtrators and Aſſigns, ſhall have a good Eſtate or Intereſt in every or any ſuch Annuity ſo to be purchaſed or paid for, during the ſaid Term of ninety-ſix Years (ſubject nevertheleſs to the ſaid particular Eſtate for Life in being) and after the Determination of ſuch particular Eſtate for Life, ſhall have, receive and enjoy, and be intituled to have, receive and enjoy, ſuch Annuity or yearly Rent or Payment ſo purchaſed or paid for, during all the Reſt and Reſidue which ſhall be then to come and unexpired of and in the ſaid Term of ninety-ſix Years, to be paid and payable out of ſuch of the ſaid Funds as the Annuity for Life was firſt charged

Perſon having an Eſtate for Life not taking Advantage before July, any other paying 70 l. ſhall have a Term of 96 Years charged with the former Eſtate.

*The Time for purchaſing theſe Annuities is enlarged by* 7 & 8 *W.* 3. *c.* 2.

charged upon, or payable out of, and to be paid at the four moſt uſual Feaſts in the Year, by equal Portions as aforeſaid.

Order in the Exchequer and Appropriation of the Duties given in the former Acts to Payment of this new Advance.

VII. And be it further enacted by the Authority aforeſaid, That immediately after the levying and ſtriking of the ſeveral and reſpective Tallies before mentioned, Orders (according to the Form and Courſe of the *Exchequer*, in Parchment or Vellum) ſhall be drawn and ſigned, for making the Payments which by this Act are to be made, and according as by this Act they are appointed to be made, upon the ſeveral and reſpective Annuities ſo to be purchaſed or obtained in Purſuance hereof; which Orders ſhall not be determinable, revocable or countermandable; and the Monies payable by ſuch Orders, or any of them, or any Part thereof, ſhall be aſſignable and transferrable, in ſuch and the ſame Manner and Form, as are enacted, preſcribed or appointed in and by the aboveſaid Act, which granted Duties of Exciſe to ſecure Recompences and Advantages to ſuch as ſhould advance the Sum of ten hundred thouſand Pounds, for or concerning the Orders which were to be given to the Contributors upon that Act; and ſo much of the ſeveral Rates and Duties of Exciſe, and of the ſaid Impoſition ariſing by the Tunnage of Ships and Veſſels, granted by the ſeveral Acts above mentioned, as is and ſhall be ſufficient to pay and ſatisfy the ſeveral Sums of Money which ſhall from time to time grow due and be payable upon the ſaid ſeveral Annuities to be purchaſed and obtained in Purſuance of this Act, and which ſhall reſpectively be charged upon the Rates, Duties or Impoſitions aforeſaid, is and ſhall be appropriated and applied, and the ſame is hereby appropriated, to and for the Payment of the ſaid ſeveral Annuities to be purchaſed and obtained in Purſuance of this Act, according as the ſame ſhall become due by the Purport and true Meaning thereof; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever, under the like Penalties, Forfeitures and Diſabilities, in Reſpect to all and every the Officers and other Perſons that are or ought to be concerned in the Payments thereof, as are appointed and enacted (in caſe of diverting or miſapplying, or not paying) in and by the ſaid Act which granted Duties of Exciſe to ſecure Recompences and Advantages to ſuch as ſhould advance the Sum of ten hundred thouſand Pounds; and every Article, Rule and Clauſe in the ſaid laſt mentioned Act contained, as for and concerning any Penalties, Forfeitures or Diſabilities, upon any Officers or others, for miſapplying or diverting any of the Duties or Sums of Money thereby granted, ſhall be of full Force and Effect to all Intents and Purpoſes, during the Continuance of the ſaid Term of ninety-ſix Years; and the ſaid Penalties and Forfeitures ſhall be ſued for, proſecuted, recovered and paid, in ſuch Manner and Form as the Penalties in the Act laſt mentioned are appointed to be ſued for, proſecuted, recovered or paid; in which Suit no Protection, Privilege of Parliament, or other Privilege, Wager of Law, or any more than one Imparlance ſhall be allowed. And the ſaid Officers are hereby required to keep Books and Regiſters, and to make Entries of the Names of all Perſons who ſhall advance Monies on this Act, and of all Perſons to be nominated as aforeſaid, and of the ſeveral Sums ſo advanced, and the Times of paying in the ſame reſpectively, and of the Nature of each Payment to be made in Purſuance of this Act, to which all Perſons concerned ſhall have Acceſs; all which the ſaid Officers for the time being ſhall do or perform, without Fee or Reward, under the like Penalties, Forfeitures and Diſabilities, as in the like Caſes are appointed to be inflicted by the Act laſt mentioned.

Monies by this Act advanced to be Tax free.

VIII. And be it further enacted, That any Monies payable to any Perſon or Perſons, upon or by virtue of this Act, for Annuities to be purchaſed or obtained as aforeſaid, ſhall not be charged or chargeable to or with any Taxes or publick Rates, Duties or Impoſitions whatſoever.

Guardian may advance for Infants.

IX. And be it further enacted, That it ſhall and may be lawful for any Guardian or Truſtee, having the Diſpoſal of the Money of any Infant under the Age of twenty-one Years, for the Uſe and Benefit of ſuch Infant, to advance and pay any Sum, not exceeding ſeventy Pounds of the Monies of ſuch Infant, upon any the Terms in this Act mentioned; and ſuch Infant, upon the Payment of the ſame, ſhall become a Contributor within the Meaning of this Act, and be intituled to the Annuity, for which ſuch Sum ſhall be ſo paid, and the ſaid Guardian or Truſtee, as to the Sum ſo advanced, is hereby diſcharged.

Puniſhment upon Perſon that ſhall fraudulently advance Money, his Nominee being dead.

X. And be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall fraudulently contribute any Sum or Sums of Money upon this Act, under Colour or Pretence of having an Eſtate for a ſingle Life changed or converted into a Term certain as aforeſaid, or under Colour or Pretence of purchaſing or obtaining an Intereſt to take Effect (in Point of Payment) after a ſingle Life ſuppoſed to be in being, when in Truth and Reality the particular Eſtate for ſuch ſingle Life (at the Time of the paying the Conſideration Money ſo to be contributed or advanced) ſhall be actually determined by the Death of the Nominee, or Perſon during whoſe Life ſuch particular Eſtate was to continue, that then and in every ſuch Caſe the Conſideration Money, or Sum ſo to be advanced or contributed, ſhall be forfeited and loſt to his Majeſty; and no Eſtate, Intereſt or Term, for or in Reſpect of the ſame, ſhall by this Act ariſe or be veſted either in ſuch Contributor, or in any Perſon to be nominated for him, her or them as aforeſaid, or in his, her or their Executors, Adminiſtrators or Aſſigns; and ſuch Contributor, for every ſuch Offence, ſhall forfeit the Sum of one hundred Pounds, one Moiety thereof to his Majeſty, and the other Moiety to him or them that ſhall diſcover ſuch Offence, and ſue for the ſaid Sum, by Action of Debt, Bill, Suit or Information as aforeſaid; any thing herein contained to the contrary notwithſtanding.

Manner of Orders upon the changing Eſtates.

XI. Provided always, and it is hereby enacted, That when as any the ſaid particular Eſtates for ſingle Lives ſhall be changed into certain Terms of Years, and be thereby merged or extinguiſhed, according to the true Meaning of this Act as aforeſaid, the Orders which were made and ſigned purſuant to the ſaid former Acts, for the Annuities payable during ſuch ſingle Lives, ſhall be brought into the Receipt of the *Exchequer*, and there remain as Vouchers for the Payments already made, without making any further Iſſues or Payments thereupon, for any Time beyond the Feaſt of the Nativity of our Lord, which ſhall be in the Year one thouſand ſix hundred ninety-five, from which Feaſt Day the Iſſues or Payments of the reſpective Annuities, hereby appointed to be paid, ſhall be made upon the ſaid Orders, which are to be drawn

drawn and ſigned in Purſuance of this Act; and in all Caſes where the ſaid Annuities, or any of them, are by this Act to be paid to the Contributor, or ſuch as he ſhall nominate, his Executors, Adminiſtrators or Aſſigns, for a Term of Years, without depending upon a Life, it ſhall not be neceſſary or requiſite for him or them, in order to obtain his or their Payments thereof, to produce a Certificate ſigned by any Miniſter or Churchwardens, or to make any other Proof of a Nominee's being alive; any thing in this or the ſaid former Acts, or any of them, to the contrary notwithſtanding.

Appropriation of Money advanced.

XII. And it is hereby further enacted by the Authority aforeſaid, That out of the Money that ſhall be levied or paid by virtue of this Act into the Receipt of their Majeſties *Exchequer*, as well upon Loans as otherwiſe, one Moiety thereof ſhall be, and it is hereby appropriated, for the Services of the Navy and Ordnance for Sea Service, performed and to be performed; and that all other Money which ſhall be levied and paid by virtue of this Act into the Receipt of the *Exchequer*, as well upon Loans as otherwiſe, ſhall be applied and appropriated, and is hereby appropriated, to and for the Payment of His Majeſty's Land Forces and Armies, and the paying for Arms, Ammunition and other Charges incident to the War, and not otherwiſe.

Rules for Payment, &c.

XIII. And for the more effectual doing thereof, and that the Sums by this Act appropriated may not be diverted or applied to any other Purpoſe, than is hereby declared and intended; be it enacted by the Authority aforeſaid, That the Rules and Directions appointed and enacted in one Act made in the firſt Year of His Majeſty's Reign, intituled, *An Act for a Grant to their Majeſties of an Aid of two Shillings in the Pound for one Year*, for the ſpeedy Payment of Money, thereby granted, into the Receipt of the *Exchequer*, by the Collectors and Receivers, and for Diſtribution and Application thereof, and keeping diſtinct Accounts of the ſame, and all other Proviſions, Pains, Penalties, and Forfeitures, thereby enacted, in caſe of Diverſion of any Money thereby appropriated, are hereby revived and enacted to be in Force, and ſhall be practiſed, applied, executed, and put in ure, for and concerning the Diſtribution and Application of the ſaid Sums hereby appropriated, as fully, amply, and effectually, as if the ſame were here particularly repeated and re-enacted. 1 W. & M. ſt. 2. c. 1.

Clauſe of Loan at 5 l. per Cent. if 618, 420 l. 6 d. be not advanced.

XIV. And be it enacted by the Authority aforeſaid, That if the whole Sum of ſix hundred eighteen thouſand four hundred and twenty Pounds and ſix Pence be not advanced and paid into the *Exchequer* upon this Act, before the firſt Day of *Auguſt* one thouſand ſix hundred and ninety-five, that then it ſhall and may be lawful for his Majeſty, or his Officers in the Receipt of His Majeſty's *Exchequer*, by His Command and Appointment, to borrow and take into the ſaid Receipt for his Majeſty's Uſe, by way of Loan, any Sum or Sums of Money which together with the whole Value or Amount of all the Sums of Money which ſhall, before the ſaid firſt Day of *Auguſt*, be contributed or adventured, as aforeſaid, ſhall not exceed the Sum of ſix hundred eighteen thouſand four hundred and twenty Pounds and ſix Pence; which Sum or Sums, ſo taken up by way of Loan, ſhall and may be charged upon the Credit of His Majeſty's *Exchequer* in general, and Tallies of Loan, and Orders of Repayment of the ſame, ſhall be levied and drawn accordingly, which ſaid Orders ſhall be aſſignable and transferrable from one Perſon to another.

How to be repaid.

XV. And it is hereby enacted, That all and every Sum and Sums of Money, ſo to be borrowed, not exceeding as aforeſaid, together with Intereſt for the ſame, not exceeding the Rate of five Pounds *per Centum per Annum*, to be paid every three Months, until Satisfaction of the Principal, ſhall be payable and ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, out of the Monies which ſhall afterwards ariſe and be brought into the *Exchequer* by or for Contributions or Conſideration Monies upon this Act, ſo far as the ſame will extend; and in caſe the Money ſo ariſing by this Act ſhall not be ſufficient for the paying thereof, then the ſaid Loans, which ſhall remain unſatisfied, and the Intereſt of the ſame, ſhall be paid and ſatisfied out of the next Aids or Supplies to be granted to His Majeſty in Parliament, and ſhall be transferred and transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted to His Majeſty; and if no ſuch Aids or Supplies ſhall be granted to His Majeſty before the twentieth Day of *February*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and five, then the ſaid Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, and the Intereſt thereof, ſhall be payable and be paid and ſatisfied to the ſaid Lender or Lenders, his, her, or their Executors, Adminiſtrators, or Aſſigns reſpectively, by and out of any of His Majeſty's Treaſure, which from thenceforth ſhall come into, be, or remain in the Receipt of his Majeſty's *Exchequer*, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this Time made. 9 & 10 W. 3. c. 5. §. 4. 11 & 12 W. 3. c. 3. §. 8.

## CAP. VI.

An Act for granting to His Majeſty certain Rates and Duties upon Marriages, Births, and Burials, and upon Batchelors and Widowers, for the Term of five Years, for carrying on the War againſt *France* with Vigour.

*Moſt Gracious Sovereign*,

WE Your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, from a deep Senſe of the many great Occaſions which engage Your Majeſty in many extraordinary Expences for the neceſſary Defence of your Realms, and the Proſecution of a War againſt *France* with Vigour, have cheerfully and unanimouſly given and granted unto Your Majeſty, as an additional Supply and Aid, the Rates, Duties, Impoſitions, and Sums of Money herein after mentioned; and we moſt humbly beſeech Your Majeſty that it may be enacted, *&c.*

Sect. 1. to 24. Exp. Regiſter to be

XXIV. And be it further enacted for the better levying and collecting the Duties granted by this Act, That all Perſons in Holy Orders, Deans, Parſons, Deacons, Vicars, Curates, and their or any of their Subſtitutes,

Kept in every Pariſh of Marriages, Births, and Burials. By 4 Annæ, c. 12. §. 10. Parſons, &c. not keeping Regiſter are indemnified.

Subſtitutes, do within their reſpective Pariſhes, Precincts, and Places, take an exact and true Account, and keep a Regiſter in writing of all and every Perſon or Perſons married, buried, chriſtened or born in his or their reſpective Pariſhes or Precincts, or in ſuch common Burying Places as their reſpective Pariſhioners are uſually buried in, to which Book or Regiſter the Collectors for the reſpective Pariſhes and Places, and all other Perſons concerned, ſhall have free Acceſs to view the ſame at all ſeaſonable Times, without any Fee or Reward; and if any ſuch Parſon or Miniſter ſhall refuſe or neglect to keep a true Regiſter thereof, as before is directed, ſuch Parſon or other Miniſter ſo offending ſhall forfeit the Sum of one hundred Pounds, to be recovered by ſuch Perſon as ſhall ſue for the ſame, in any of His Majeſty's Courts of Record at *Weſtminſter*, by any Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Protection, ſhall be allowed, and wherein the Proſecutor ſhall recover his full Coſts; the Moiety of which Forfeiture ſhall be to the Uſe of the King's Majeſty, His Heirs, and Succeſſors, and the other Moiety to the Perſons who ſhall inform and ſue for the ſame.

Penalty upon Vicar, &c. marrying in priviledged Place without Licence. Extended by 7 & 8 W. 3. c. 35. §. 2. to Places not exempt, &c. *See* 26 *Geo.* 2. *c.* 33. *for making clandeſtine Marriages void.*

LII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be married at any Place pretending to be exempt from the Viſitation of the Biſhop of the Dioceſe, without a Licence firſt had and obtained, except the Banns ſhall be publiſhed and certified according to Law; and that every Parſon, Vicar, and Curate, who ſhall marry any Perſons contrary to the true Intent and Meaning hereof, ſhall forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record; one Moiety whereof to the King, his Heirs, and Succeſſors, and the other Moiety to the Informer who ſhall ſue for the ſame; and ſhall for the ſecond Offence be ſuſpended *ab Officio & Beneficio*, for the Space of three Years.

## CAP. VII.

### An Act for granting to his Majeſty ſeveral additional Duties upon Coffee, Tea, Chocolate, and Spices, towards Satisfaction of the Debts due for Tranſport Service for the Reduction of *Ireland*.

The New Duty Revived 9 & 10 W. 3. c. 14. Continued 12 & 13 W. 3. c. 11. 7 Annæ, c. 7. §. 26. 5 & 6 W. & M. c. 23.

'WHEREAS for the reducing the Kingdom of *Ireland* to its due Obedience to His Majeſty, ſeveral Ships of his Majeſty's Subjects were hired for tranſporting Forces, Ammunition, and Proviſions into the ſaid Kingdom; to the ſeveral Owners of which ſaid Ships there is due the Sum of three hundred thirty thouſand ſeven hundred ſixty-nine Pounds ten Shillings and ſeven Pence Principal Money, as appears by a Report made to the Houſe of Commons by the Commiſſioners appointed by one Act of Parliament made in the fifth and ſixth Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for appointing and enabling Commiſſioners to examine, take, and ſtate the Publick Accounts of the Kingdom*:' We Your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, being willing that a Fund may be raiſed for the anſwering and paying to Your Majeſty's ſaid Subjects, the ſeveral and reſpective Owners of the ſaid Ships, Intereſt for the ſaid Money, from the firſt Day of *May* one thouſand ſix hundred ninety-five, for the Space of three Years, after the Rate of five Pounds for the Intereſt of every Hundred Pounds for one whole Year, and ſo proportionably for any greater or leſſer Sum, do hereby give and grant unto Your Majeſty the additional and other Duties and Impoſitions upon the ſeveral Sorts of Goods and Merchandizes herein ſpecified, which ſhall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, during ſuch Time, and in ſuch Manner and Form as herein after followeth, and do humbly pray Your Majeſty that it may be enacted:

Duties upon ſeveral Goods given.

II. And be it enacted by the King's moſt Excellent Maieſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That there ſhall be anſwered and paid to his Majeſty, His Heirs and Succeſſors, for the ſeveral Goods and Merchandizes hereafter mentioned, which ſhall be imported into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, at any Time after the firſt Day of *May* in the Year of our Lord one thouſand ſix hundred ninety-five, and before the ſecond Day of *May* in the Year of our Lord one thouſand ſix hundred ninety-eight, over and above all Duties already payable for the ſame, at the Cuſtom Houſe, the further Rates and Sums following, that is to ſay, (1) For every Hundred Weight of Coffee imported as aforeſaid, accounting one hundred and twelve Pounds to the Hundred, fifty ſix Shillings of lawful *Engliſh* Money. (2) For every Hundred Weight of Cocoa Nuts imported, and containing as aforeſaid, from any the Plantations belonging to the Crown of *England*, fifty ſix Shillings. (3) For every Hundred Weight of Cocoa Nuts, imported, and containing as aforeſaid, from any other Country or Place, from whence they may by Law be imported, four Pounds and four Shillings of like lawful *Engliſh* Money. (4) For every Pound of Chocolate ready made, imported as aforeſaid, one Shilling. (5) For every Pound of Cocoa Paſte imported as aforeſaid, two Shillings. (6) For every Pound of Tea regularly imported as aforeſaid, from whence the ſame might have been lawfully imported before the making of this Act, one Shilling. (7) For every Pound of Tea imported as aforeſaid, from *Holland*, or any other Country, not the Place of its Growth, or uſual Shipping, two Shillings and ſix Pence *per* Pound Weight, and ſo proportionably for any greater or leſſer Quantity of any of the Commodities imported as aforeſaid reſpectively. (8) For all Nutmegs, Cinnamon, Cloves, and Mace, imported as aforeſaid, five Pounds for every Hundred Pounds Value thereof according to the ſeveral Values charged on them reſpectively in the Book of Rates, and ſo in Proportion for any greater or leſſer Quantity thereof, over and above all Duties now payable for the ſame. (9) For all Pictures imported within the Time aforeſaid, whether for private Uſe, or Sale, which are hereby permitted to be imported during the Continuance of this Act, any Law or Uſe to the contrary notwithſtanding, twenty Pounds of lawful *Engliſh* Money *per Centum* of

Coffee per 100 wt. 2 l. 16 s. Cocoa from Engliſh Plantations per 100 wt. 2 l. 16 s. other Cocoa, 4 l. 4 s. Chocolate per lb. 1 s. Cocoa Paſte per lb. 2 s. Tea imported from the Place of its Growth, per lb. 1 s. other Tea per lb. 2 s. 6 d. Nutmegs, &c. per Cent. 5 l. Pictures per Cent. 20 l. Theſe Duties, except on Nutmegs, &c. repealed by 8 Geo. 1. c. 20. 10 Geo. 1. c. 10. §. 1. and new ones impoſed. 1 W. & M. ſſ. 2. c. 6.

the

the Value, to be affirmed by the Oath of the Importer, and ſo in Proportion for any greater or leſſer Quantity thereof.

Ships importing Nutmegs, &c. how to be navigated. Altered by 3 & 4 Annæ, c. 4. §. 6.

III. Provided, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to import into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, during the Continuance of this Act, Nutmegs, Cinnamon, Cloves, Mace, and Tea, ſubject to the ſeveral Duties payable for the ſame, from any Parts beyond the Seas, in *Engliſh* Ships, whereof the Maſter and at leaſt Two Thirds of the Mariners are *Engliſhmen*, ſo as Notice be firſt given to the Commiſſioners or Farmers of His Majeſty's Cuſtoms, of the Quality and Quantity of the ſaid Spices ſo intended to be imported, with the Name of the Ship, and Maſter or Commander on which they are to be loaden, and the Place into which they intend to import the ſame, and taking a Licence under the Hands of the Commiſſioners or Farmers of the Cuſtoms for the time being, or any three of them, for the lading and importing thereof, as aforeſaid; which Licence they are hereby authorized and required to grant, without any Fee or Reward, or any other Charge to the Perſon demanding the ſame; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Goods forfeited, if landed before Duties paid.

IV. And be it further enacted by the Authority aforeſaid, That if any of the Commodities aforeſaid, whereof the Duties are or ſhall be due, ſhall be unſhipped or laid on Land, the Duties due or to be due for the ſame not paid, or lawfully tendred to the Collector thereof, or his Deputy, with the Conſent and Agreement of the Comptroller and Surveyor there, nor agreed with for the ſame in the Cuſtom Houſe, according to the true Meaning of this Act, that then from the ſaid Firſt Day of *May* one thouſand ſix hundred ninety-five, all the ſaid Goods and Merchandizes ſhall be forfeited; the one Moiety of the ſaid Goods ſo forfeited ſhall be to his Majeſty's Uſe, and the other Moiety to him or them that will ſeize or ſue for the ſame, without any Compoſition whatſoever.

Drawback of Two Thirds upon Exportation. 'Altered as to the Drawback on Coffee and Tea by 10 Annæ, c. 26. § 38. Theſe 12 and 9 Months are enlarged to three Years by 7 Geo. 1. ſtat. 1. c. 21. §. 10.'

V. Provided always, and be it further enacted and declared by the Authority aforeſaid, That every Merchant or other Importer, having paid the ſaid Duties and Impoſitions in and by this Act appointed to be paid for any of the ſaid Goods or Merchandizes herein mentioned, which might by Law have been imported before the making of this Act, who, being a Native, ſhall within twelve Months, or an Alien, ſhall within nine Months, next after ſuch his Importation thereof, again ſhip off and carry out of this Kingdom, or any Part thereof, the ſaid Goods or Merchandizes, or any Part thereof, to any Part beyond the Seas, that ſuch Merchant or other Importer, on ſuch his Exportation thereof, ſhall be repaid Two Thirds of the Duties ſo by him paid by virtue of this Act, of ſo much of the ſaid Goods and Merchandizes which he ſhall ſo export or ſhip off; the ſaid Merchant or Exporter making Oath on his Debenture *in hæc verba*, That all the Goods, entred and ſhipped as there certified, are really and truly exported for Parts beyond the Seas on his own Account, if he acts for himſelf, or if he acts by Commiſſion, then on the Account of ſuch Perſon or Perſons for whom the Deponent acts in the Direction of the Voyage, and that none of the ſaid Goods have been ſince landed, or are intended to be relanded, in *England*, *Wales* or *Berwick*.

Collector to keep a diſtinct Account, and make weekly Payments into the Exchequer.

VI. And be it further enacted and ordained by the Authority aforeſaid, That all and every the Officer and Officers, who ſhall be concerned in the levying, collecting, and receiving the Duties granted by this Act, do keep a ſeparate and diſtinct Account thereof, and pay the ſame, *in ſpecie*, into the Receipt of His Majeſty's *Exchequer* weekly, on *Wedneſday* in every Week, unleſs it be an Holiday, and if it be, then on the next Day that is not an Holiday; and upon Neglect or Refuſal of the ſame ſhall incur the Penalties, Forfeitures, Damages, and Coſts, as other the Officers of the *Exchequer* herein after mentioned ſhall be liable to; which Money ſo paid in ſhall be applied to the Uſes hereafter mentioned in this Act, and no otherwiſe.

Theſe Duties to be a yearly Fund. Made perpetual, and Part of the Security of the Bank Fund by 7 Annæ, c. 7. and the Surplus Part of the Aggregate Fund by 1 Geo. 1. c. 12.

VII. Provided, and it is further enacted by the Authority aforeſaid, That there ſhall be provided and kept in His Majeſty's Exchequer (that is to ſay) in the Office of the Auditor of the Receipts, one Book or Regiſter, in which all Monies that ſhall be paid into the *Exchequer* by virtue of this Act, ſhall be entred, regiſtred and kept apart and diſtinct from all other Monies paid or payable to His Majeſty upon any other Branch of His Majeſty's Revenue, or upon any other Account whatſoever; and that all Monies that ſhall be paid into the *Exchequer* by virtue of this Act ſhall be the yearly Fund for the ſeveral and reſpective Purpoſes herein after mentioned and expreſſed, and ſhall not be applied to any other Purpoſe whatſoever.

Debentures to the ſeveral Ships to be made, entred, numbred, and have due Preference,

VIII. Provided, and it is further enacted by the Authority aforeſaid, That the Commiſſioners for Tranſportation do, within three Months after the paſſing this Act, make out authentick Debentures for each Sum of Money due to or for every reſpective Ship, as the ſame was adjuſted by the Commiſſioners for taking and ſtating the publick Accounts of the Kingdom; and that ſuch Debenture, when made out, be delivered either to the Owner of, or to the Agent appearing for, every ſuch reſpective Ship; and ſhall be made payable to ſuch Perſon or his Aſſigns, as ſuch reſpective Owner or his Agent ſhall nominate, for the Uſe of the Owners of the reſpective Ships; and that ſuch Owner or Agent ſhall, upon the Receipt of ſuch Debenture, give a Receipt to the ſaid Commiſſioners for Tranſportation, for every ſuch Debenture, which ſaid Receipt ſhall be entered in a Book kept for that Purpoſe in the Office of Tranſportation; and that ſuch Debenture or Debentures be numbred in Courſe, beginning with the firſt Ship that was hired, with the Figure of One, and ſo ſucceſſively, according to the Day the ſaid Ships were hired, whether by His Majeſty's Commiſſioners for the Navy, the Officers for Victualling, the Officers of the Ordnance, or the Commiſſioners for Tranſportation, to the end that no undue Preference may be made; and if it ſo fall out, that more than one Ship was hired in one Day, the reſpective Owner or Agent ſhall have his or their Debentures numbred, as their reſpective Ships ſtand regiſtred in the reſpective Offices where they were taken up or hired.

and the Monies to be paid upon them with Intereſt at 5 l. per Cent.

IX. Provided, and it is further enacted by the Authority aforeſaid, That all the ſaid Debentures ſhall be produced and ſhewn in the ſaid Office of the Auditor of the Receipt in the *Exchequer*, and a Note or Memorandum thereof ſhall be entred and taken in a Book to be kept for the ſaid Purpoſe, in the ſame Office; and that all the Monies that ſhall be paid into the *Exchequer* by virtue of this Act ſhall be applied to the

Farther provided for by 8 & 9 W. 3. c. 25.

Payment of the ſeveral Perſons named in the ſaid ſeveral Debentures, and their ſeveral and reſpective Executors, Adminiſtrators, or Aſſigns, for the Uſes aforeſaid, Intereſt for their ſeveral and reſpective Principal Sums of Money mentioned and expreſſed in ſuch Debentures, from the five and twentieth Day of *December* one thouſand ſix hundred ninety-five, for the Space of three Years, from thence next and immediately enſuing, after the Rate of five Pounds *per Centum* for one whole Year, by two equal Payments; the firſt Payment to be made upon the ſaid five and twentieth Day of *December*.

If Monies fall ſhort Debentures to be on an Average.

X. Provided, and it is further enacted by the Authority aforeſaid, That if all the Monies that ſhall be paid into the *Exchequer* by virtue of this Act ſhall not be ſufficient to ſatisfy and pay Intereſt for all the ſaid Sum of three hundred thirty thouſand ſeven hundred ſixty-nine Pounds ten Shillings and ſeven Pence, Principal Money, for the ſaid Space of three Years, at the ſaid Rate of five Pounds *per Centum* for one whole Year; then there ſhall be no Preference of any of the ſaid Perſons named in the ſaid Debentures, but ſuch Deficiency ſhall fall upon the ſaid Perſons named in the ſaid Debentures, their ſeveral and reſpective Executors, Adminiſtrators, and Aſſigns, ratably and proportionably, according to the Quantity of their reſpective Debts mentioned in the ſaid Debentures.

Puniſhment of Officer miſapplying.

XI. Provided, and it is further enacted by the Authority aforeſaid, That if any Officer in the *Exchequer* ſhall divert or miſapply any of the Monies that ſhall be paid into the *Exchequer*, by virtue of this Act, to any other Uſes or Purpoſes than are hereby directed, then ſuch Officer ſo offending ſhall forfeit his Office in the *Exchequer*, and be incapable of any Office or Place of Truſt, and ſhall be liable to pay the double Value of any Sum or Sums ſo diverted or miſapplied, to any of the ſaid Perſons named in the ſaid Debentures, their reſpective Executors, Adminiſtrators or Aſſigns, who will ſue for the ſame, by any Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Imparlance, ſhall be granted or allowed; and all Orders and Warrants for iſſuing, paying, or diſpoſing any of the Money to be raiſed by virtue of this Act, contrary to the true Intent and Meaning thereof, ſhall be utterly void.

Debt upon the Tranſport Ships already aſſigned redeemable within 12 Months.

XII. Provided, and it is further enacted and ordained by the Authority aforeſaid, That all ſuch of the ſaid Debts due to any Owners of ſuch Tranſport Ships, and all Parts of ſuch Debts, as have been at any Time aſſigned or granted, or covenanted and agreed to be aſſigned or granted, or for which any Authority hath hitherto been given or granted by any of the ſaid Owners, their reſpective Executors or Adminiſtrators, to any Perſon or Perſons to receive the ſame, or any Part thereof, to the Uſe of ſuch Perſon ſo authorized, or any other Perſon, beſides ſuch Owner, his or her Executors or Adminiſtrators, ſhall and may be redeemed, and are hereby declared to be redeemable by the ſaid Owners, their reſpective Executors or Adminiſtrators, on Payment of the Principal Sum of Money paid in conſideration of making the ſaid Aſſignment, Grant, Covenant, or Authority, together with the Charges and Intereſt for the ſame, from the Time of the Payment thereof, after the Rate of ſix Pounds *per Centum* for one whole Year, diſcounting for what hath been received, for or in reſpect of the ſaid Debt, by any ſuch Perſon to whom ſuch Aſſignment or Authority was made or given; and upon Payment or Tender of the ſaid Principal Money, Intereſt, and Charges, ſuch Grant, Aſſignment, or Authority, and all Covenants and Agreements concerning the ſame, ſhall be void. Provided nevertheleſs, That ſuch Redemption as aforeſaid be made within the Space of twelve Months, from and after the End of this preſent Seſſion of Parliament.

No Fee for making Debentures, &c.

XIII. Provided, and be it further enacted, That no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of the ſaid Owners or Agents, their reſpective Executors, Adminiſtrators, or Aſſigns, for the making any the ſaid Debentures, or the Payment of any of the ſaid Monies, or for providing or making of any Books, Regiſters, or Entries, or permitting any Views or Searches relating to this Act, by any of His Majeſty's Officers in the *Exchequer*, upon Pain of forfeiting their Offices and Places and of becoming incapable of any Office of Truſt, and upon Pain of Payment of Treble the Value of any ſuch Fee, Reward, or Gratuity, to the Party grieved, with Coſts of Suit; the ſame Treble Value to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed.

Officer attending, when not bound, may take Fee.

XIV. And whereas it may be a reaſonable Accommodation for Trade, That the Officers of the Cuſtom be permitted, on ſundry urgent Occaſions, to work at Times and Places not required by Law, for which extraordinary Attendances the Merchant or other Perſon concerned is willing to make a moderate Allowance, if the Officer might be juſtified in receiving the ſame; be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Officer duly employed in the Execution of his Office, on any extraordinary Service not required by Law, to take and receive ſuch Recompence from the Merchant or other Perſon deſiring his Attendance, as the Commiſſioners of the Cuſtoms in the Port of *London*, and the Collector Cuſtomer, and Comptroller in the Out Ports, or any Two of them reſpectively (by whom the Sufferance is thought requiſite to be granted) ſhall determine.

EXP. 4 & 5 W. & M. c. 13. 5 & 6 W. & M. c. 15.

## CAP. VIII.

An Act for continuing Two former Acts for puniſhing Officers and Soldiers, who ſhall mutiny or deſert His Majeſty's Service, and for puniſhing falſe Muſters, and for Payment of Quarters, for one Year longer.

## CAP. IX.

EXP.

An Act for appointing and enabling Commiſſioners to examine, take, and ſtate the publick Accounts.

CA

## CAP. X.

### An Act for the better Admeasurement of Keels and Keel Boats in the Port of *Newcastle*, and the Members thereunto belonging.

'WHEREAS by two several Statutes heretofore made, the one in the ninth Year of the Reign of King *Henry* the Fifth, intituled, *Keels that carry Coals at* Newcastle, *shall be measured and marked*; and the other in the thirtieth Year of our late Sovereign Lord King *Charles* the Second, intituled, *An Act for the Admeasurement of Keels and Boats carrying Coals*; for the Remedy of Deceits therein complained of (amongst other Things) it was thereby enacted, That Commissioners should from Time to Time be appointed by His said late Majesty, His Heirs and Successors, for the admeasuring and marking all and every the Keels and other Boats, and Wains, and Carts used, or in any Time thereafter to be used, for the Carriage of Coals in the Port of *Newcastle* upon *Tyne*, *Sunderland* upon the River *Weare*, *Culler-coates*, *Seaton-sluice*, *Blyth-nook*, and all and every of the Members, Havens, Creeks, and Places whatsoever, to the said Port of *Newcastle* belonging, upon the Forfeiture that every Keel, Boat, Wain, or Cart, which should thereafter carry Coals in any of the aforesaid Places, before they shall be admeasured and marked, as aforesaid, should be forfeited, together with the Coals laden upon them: Notwithstanding which, divers new Frauds, Deceits and Abuses have of late arisen, and are daily practised, to the Diminution of His Majesty's Customs, and the great Prejudice and Damage of the Buyers and Sellers of Coals;' For Remedy whereof, 9 H. 5. c. 10. 30 Car. 2. stat. 1. c. 8.

Commissioners to be appointed by the King for Admeasurement of Keels in Newcastle, &c. 11 Geo. 2. c. 15. §. 8.

II. Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Commissioners shall from time to time be appointed by His Majesty, His Heirs and Successors, for the admeasuring and marking all and every the Keels, Pan-keels, and Pan-boats, and other Boats, and Wains, and Carts used, or in any Time hereafter to be used, for the Carriage of Coals in the Port of *Newcastle upon Tyne*, *Sunderland* upon the River *Weare*, *Culler-coates*, *Seaton-sluice*, *Blyth-nook*, and all other Places within the Counties of *Northumberland* and *Durham*, and all and every the Members, Havens, Rivers, Creeks and Places whatsoever, to the said Port of *Newcastle*, and Counties aforesaid belonging; which said Admeasurement shall be by a dead Weight of Lead or Iron, or otherwise, as shall seem meet to the said Commissioners, or any three of them, allowing three and fifty hundred Weight to every Chaldron of Coals; which said Keels, Boats, Wains, or Carts, shall be admeasured and marked at the Times and Places and in manner hereafter mentioned; any thing in the said former Acts to the contrary notwithstanding.

The Content of a Cart Load, &c.

III. Provided always, That the Weight or Contents of Coals, loaden or carried by every such Wain, shall be of the Weight or Content of seventeen hundred Weight and an Half; and the Weight or Contents of Coals, loaden or carried by every such Cart, shall be of the Weight or Content of eight hundred and three Quarters; and that three such Wains, or six such Carts, shall be reckoned and allowed for one Chaldron, and no more, and that no other Wains or Carts are hereby intended to be admeasured or marked, but only such Wains and Carts as are now or hereafter shall be employed in carrying Coals to the Staiths, to be directly put from the Staiths into the Ships, and no others.

Carts and Keels to be measured and marked by Commissioners.

IV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, shall cause all and every of the said Keels, Boats, Wains and Carts to be admeasured accordingly; and shall give three Days Notice of the Time and Place of such Admeasurement to the Owner or Owners thereof, and cause the said Keels and Boats so admeasured, to be marked and nailed on each Side the Stem and Stern and Midship thereof, or otherwise as they the said Commissioners, or any three of them, in their Discretions shall direct; and the said Wains and Carts to be marked and nailed on the Head and Sides of the said Wains, Carts, or otherwise, as the said Commissioners, or any Three of them, shall direct, or by such Persons as shall be by them thereunto appointed; which Persons so appointed shall take an Oath before the said Commissioners, or any three of them, for the true and impartial Performance and discharging the same; which Oath the said Commissioners are hereby impowered to administer: And if the Owner or Owners of such Keels or Boats, Wains or Carts, shall after such Notice neglect or refuse to have their said Keels, Boats, Wains or Carts so admeasured, they and every of them shall incur the Penalty hereafter mentioned.

Content of a Keel, and Time and Place of Admeasurement.

V. Provided, That no such Keel or Boat be admeasured, marked or nailed, but between the five and twentieth Day of *March*, and the nine and twentieth Day of *September*, in any Year, nor shall be admeasured, marked or nailed, to carry more than ten such Chaldrons of Coals at any one Time; and that all such Keels and Boats belonging to the Port of *Newcastle* shall be admeasured, marked and nailed, at the New Key of the said Port, and that the Keels and Boats belonging to the River *Weare* shall be admeasured, marked and nailed at *Lambton Staiths*, upon the said River, and not elsewhere; and that all the Keels and Boats belonging to *Culler-coates*, *Seaton-sluice*, *Blyth-nook*, and all other Places within the said Counties of *Northumberland* and *Durham*, as also all Wains and Carts, to be admeasured and marked by virtue of this Act, shall be admeasured and marked at such Times and Places as the said Commissioners or any Three of them shall direct.

Keel, &c. not marked forfeited.

VI. And be it further enacted by the Authority aforesaid, That every Keel, Boat, Wain or Cart, which from and after the Four and twentieth Day of *July*, which shall be in the Year of Our Lord one thousand six hundred ninety and five, shall carry any Coals in any of the Places aforesaid, before they shall be admeasured, marked and nailed as aforesaid, by three Commissioners or more of them, shall be and are hereby declared to be forfeited, together with the Coals that shall be laden upon them (unless the same shall happen by Default of the said Commissioners); one Moiety of all which forementioned Forfeitures shall be to the King's Majesty, His Heirs and Successors, the other Moiety to him or them that shall discover and sue

ſue for the ſame in any of His Majeſty's Courts of Record, by Bill, Plaint or Information, wherein no Eſſoin, Protection, Imparlance or Wager of Law ſhall be allowed; any Statute, Law or Uſage to the contrary notwithſtanding.

Puniſhment of Perſon removing or altering the Mark.

VII. And be it further enacted by the Authority aforeſaid, That in caſe after the admeaſuring, marking and nailing of any Keel, Boat, Wain or Cart, the Mark ſhall be removed or altered, whereby to fruſtrate the Intent and Meaning of this Act, that every Perſon and Perſons, that ſhall have a Hand in or be privy to the doing thereof, and ſhall upon Proof thereof, by one or more credible Witneſſes, before any one or more Juſtice or Juſtices of the Peace of the Counties where the ſaid Offence ſhall happen to be committed, and convicted thereof, ſuch Perſon or Perſons ſo as aforeſaid convicted, ſhall forfeit the Sum of ten Pounds, to be levied upon his or their Goods and Chattels by Diſtreſs and Sale thereof, by Warrant under the Hand and Seal of the ſaid Juſtice or Juſtices, rendring the Overplus, if any, to the Party or Parties diſtrained upon; and for want of ſufficient Diſtreſs, the Parties ſo offending ſhall, by like Warrant, be committed to the Common Gaol of the ſaid County where the Offence ſhall be committed, there to remain for the Space of three Months without Bail or Mainprize; one Half Part of the ſaid Forfeiture to His Majeſty, His Heirs and Succeſſors, and the other Half Part thereof to ſuch Perſon or Perſons as ſhall make ſuch Diſcovery; and alſo that after any ſuch Offence as aforeſaid committed, by altering or removing any of the Marks or Nails that ſhall be ſet upon any ſuch Keels, Boats, Wains or Carts, by Virtue of this Act, That from thenceforth, and ſo often as any ſuch Offence ſhall be committed as aforeſaid, the ſaid Commiſſioners, or any three of them, or ſuch Perſon or Perſons as ſhall be by them appointed, ſhall have Authority, and are hereby authorized and impowered to admeaſure, mark and nail the ſaid Keels, Boats, Wains and Carts anew, according to the Directions hereby before given.

*Farther Proviſions relating hereto, Ch.* 18. 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. *ſec.* 28. 8 *Ann. c.* 4. 9 *Ann. c.* 6, 23 & 28. 12 *Ann. ſtat.* 2. *c.* 9 & 17. 5 *Geo.* 1. *c.* 9. 8 *Geo.* 1. *c.* 14. 3 *Geo.* 2. *c.* 26. 4 *Geo.* 2. *c.* 30. 10 *Geo.* 2. *c.* 32. 11 *Geo.* 2. *c.* 15. 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. *and* 33 *Geo.* 2. *c.* 15.

## CAP. XI.

### An Act for the more effectual ſuppreſſing Profane Curſing and Swearing.

21 Jac. 1. c. 20. 19 Geo. 2. c. 21.

'WHEREAS it is found by Experience, That an Act of Parliament made in the one and twentieth Year of the Reign of King JAMES the Firſt, intituled, *An Act to prevent and reform profane Swearing and Curſing*, hath proved ineffectual to the ſuppreſſing of thoſe deteſtable Sins, by Reaſon of ſome Deficiencies in the ſaid Act;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall (after the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred ninety-five) profanely ſwear or curſe in the Preſence or Hearing of any Juſtice of Peace of the County, Riding or Diviſion, or of the Mayor or other Head Officer, or Juſtice of Peace for any City or Town Corporate, where ſuch Offence is or ſhall be committed, or that ſhall be thereof convicted by Oath of one Witneſs, or by the Confeſſion of the Party offending, before any Juſtice of Peace of the County, or Mayor, or Bailiff, or other Chief Officer or Juſtice of the Peace of ſuch City or Town Corporate, where the ſaid Offence ſhall be committed; that then, for every ſuch Offence, the Party ſo offending ſhall forfeit and pay to the Uſe of the Poor of the Pariſh where ſuch Offence or Offences ſhall be committed, the reſpective Sums herein after mentioned (that is to ſay) Every Servant, Day Labourer, common Soldier, and common Seaman, one Shilling, and every other Perſon, two Shillings; and in caſe any of the Perſons aforeſaid ſhall after Conviction offend a Second Time, ſuch Perſon ſhall forfeit and pay double; and if a third Time, Treble the Sum reſpectively by him or her to be paid for the firſt Offence.

The Forfeitures of ſeveral Degrees of Perſons for Swearing.

Mod. Caſes in Law 58, 366.

To be levied by Diſtreſs.

II. And it is hereby further enacted, That upon Neglect or Refuſal of Payment of the ſaid Forfeiture, any Juſtice of Peace of the County, Riding or Diviſion, or Mayor or other Head Officer, or Juſtice of Peace of any City or Town Corporate, where the ſaid Offences ſhall be committed, ſhall and are hereby authorized and required to direct and ſend his Warrant to the Conſtable, Tythingman, Churchwarden or Overſeer of the Poor of the Pariſh where the Offence ſhall be committed, or where the Offender ſhall inhabit, thereby commanding them, or ſome one or more of them, to levy, by Diſtreſs and Sale of the Goods of the Offender, the Sum ſo forfeited, for the Uſe of the Poor of the Pariſh, as aforeſaid; and in caſe no ſuch Diſtreſs can be had, then every ſuch Offender, being above the Age of ſixteen Years, ſhall, by Warrant under the Hand and Seal of the ſaid Juſtice of Peace, or other Officer as aforeſaid, be publickly ſet in the Stocks for the Space of one Hour for every ſingle Offence, and for any Number of Offences whereof he ſhall be convicted at one and the ſame Time, then two Hours; and if the Party offending be under the Age of ſixteen Years, and ſhall not forthwith pay the ſaid Forfeitures, then he or ſhe ſhall, by Warrant as aforeſaid, be whipped by the Conſtable, or by the Parent, Guardian or Maſter of ſuch Offender, in the Preſence of the Conſtable.

If no Diſtreſs, Offender to be put in the Stocks.

£1. Penalty upon Juſtice of Peace not executing the Act.

III. And be it further enacted, That if any Juſtice of the Peace, or Chief Magiſtrate, ſhall wilfully and wittingly omit the Performance of his Duty in the Execution of this Act, he ſhall forfeit the Sum of five Pounds; the one Moiety to the Uſe of the Informer, to be recovered by Action, Suit, Bill or Plaint, in any of His Majeſty's Courts at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Officer ſued for executing this Act may plead General Iſſue, &c.

IV. And it is hereby further enacted, That if any Action or Suit ſhall be commenced or brought againſt any Juſtice of Peace, Conſtable or other Officer or Perſon whatſoever, for doing or cauſing to be done any Thing in Purſuance of this Act, concerning the ſaid Offences, the Defendant in ſuch Action may plead the General Iſſue, and give the Special Matter in Evidence; and if upon ſuch Action Verdict be given for the

the Defendant, or the Plaintiff become nonſuit, or diſcontinue his Action, then the Defendant ſhall have Treble Coſts.

V. Provided always, and it is hereby enacted, That no Perſon ſhall be proſecuted or troubled for any Offence againſt this Statute, unleſs the ſame be proved or proſecuted within ten Days next after the Offence committed. Time for proſecuting upon this Act.

VI. And it is further enacted by the Authority aforeſaid, That this Act ſhall be publickly read four ſeveral Times in the Year in all Pariſh Churches, and all publick Chapels, by the Parſon, Vicar or Curate of the reſpective Pariſhes or Chapels, immediately after Morning Prayer, on four ſeveral *Sundays* (that is to ſay) the *Sunday* next after the four and twentieth Day of *June*, the nine and twentieth Day of *September*, the five and twentieth Day of *December*, and the five and twentieth Day of *March*, under the Pain of twenty Shillings for every ſuch Omiſſion or Neglect. To be read in Churches, &c.

VII. And be it further enacted by the Authority aforeſaid, That the Juſtices of Peace, Mayor or other Head Officer, ſhall regiſter in a Book to be kept for that Purpoſe, all the Convictions made before him upon this Act, and the Time of making thereof, and for what Offence, and ſhall certify the ſame to the next General Quarter-Seſſions of the Peace for the ſaid County or Place where the Offences are committed, to be there kept upon Record by the reſpective Clerks of the Peace, to be ſeen without Fee or Reward. Convictions to be regiſtred.

## CAP. XII.

An Act for explaining and regulating ſeveral Doubts, Duties and Penalties, in the late Act for granting ſeveral Duties upon Vellum, Parchment and Paper; and for aſcertaining the Admeaſurement of the Tunnage of Ships.

'WHEREAS ſeveral Doubts and Difficulties are ariſen upon the Interpretation of ſeveral Clauſes in 'an Act of Parliament made in the fifth and ſixth Years of the Reign of their Majeſties King 'WILLIAM and Queen MARY, intituled, *An Act for granting to their Majeſties ſeveral Duties upon Vellum, 'Parchment and Paper, for four Years, towards carrying on the War againſt* France:' For the explaining and remedying the ſaid Doubts and Difficulties, 5 & 6 W. & M. c. 21.

II. Be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſaid Act, nor any Clauſe therein contained, ſhall be conſtrued to charge with any Duty ſpecified in the ſaid Act, any Warrant made by, or Recognizance taken before, any Juſtice or Juſtices of the Peace, or any Surrender of any Copyhold Eſtate, or Copies for ſuch Eſtate, or any Certificate of Marriage of any Widow of any Seaman, or any Proceedings of any Court Martial which relate to the Trial of any common Soldier, or any Orders, Decrees or Proceedings before any Commiſſioners of Sewers, or in the Court of Stannaries; but the ſaid Warrants, Recognizances, Surrenders, Copies, Certificates, Orders, Decrees and Proceedings, ſhall and are hereby declared to be exempted from the Payment of any the Duties mentioned in the ſaid Act. Recognizances before Juſtice of Peace, Copies of Surrenders, &c. exempted.

III. And be it further enacted and declared by the Authority aforeſaid, That the Clauſe in the ſaid Act, whereby the Duty of forty Shillings is laid upon the Regiſter or Entry of any Degree in any of the Two Univerſities, ſhall not extend to charge with the ſaid Duty of forty Shillings the Regiſter or Entry of any Batchelor of Arts, who is hereby exempted from the Payment thereof. Degree of Batchelor of Arts exempted.

IV. And be it further enacted and declared by the Authority aforeſaid, That the Clauſe in the ſaid Act, whereby the Duty of forty Shillings is laid upon Letters Patents, ſhall not extend to Commiſſions of Rebellion in Proceſs; but that the Commiſſions of Rebellion ſhall be and are hereby exempted from the ſaid Duty of forty Shillings. Commiſſion of Rebellion exempted.

V. And be it further enacted and declared by the Authority aforeſaid, That the Clauſe in the ſaid Act, whereby the Duty of forty Shillings is laid upon Admittances of Officers in any Court whatſoever, ſhall not be extended to charge any annual Officer in any Corporation or inferior Court, whoſe Office is under the Value of ten Pounds *per Annum*, in Salaries, Fees, or other Perquiſites; but the ſaid annual Officer is hereby exempted and diſcharged from the ſaid Duty. Officers in inferior Courts, &c. exempted.

VI. And be it further enacted and declared by the Authority aforeſaid, That the Officers at Sea ſhall pay the ſame Duty that the Officers at Land pay, and no more; any thing in the ſaid Act to the contrary in any wiſe notwithſtanding. Sea Officers to pay as Land Officers.

VII. And be it further enacted by the Authority aforeſaid, That the Penalty of five hundred Pounds mentioned in the ſaid Act ſhall no longer ſtand and be in Force, but is hereby altered and changed into the Penalty of five Pounds only; and that for the future, in all Caſes where by the ſaid Act the Offender was to forfeit five hundred Pounds, he ſhall forfeit no more than five Pounds, to be recovered with Coſts of Suit; any Thing in the ſaid Act to the contrary in any wiſe notwithſtanding. 500 l. Penalty changed into 5 l.

VIII. And be it further enacted and declared by the Authority aforeſaid, That all Perſons that have already incurred the ſaid Penalty of five hundred Pounds, upon any Clauſe in the ſaid Act, ſhall be and are hereby pardoned, indemnified, and diſcharged from the ſaid Forfeiture of five hundred Pounds, and every Part thereof, and of and from any Proſecution thereupon; any thing in the ſaid Act to the contrary in any wiſe notwithſtanding. Perſons who have incurred 500 l. Penalty on the former Act pardoned.

IX. And for the better Diſtribution of the ſaid Vellum, Parchment, and Paper, and that the Subjects may have the ſame with more Conveniency, and at an eaſier Rate, than formerly; be it enacted by the Authority aforeſaid, That the Lord High Treaſurer of *England*, or Commiſſioners of His Majeſty's Treaſury for the time being, ſhall once in the Year, at leaſt, ſet the Prices of all Sorts of ſtamped Vellum, Parchment, and Paper, that it ſhall be ſold at; and that the Commiſſioners appointed for putting the ſaid Act in Execution Prices to be annually ſet and ſtamped upon the Parchment.

6 per Cent. allowed for ready Money.

Execution ſhall ſtamp the ſaid Price, ſo ſet, upon every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper ſo by them to be ſold; and that the ſaid Commiſſioners ſhall likewiſe allow and pay to every Perſon that ſhall bring Vellum, Parchment, or Paper to be ſtamped (the Duty whereof ſhall amount to the Sum of Ten Pounds or upwards) after the Rate of ſix Pounds in the Hundred Pounds *per Annum* for three Months, upon preſent Payment of the ſaid Duty upon the ſaid Vellum, Parchment, and Paper ſo by them bought; and that any Perſons that ſhall buy of the ſaid Commiſſioners, or their Agents, Vellum, Parchment, or Paper, the Duty whereof amounts to the like Sum of ten Pounds, or upwards, ſhall have the ſame Allowance of ſix Pounds in the Hundred Pounds.

Another Way of meaſuring Ships than was appointed by 5 & 6 W. & M. c. 20.

'X. And whereas great Inconveniencies and Diſcouragements to Trade and Navigation are found by admeaſuring of Ships and Veſſels according to the Act made in the fifth and ſixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages, in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of fifteen hundred thouſand Pounds, towards the carrying on the War againſt* France;' Be it enacted, That from and after the firſt Day of *June* in the Year of our Lord one thouſand ſix hundred ninety-five, all Ships and Veſſels ſhall be meaſured, in order to the paying the Duty impoſed by the ſaid Act, by taking the Length of the Keel of every Ship or Veſſel ſo much as ſhe treads on the Ground, and the Breadth to be taken within Board by the Midſhip Beam from Plank to Plank, and half that Breadth ſhall be accounted for the Depth of every Ship or Veſſel; then multiply the Length by the Breadth, and the Product thereof by the Depth, and divide the whole by ninety-four, and the Quotient ſhall give the true Contents of the Tunnage which ſuch Ship ſhall pay for; any thing in the ſaid recited Act to the contrary notwithſtanding. EXP.

XI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *June* there ſhall not be raiſed, levied, collected, or paid, for the Uſe of his Majeſty, His Heirs or Succeſſors, for the Tunnage of any Ship or Veſſel, within the Time of the ſaid Act mentioned, trading coaſtwiſe, any other or greater Sum or Rate than for ſo many Tuns of Goods as are or ſhall be actually laden on Board ſuch Ship or Veſſel; any thing in the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding.

*See farther* 1 *Ann. ſtat.* 2. *c.* 22. *againſt Frauds in Stamp Duties.* 4 & 5 *Ann. c.* 12. *extending Stamp Duties to Appearances in Actions without Bail.* 12 *Ann. ſtat.* 1. *c.* 2. *exempting Cuſtom Right Eſtates, &c.* 5 *Geo.* 1. *c.* 19. *concerning Cards and Dice.* 6 *Geo.* 1. *c.* 21. *Penalty for taking off Stamp on Cards. And ſee farther additional Duties,* 11 *Geo.* 1. *c.* 8. 12 *Geo.* 1. *c.* 33. 9 *Geo.* 2. *c.* 32. 16 *Geo.* 2. *c.* 26. 29 *Geo.* 2. *c.* 12 & 13. 30 *Geo.* 2. *c.* 19. *and* 32 *Geo.* 2. *c.* 35.

## CAP. XIII.

An Act for raiſing the Militia of this Kingdom for the Year one thouſand ſix hundred ninety-five; and for repealing the Statute of the ſecond and third Years of King EDWARD the Sixth, intituled, *An Act againſt ſhooting of Hail-ſhot.*

13 & 14 Car. 2. c. 3.

'WHEREAS by an Act of Parliament, made in the thirteenth and fourteenth Years of the Reign of His late Majeſty King CHARLES the Second, intituled, *An Act for ordering the Forces in the ſeveral Counties of this Kingdom*, it was (amongſt other Things) enacted, That in caſe of Invaſions, Inſurrections, or Rebellions, whereby Occaſion ſhould be to draw out the Soldiers mentioned and appointed in and by the ſaid Act into actual Service, the Perſons charged by the ſaid Act with Horſes, Horſemen, and Arms, ſhould provide each their Soldier reſpectively with Pay in Hand, not exceeding one Month's Pay, as ſhould be in that Behalf directed by the reſpective Lieutenants of the ſeveral Counties, and in their Abſence, or otherwiſe by their Direction, by their Deputies, or any two or more of them: For Repayment of which ſaid Monies, and for Satisfaction of the Officers for their Pay, during ſuch Time, not exceeding one Month, as aforeſaid, as they ſhould be with their Soldiers in ſuch actual Service, it was thereby declared, that Proviſion ſhould be made for the ſame by His ſaid Majeſty, His Heirs and Succeſſors, out of His or Their publick Treaſury or Revenue: Nevertheleſs it was thereby further provided and enacted, That in caſe a Month's Pay ſhould be provided and advanced, as aforeſaid, that no Perſon who ſhould have advanced his Proportion thereof, ſhould be charged with any other like Month's Payment, until he or they ſhould have been reimburſed the ſaid Month's Pay, and ſo from time to time, the ſaid Month's Pay by him or them laſt before provided and advanced, as aforeſaid: And whereas upon the Invaſion of the Coaſts of this Kingdom by the *French* in was found neceſſary, for the publick Defence and Safety, to draw out the ſaid Soldiers into actual Service, and to charge the ſaid Perſons to provide each their Soldier reſpectively with Pay in Hand, although the Month's Pay, by ſeveral of them before that Time provided and advanced, was not, nor could be, reimburſed: And whereas the like Occaſion may poſſibly happen during the preſent War:'

*Burn, V.* 2—150.

Power given to raiſe the Militia notwithſtanding the Month's Pay formerly advanced be not repaid.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if at any Time before the five and twentieth Day of *April*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and ſix, it ſhall be found by his Majeſty to be neceſſary for the Defence and Safety of this Kingdom, to draw out the ſaid Soldiers into actual Service, and the ſame ſhall be declared or ſignified to the reſpective Lieutenants or Deputy Lieutenants, and the Lord Warden of the Cinque-ports, Two ancient Towns, and their Members, or in his Abſence his Lieutenant or Lieutenants, in Purſuance of ſuch Orders from His Majeſty, notwithſtanding that one or more Month's Pay, before that Time advanced, be not reimburſed, to raiſe and draw out the ſaid Soldiers into actual Service, and to cauſe the Perſons charged as aforeſaid to provide each their Soldier with Pay in Hand, not exceeding

*Farther Proviſions relating hereto,* 10 & 11 *W.* 3. *c.* 12. 1 *Ann. ſtat.* 2. *c.* 23. 1 *Geo.* 1.

exceeding one Month's Pay, in ſuch Manner as if all the Pay before that Time advanced and provided had been fully reimburſed and paid. EXP. *Stat.* 2. *c.* 14. 9 *Geo.* 1. *c.* 8. 7 *Geo.* 2. *c.* 23. 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. *and* 33 *Geo.* 2. *c.* 2, 22 & 24.

III. And whereas by an Act made in the ſecond and third Years of the Reign of EDWARD the Sixth, late King of *England*, intituled, *An Act againſt the ſhooting of Hail-ſhot*, whereby amongſt other Things it is enacted, That no Perſon under the Degree of a Lord of the Parliament ſhould ſhoot in any Place any Hail-ſhot, or any more Pellets than one at any one Time, upon Pain to forfeit, for every Time that he or they ſhould ſo offend, ten Pounds, and Impriſonment of his Body during three Months; which ſaid Act, however uſeful in thoſe Days, hath not for many Years laſt paſt been put in Execution, but became uſeleſs and unneceſſary: Yet nevertheleſs ſeveral malicious Perſons have of late proſecuted ſeveral Gentlemen, qualified to keep and uſe Guns, upon the ſaid Act; for Remedy whereof be it enacted by the Authority aforeſaid, That the ſaid Act, and every Article, Clauſe, and Thing, therein contained, ſhall be and is hereby repealed and made void to all Intents and Purpoſes whatſoever. 2 & 3 Ed. 6. c. 14.

## CAP. XIV.

### An Act for continuing ſeveral Laws therein mentioned.

'WHEREAS divers temporary Laws, which by Experience have been found beneficial and uſeful, 'are near expiring;' therefore for continuing the ſame, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Act made in the third Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act to take away Clergy from ſome Offenders, and to bring others to Puniſhment*, which by another Act made in the fourth and fifth Years of the ſaid King and Queen, intituled, *An Act for reviving, continuing, and explaining, ſeveral Laws therein mentioned, which are expired and near expiring*, was explained, and was to continue and be in Force for three Years, from the thirteenth Day of *February*, one thouſand ſix hundred ninety-two, and from thence to the End of the next Seſſion of Parliament, and no longer, together with the Explanation thereof in the ſaid Act made in the ſaid fourth and fifth Years, ſhall be, and the ſame is and are hereby continued, and ſhall be in Force, and be made perpetual. 3 & 4 W. & M. c. 9. made perpetual. 4 & 5 W. & M. c. 24. §. 13.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the third and fourth Years of the Reign of the ſaid King and Queen, intituled, *An Act for Relief of Creditors againſt fraudulent Deviſes*, which was to continue and be in Force for three Years, and to the End of the next Seſſion of Parliament, after the Expiration of the ſaid three Years, and no longer, ſhall be and is hereby continued, and ſhall be in Force, and be made perpetual. 3 & 4 W. & M. c. 14. made perpetual.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the fourth and fifth Years of the ſaid King and Queen, intituled, *An Act for the better Diſcovery of Judgments in the Courts of* King's Bench, Common Pleas, *and* Exchequer, *at* Weſtminſter, which was to continue and be in Force for one Year, from the five and twentieth Day of *March* one thouſand ſix hundred ninety and three, and from thence to the End of the next Seſſion of Parliament, and no longer, ſhall be and is hereby continued, and ſhall be in Force for the Space of one Year more, and from thence to the End of the next Seſſion of Parliament, and no longer. 4 & 5 W. & M. c. 20. continued for 1 Year. Made perpetual 7 & 8 W. 3. c. 36. §. 3.

## CAP. XV.

An Act to indemnify Sir *Thomas Cooke* from Actions which he might be liable to, by reaſon of his diſcovering to whom he paid and diſtributed ſeveral Sums of Money therein mentioned, to be received out of the Treaſure of the *Eaſt India* Company, or for any Proſecution for ſuch Diſtribution. EXP.

## CAP. XVI.

### An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Weſtward, and for aſcertaining the Rates of Water-carriage upon the ſaid River.

'WHEREAS the Rivers of *Thames* and *Iſis* have Time out of Mind been navigable from the City 'of *London* to the Village of *Bercott* in the County of *Oxford*, and for divers Years laſt paſt from the 'ſaid Village of *Bercott* Weſtward, ſomewhat farther than *Letchlade* in the County of *Glouceſter*: And 'whereas, for the Benefit and Convenience of the Navigation, there have been and are divers Locks, 'Wears, Bucks, Winches, Turnpikes, Dams, Floodgates, and other Engines in, upon, or near adjoining 'to the ſaid Rivers, the Tenants or Occupiers whereof anciently took, and ſtill ought to take, a moderate 'and reaſonable Price from the Owners of all Barges, Boats, or other Veſſels, having Occaſion to make 'Uſe of the ſame, or of their Aſſiſtance for or in their Paſſage, but have of late Years raiſed their Prices ſo 'high, that the Price of the Water-carriage on thoſe Rivers, by reaſon thereof, has been alſo very much 'raiſed: And whereas divers Abuſes have heretofore been committed by the Bargemen in their Navigation 'upon the ſaid Rivers:' For Remedy whereof,

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-five, the Juſtices of the Peace, for the time being, of the ſeveral Counties of *Wilts*, Juſtices of Peace of Wilts, Glouceſter, &c.

&c. upon Thames and Iſis, and make Orders about them.

*Wilts*, *Glouceſter*, *Oxford*, *Berks*, and *Bucks*, within their reſpective Counties for ever hereafter ſhall be and are hereby declared to be Commiſſioners for the putting in Execution the Powers and Authorities hereinafter mentioned (that is to ſay) The ſaid Commiſſioners, or any five of them, ſhall have full Power and Authority, from time to time, at their reſpective General Quarter-Seſſions of the Peace, upon due Examination of the Matter in Controverſy, upon Oath, to make Orders and Conſtitutions for ſettling and aſcertaining reaſonable Rates and Prices to be taken from the Owners of all Barges, Boats or Veſſels, by the Tenants or Occupiers of all ſuch Locks, Wears, Bucks, Winches, Turnpikes, Dams, Floodgates, or other Engines, within their ſaid reſpective Counties, for the Help and Aſſiſtance which ſuch Barges, Boats, or Veſſels may or ſhall receive thereby, or by Means thereof, in their Paſſage upon the ſaid Rivers, Regard being had, as well to the ancient Rates which have been taken, as the neceſſary Charges of repairing ſuch Locks, Wears, Bucks, Winches, Turnpikes, Floodgates, and other Engines; and alſo to conſtitute and appoint all ſuch other neceſſary Rules and Orders concerning the ſaid Navigation, and alſo concerning ſuch Locks, Wears, Bucks, Winches, Turnpikes, Dams, Floodgates, or other Engines, within their ſaid reſpective Counties, and the ſhutting, penning, opening, drawing, Uſe or Management thereof, for the Benefit and Safety of the ſaid Navigation, and concerning all Barges, Boats, or Veſſels paſſing by, through, or with the Help of the ſame, and the Behaviour of all Bargemen, Boatmen, and Watermen belonging to or working in ſuch Barges, Boats, or Veſſels, ſo as to prevent ſuch Abuſes which have been frequently heretofore committed by them in the Navigation, as to the ſaid Commiſſioners, or any five of them, ſhall ſeem meet.

5 l. Penalty for taking more than Rates aſſeſſed.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May*, the ſaid Juſtices of the Peace, or any five of them, in their reſpective General Quarter-Seſſions next after *Eaſter* Day yearly, ſhall have Power and Authority, and they are hereby enjoined and required, to aſſeſs and rate the Prices of the Carriage of all Sorts of Goods whatſoever, from any Place in their ſaid reſpective Counties, to any other Place or Places upon the ſaid Rivers, in ſuch Boats, Barges, or Veſſels, and ſhall give publick Notice in Writing to the Mayor or other Head Officer in every Market Town within their ſaid reſpective Counties, of the Rates and Prices ſo ſet and aſſeſſed, and of all other Rates and Prices, which ſhall be rated and aſſeſſed by virtue of this Act: And if any Owner or Proprietor of any ſuch Barge, Boat, or Veſſel, ſhall, at any Time after ſuch Notice, take for the Water-carriage of any Goods or Merchandizes above the Rates and Prices ſo ſet as aforeſaid, or if any Perſon or Perſons whatſoever ſhall break or act contrary to any Rules, Orders, or Conſtitutions, which ſhall be made in Purſuance of this Act, every ſuch Perſon ſo offending ſhall for every Offence forfeit the Sum of five Pounds, to be recovered by the Party grieved, with double Coſts of Suit, in any Action of Debt, Bill, Plaint, or Information, to be commenced or proſecuted in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed.

Juſtices of Aſſize of Oxford may vacate Orders on Complaint.

IV. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall be aggrieved by reaſon of any ſuch Rules, Orders, Conſtitutions, or Aſſeſſments, ſo as aforeſaid to be made by the ſaid Commiſſioners, or any five of them, it ſhall and may be lawful to and for the Juſtices of Aſſize of the ſaid County of *Oxford*, for the time being, upon Complaint made by ſuch Perſon or Perſons grieved, within the Space of one Year next after the making of ſuch Rules, Orders, Conſtitutions, or Aſſeſſments, to confirm, vacate, or alter the ſame, in ſuch Manner as ſhall be thought moſt convenient.

Orders by Juſtices of Peace to be regiſtred in Seſſions, and continue for 7 Years.

V. Provided alſo, and be it further enacted by the Authority aforeſaid, That all ſuch Rules, Orders, Conſtitutions, and Aſſeſſments, other than of the Rates for Carriage, which ſhall be made by the ſaid Commiſſioners, or any five of them, in Purſuance of this Act, ſhall be written in Parchment, and ſigned by the ſaid Commiſſioners, or any five of them, and be kept amongſt the Records of the Seſſion of the Peace of that County within which the ſame ſhall be made; and the ſaid Rules, Orders, Conſtitutions, and Aſſeſſments, other than of the Rates for Carriage, ſo ſigned by the ſaid Commiſſioners, or confirmed or altered on ſuch Appeal as aforeſaid, ſhall continue in Force from the making the ſame by the ſaid Commiſſioners, or the Confirmation or Alteration thereof by the ſaid Juſtices of Aſſize, for Seven Years, and from thence until ſome new Order, Rule, Conſtitution, or Aſſeſſment, ſhall be made in the ſame Caſe by the ſaid Commiſſioners, or any five of them, every which new Order, Rule, Conſtitution, or Aſſeſſment, ſhall be ſubject to the like Appeal, as aforeſaid.

Locks, &c. to be in the County where they pay to the Poor.

VI. Provided always, That if at any Time after the ſaid firſt Day of *May*, any Doubt ſhall be made amongſt the ſaid Commiſſioners, in what County any ſuch Locks, Wears, Bucks, Winches, or other Engines are or ſhall be, then, and in every ſuch Caſe, for preventing of all ſuch Diſputes, every ſuch Lock, Wear, Buck, Winch, or other Engine, ſhall be adjudged and taken to be in that County, and ſubject to the Juriſdiction of the Commiſſioners of that County, within which the ſame are taxed or rated to the Church or Poor.

Commiſſioners made by 21 Jac. 31 c. 32. ſtill to have the ſame Power betwixt Bercott and Oxford.

VII. Provided alſo, That nothing herein contained ſhall be conſtrued to give any Manner of Juriſdiction to any of the ſaid Commiſſioners, to put in Execution any of the Powers or Authorities hereby granted or directed, between the ſaid Village of *Bercott* and the City of *Oxford*, nor to repeal or impeach the Powers or Authorities granted to the Commiſſioners in and by an Act made in the one and twentieth Year of the Reign of King JAMES the Firſt, intituled, *An Act for making the River of* Thames *navigable for Barges, Boats, and Lighters, from the Village of* Bercott *in the County of* Oxford, *unto the Univerſity and City of* Oxford; but that the ſaid Commiſſioners or the more Part of them, by virtue thereof and of this Act, ſhall have Power and Authority from time to time, with ſuch Conſent as in the ſaid firſt recited Act is required, to ordain and make Orders and Conſtitutions for the good and orderly Uſage of the Paſſage by Water on the River of *Thames*, betwixt the City of *Oxford* and the Village of *Bercott*, and for all Locks, Wears, or Turnpikes thereof, made or to be made, and maintained at the Charge of the Univerſity and City of *Oxford*, or otherwiſe, and for the Reparation and Amendments thereof; and for all Boats, Boatmen, Paſſengers,

Wharfs, Carriages, and Rates for Carriages, by or through the ſaid Paſſage; and to ſet, lay, do, and execute all Things concerning the ſame, as in the ſaid firſt recited Act are ordained and directed, ſubject nevertheleſs to ſuch an Appeal as is therein mentioned; and alſo, That upon the Death or Removal of any of the preſent Commiſſioners for executing the ſaid recited Act, the ſurviving Commiſſioners for the Univerſity and City of *Oxford* reſpectively may, at any Time hereafter, by virtue hereof, nominate and elect any Perſon they think fit to be a Commiſſioner, and with them to execute all and every the Powers in the ſaid recited Act, according to the true Intent and Meaning thereof, and of this preſent Act.

This Act not to leſſen the Authority of London.

VIII. Provided alſo, That nothing herein contained ſhall be conſtrued to impeach or leſſen any Juriſdiction, Power, or Authority of the Mayor, Commonalty and Citizens of the City of *London*, or of any other Body Politick or Corporate, or other Perſon or Perſons whatſoever.

Bargemen chargeable for any Miſchief done to Locks, &c. and to pay full Coſts.

IX. And for the better preventing the Damages and Miſchiefs frequently done and committed by the rude and diſorderly Perſons rowing and managing the ſaid Barges, and that the Owners of ſuch Barges may be more careful to prevent the ſame; be it enacted by the Authority aforeſaid, That every Barge-maſter, and Owner of any Barge or Boat, ſhall be and is hereby made anſwerable and reſponſible for any Damage or Miſchief that ſhall be done by his Barge or Boat, or the whole or any of the Crew of his Bargemen, to any of the Wears, Locks, Bucks, Winches, Turnpikes, Dams, Floodgates, and other Engines in and upon the ſaid River; and the ſaid Barge-maſters, or Barge-owners, ſhall and may be ſued and proſecuted for the ſame, and, if found guilty, the Plaintiff ſhall not only recover his Damages thereby ſuſtained, but his full Coſts of Suit; any former Law or Uſage to the contrary notwithſtanding.

Act to continue 9 Years.

X. Provided always, That this Act ſhall continue and be in Force for the Term of nine Years, and from thence to the End of the next Seſſion of Parliament, and no longer. [Continued by 3 Geo. 2. c. 11. §. 25. except as to the ſeventh Section, and by 22 Geo. 2. c. 46.]

## CAP. XVII.

### An Act to prevent counterfeiting and clipping the Coin of this Kingdom.

1 *Mar. Seſſ.* 2. c. 6. 14 *El.* c. 3.

'WHEREAS it is manifeſt that of late Years the current Coin of this Kingdom hath been greatly diminiſhed by clipping, rounding, filing, and melting the ſame, and likewiſe many falſe and counterfeit Coins have been clipped for the better diſguiſing thereof: And for as much as it is apparent that theſe Practices of diminiſhing the current Coin is very much occaſioned by thoſe who drive a Trade of exchanging broad Money for clipped Money, and by other Arts and Devices:'

Penalty upon Perſon ſelling or paying Silver Money for more than it is coined. 1 *Hale's P. C.* 376.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-five, if any Perſon or Perſons whatſoever ſhall, at any one Time or Payment, exchange, lend, ſell, borrow, or buy, receive or pay, any broad ſilver Money or ſilver Money unclipped, of the Coin of this Kingdom, for more in Tale, Benefit, Profit, or Advantage, than the ſame was coined for and ought by Law to go for, be lent, ſold for, borrowed or bought, received or paid, ſhall forfeit the Sum of ten Pounds for every twenty Shillings that ſhall be ſo exchanged, lent, ſold for, borrowed or bought, received or paid, and ſo in Proportion for any greater or leſſer Sum; one Moiety thereof to His Majeſty, and the other Moiety to the Perſon who ſhall ſue or inform for the ſame, to be recovered (with Coſts of Suit) by Action of Debt, Bill, Plaint, or Information, wherein no Privilege, Protection, or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Penalty for caſting Bars of Silver or ſtamping them like Spaniſh Money.

III. And be it further enacted by the Authority aforeſaid, That no Perſon do or ſhall preſume to caſt Ingots or Bars of Silver, in Imitation of *Spaniſh* Bars or Ingots of Silver, nor do ſtamp any Mark or Impreſſion upon any Ingot or Bar in Likeneſs of the *Spaniſh* Marks or Impreſſions; upon Pain that the Perſon herein offending ſhall for every ſuch Offence forfeit the Silver ſo caſt, and alſo the Sum of five hundred Pounds, one Moiety to His Majeſty, and the other to the Informer, to be recovered as aforeſaid.

Puniſhment for buying or ſelling Clippings, &c.

IV. And for the better preventing the clipping, diminiſhing, or impairing the current Coin of this Kingdom, be it further enacted by the Authority aforeſaid, That if any Perſon whatſoever ſhall buy or ſell, and knowingly have in his Cuſtody or Poſſeſſion, any Clippings or Filings of the current Coin of this Kingdom; he ſhall for every ſuch Offence forfeit the ſaid Clippings or Filings, and alſo the Sum of five hundred Pounds, one Moiety to His Majeſty, and the other to the Informer, to be recovered as aforeſaid, and ſhall be alſo branded in the Right Cheek with a hot Iron with the Letter *R.* and until Payment of the ſaid five hundred Pounds ſhall ſuffer Impriſonment.

No Perſon ſhall tranſport Bullion, except it be ſtamped at Goldſmiths-hall.

V. And be it further enacted, That no Goldſmith, or other Perſon whatſoever, ſhall from and after the ſaid firſt Day of *May* tranſport or cauſe to be tranſported, out of this Kingdom of *England* into any Parts beyond the Seas, any molten Silver whatſoever, but ſuch only as ſhall be marked or ſtamped at *Goldſmiths-hall* by the Wardens, ſome or one of them, belonging to the ſaid Company of Goldſmiths, which Mark or Stamp the ſaid Wardens are hereby required to provide, and therewith to mark or ſtamp all ſuch Silver as ſhall be proved before them, or one of them, in ſuch Manner as is hereafter mentioned, to be lawful Silver; nor unleſs a Certificate be firſt had and obtained under the Hand of one or more of the ſaid Wardens, of Oath having been made before him or them by the Owner or Owners of ſuch molten Silver, and likewiſe by one credible Witneſs, that the ſame is lawful Silver, and that no Part thereof was (before the ſame was molten) the current Coin of this Realm, nor Clippings thereof, nor Plate wrought within this Kingdom; which Oath the ſaid Wardens, or any one of them, are and is hereby required and authorized to adminiſter, and likewiſe to make and grant a Certificate thereof without Fee or Reward, an Entry of which Certificate ſhall be duly made by the ſaid Wardens, in a Book to be kept for that Purpoſe; and in caſe any Perſon whatſoever, who ſhall offer any molten Silver to be marked, as is aforeſaid, ſhall not prove

by his or her Oath, and likewiſe by the Oath of one credible Witneſs, that the Silver offered to be marked is lawful Silver, and that the ſame was not, before the melting thereof, the current Coin of this Kingdom, nor Clippings thereof, nor Plate wrought within the ſame, then and in every ſuch Caſe it ſhall be lawful to and for the ſaid Wardens, or any one of them, to ſeize and detain ſuch molten Silver ſo offered to be marked, until ſuch Time as ſuch Oath and Proof ſhall be made, as is aforeſaid.

Bullion not ſtamped may be ſeized by Cuſtom-houſe Officers.

VI. And be it further enacted, That if any Perſon whatſoever ſhall ſhip, or cauſe to be ſhipped or put on Board any Veſſel, any molten Silver not ſtamped or marked by the ſaid Wardens, or one of them, and without Certificate firſt obtained, of Oath having been made before the ſaid Wardens, or one of them, of the Lawfulneſs of ſuch Silver, in Manner as is aforeſaid (which Certificate ſhall be ſhewn to ſome one of the Commiſſioners of the Cuſtoms for the time being, before any Cocket be granted for the exporting ſuch molten Silver) in ſuch Caſe it ſhall and may be lawful to and for any Officer or Officers of His Majeſty's Cuſtoms to ſeize ſuch Silver ſo ſhipped and put on Board; one Moiety whereof ſhall be to His Majeſty, His Heirs, and Succeſſors, and the other Moiety to the Officer and Officers ſo ſeizing the ſame.

Goldſmith only to buy and ſell Bullion.

VII. And be it further enacted, That if any Broker or Brokers, not being a trading Goldſmith or Refiner of Silver, ſhall buy or ſell any Bullion or molten Silver, every ſuch Perſon ſhall ſuffer, for every ſuch Offence, Impriſonment for Six Months without Bail or Mainprize.

What Perſons may break open Houſes, and ſearch for Bullion.

VIII. And for the better Diſcovery of Offenders in the Premiſſes, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for one or more of the Wardens of the ſaid Company of Goldſmiths, with any two or more of the Court of Aſſiſtants of the ſaid Company, within the Compaſs of the weekly Bills of Mortality, and to and for any two Juſtices of the Peace within any County, City, or Town Corporate, out of the Compaſs of the weekly Bills of Mortality, to enter into the Houſe, Room, or Workſhop of any Perſon who ſhall be ſuſpected to be guilty of buying or ſelling unlawful Bullion, and to ſearch for the ſame; and in caſe the Occupier or Occupiers of ſuch Houſe, Room, or Workſhop, ſhall refuſe to permit the ſaid Warden and Aſſiſtants, or Juſtices, to make ſuch Search as aforeſaid, it ſhall and may be lawful to ſuch Warden and Aſſiſtants, and Juſtices, with the Aſſiſtance of a Conſtable, to break open any Door, Box, Trunk, Cheſt, Cupboard, or Cabinet, in order to ſearch for and diſcover ſuch Bullion, as is aforeſaid; and in caſe the Perſons ſo ſearching ſhall at any Time find any ſuch unlawful Bullion, the Perſons ſo finding the ſame are hereby required to ſeize, as well ſuch Bullion as the Perſon and Perſons in whoſe Poſſeſſion the ſame ſhall be found; and the ſaid Wardens, Aſſiſtants and Conſtables, ſhall bring him and her before the next Juſtice of the Peace, who ſhall, upon Oath made of ſuch finding, which Juſtice within the weekly Bills of Mortality, and the ſaid two Juſtices without the ſaid Bills of Mortality, ſhall and may examine the Perſon ſo brought before him, or found by them reſpectively, upon Oath, whether the Bullion ſo found be lawful Silver, and whether the ſame was not (before the melting thereof) the current Coin of this Realm, or Clippings thereof; and in caſe the ſaid Perſon ſo examined ſhall not prove by his or her Oath, or by the Oath of one credible Witneſs before the ſaid Juſtice and Juſtices reſpectively, that the Bullion ſo found is lawful Silver, and that the ſame was not, before the melting thereof, the current Coin of this Realm, nor Clippings thereof, then and in ſuch Caſe the ſaid Juſtice or Juſtices reſpectively ſhall commit the Perſon ſo examined to Priſon, and ſhall ſecure the Bullion ſo found, and ſhall likewiſe oblige the Perſons that can give any Evidence concerning the ſame, to enter into a Recognizance to proſecute the ſaid Offender and Offenders; and in caſe ſuch Offender and Offenders, in whoſe Poſſeſſion ſuch unlawful Bullion ſhall be found, ſhall not upon his, her, or their Trials on an Indictment for melting the current Silver Coin of this Realm, prove, by the Oath of one credible Witneſs at the leaſt, the Bullion ſo found to be lawful Silver, and that the ſame was not the current Coin of this Realm, nor Clippings thereof, then and for want of ſuch Proof, ſuch Offender ſhall be found guilty of the Offence contained in ſuch Indictment, and ſhall ſuffer Impriſonment for the Space of ſix Months, without Bail or Mainprize.

Perſon in whoſe Poſſeſſion Bullion is found, not proving it to be neither Coin nor Clippings melted, to be impriſoned 6 Months.

Perſons apprehending and convicting Clippers, &c. ſhall, upon the Judges Certificate, receive 40l. of the Sheriff.

'IX. And whereas the Coin of this Realm is of late much clipped and counterfeited, for want of due 'Encouragement to be given to ſuch Perſons as ſhall diſcover the ſame;' Be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May* one thouſand ſix hundred ninety-five, all and every Perſon and Perſons, who ſhall apprehend and take any Perſon or Perſons who have counterfeited any of the current Coin of this Realm, or that for Lucre or Gain have clipped, waſhed, filed, or any Ways diminiſhed the ſame, or ſhall bring, or cauſe to be brought, into this Kingdom, the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, any clipt, falſe, or counterfeit Coin, and proſecute ſuch Perſon or Perſons, until he, ſhe, or they, be convicted for any ſuch Offence, ſhall have and receive from the Sheriff or Sheriffs of the County, where ſuch Conviction ſhall be made, for every ſuch Offender ſo convicted, the Sum of forty Pounds (without paying any Fee for the ſame) within one Month after ſuch Conviction and Demand thereof made, by tendring a Certificate to the ſaid Sheriff or Sheriffs for the time being, under the Hand or Hands of the Judge or Juſtices before whom ſuch Traitor or Traitors, Offender or Offenders, as aforeſaid, ſhall be convicted, certifying the Conviction of ſuch Traitor or Traitors done within the County of the ſaid Sheriff or Sheriffs, and that ſuch Traitor or Traitors was or were taken and proſecuted by the Perſon or Perſons claiming the ſaid Reward, which Certificate as aforeſaid, the ſaid Judge or Juſtices are hereby required to give: And in caſe any Diſpute ſhall happen to ariſe between the Perſons apprehending and proſecuting to Conviction ſuch Traitors as aforeſaid, touching their Right and Title to the ſaid Reward, that then the ſaid Judge or Juſtices ſo reſpectively certifying as aforeſaid, ſhall in and by their ſaid Certificate direct and appoint the ſaid Reward to be paid unto and amongſt the Parties claiming the ſame, in ſuch Share and Proportions as to the ſaid Judge or Juſtices ſhall ſeem juſt and reaſonable: And if Default of Payment of the ſaid Sum or Sums of Money ſhall happen to be made by any Sheriff or Sheriffs, ſuch Sheriff or Sheriffs, ſo making Default, ſhall forfeit to the Perſon or Perſons, to whom ſuch Money is due as aforeſaid, double the Sum or Sums of Money he ought to have paid, to be recovered by him or them, or his or their Executors or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt,

Sheriff not paying ſhall forfeit double to the Apprehenders.

Bill,

Bill, Plaint, or Information, wherein but one Imparlance, and no Eſſoin, Protection, or Wager of Law, ſhall be allowed, with treble Coſts of Suit by him or them expended in Recovery of the ſame.

Sheriff to be allowed the 40 l. in his Accounts, and if not ſufficient in his Hands, to be repaid by the Treaſury. By 3 Geo. 1. c. 15. §. 4. the Sheriff may apply to the Lord Treaſurer.

X. And it is hereby further enacted, That all Sheriffs, their Executors, or Adminiſtrators, upon producing ſuch reſpective Certificates, and the Receipts for the Money by them paid in purſuance of this Act, ſhall be allowed, and are hereby impowered to deduct, upon their accounting with His Majeſty, all Monies (other than the double Sum and Sums of Money and Coſts of Suit) which they ſhall diſburſe as aforeſaid, without any Fee or Reward whatſoever.

XI. Provided always, That if, upon the Account of any Sheriff or Sheriffs, there ſhall not be Money ſufficient in the Hands of ſuch Sheriff or Sheriffs to reimburſe him or them ſuch Monies paid by him or them by virtue of this Act, that then the Sheriff or Sheriffs, having ſo paid the ſaid Monies, ſhall have the ſame repaid by the Lord Treaſurer or Commiſſioners of his Majeſty's Treaſury for the time being, out of the Revenue of the Crown, upon Certificate from the Clerk of the Pipe to that Effect.

Perſon guilty on convicting two others pardoned.

XII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, being out of Priſon, ſhall, from and after the ſaid firſt Day of *May* one thouſand ſix hundred ninety-five, be guilty of clipping, coining, counterfeiting, waſhing, filing, or otherwiſe diminiſhing the Coin of this Realm, and afterwards diſcover two or more Perſon or Perſons, who already have or hereafter ſhall commit any of the ſaid Crimes, ſo as two or more of the Perſon or Perſons diſcovered ſhall be convicted of the ſame; any ſuch Diſcoverer ſhall himſelf have, and is hereby intitled to, the gracious Pardon of His Majeſty, His Heirs and Succeſſors, for all ſuch Crimes which he or they have committed at any Time or Times before ſuch Diſcovery made: And if the Perſon making ſuch Diſcovery be an Apprentice, he ſhall be deemed and taken, and is hereby declared a Freeman, and ſhall have and may exerciſe any lawful Trade, Profeſſion or Myſtery, with all Liberties and Privileges, and in as full and ample Manner, as if the ſaid Perſon had ſerved the full Time of his Apprenticeſhip; any Law, Statute, Cuſtom, or Ordinance, to the contrary notwithſtanding.

Apprentice diſcovering made a Freeman.

Proof of Foreign Bullion to lie upon the Owner, &c.

XIII. And be it further enacted by the Authority aforeſaid, That in caſe any Seizure ſhall happen of any Bullion ſhipped to be exported, and a Doubt ariſe thereon, whether the ſame be *Engliſh* or Foreign Bullion, that then the Proof ſhall lie upon the Owner, Claimer or Exporter of ſuch Bullion, that the ſame is Foreign Bullion and had not been melted down in this Realm of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*.

Penalty upon Exporter not entring in Name of Owner, &c.

XIV. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons enter or ſhip any Bullion, allowed by this Act to be exported beyond the Seas, other than in the Name of the true Owner and Proprietor or Importer, the Exporter thereof ſhall forfeit the ſame, or the full Value thereof; one Moiety to His Majeſty, his Heirs and Succeſſors, and the other Moiety to the Perſon who ſhall ſeize or diſcover the ſame.

Certain Quantity of Bullion exported by the King ſaved. *Farther Proviſions concerning the Coin*, 8 & 9 *W.* 3. *c.* 26. 9 & 10 *W.* 3. *c.* 21. 1 *Ann. ſtat.* 1. *c.* 9. *and* 15 *Geo.* 2. *c.* 28.

XV. Provided always, and be it further enacted, That this Act, or any Thing therein contained, ſhall not extend to prohibit the Exportation of ſuch Bullion as ſhall be licenced by His Majeſty (ſuch Licences being entred in the Books of the Cuſtom-houſe for the Port of *London*) ſo as the ſame be exported before the firſt Day of *January* one thouſand ſix hundred ninety-five, and do not exceed ſeven hundred thouſand Ounces of Silver, to be applied for the Payment of His Majeſty's Forces.

## CAP. XVIII.

An Act for granting to His Majeſty certain Duties upon Glaſs Wares, Stone and Earthen Bottles, Coals and Culm, for carrying on the War againſt *France*. *Continued* per *Stat.* 7 & 8 W. 3. *cap.* 31. *But half the Duties on Glaſs and Glaſs Wares, and the whole Duties on Stone and Earthen Wares, taken away* per *Stat.* 9 & 10 W. 3. *cap.* 45. *and afterwards the remaining half Duty on Glaſs and Glaſs Wares taken away* per *Stat.* 10 & 11 W. 3. *cap.* 18.

*Moſt Gracious Sovereign*,

'WE Your Majeſty's moſt Dutiful and Loyal Subjects, the Commons aſſembled in Parliament, for a further Supply of Your Majeſty's extraordinary Occaſions, for and towards the neceſſary Defence of Your Realms, and carrying on of the War againſt the *French* King, do humbly preſent Your Majeſty with the Gift of the Impoſitions, Rates and Duties, herein after mentioned; and do beſeech Your Majeſty that it may be enacted: *&c.*'

From §. 1. to §. 14. Exp. Duties upon Coal or Culm brought into any Port given for 5 Years. Theſe Duties are expired, and others granted by 10 & 11 W. 3. c. 21. Particular Rates.

XIV. And be it further enacted by the Authority aforeſaid, That for all Sorts of Coals and Culm (except Charcoal made of Wood) which from and after the ſaid nine and twentieth Day of *September* in the Year of our Lord one thouſand ſix hundred ninety-five, ſhall be Water-born, or ſhall be laid on Board any Ship or Veſſel to be carried, imported or brought, or which ſhall be carried, imported or brought in any Ship or Veſſel, into any Port or Place in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, from any Port or Place within the ſaid Kingdom, Dominion, or Town of *Berwick*, or from the Kingdom of *Scotland*, in or during the Space of five Years, commencing from the ſaid nine and twentieth Day of *September*, there ſhall be paid and anſwered unto His Majeſty, His Heirs and Succeſſors (over and beſides all other Impoſitions, Duties and Sums of Money, in any wiſe due or payable for the ſame) the ſeveral and reſpective Impoſitions, Rates, Duties and Sums of Money following (that is to ſay) (1) For every Chaldron of all ſuch Sorts of Coals as are uſually ſold by Meaſure, reckoning ſix and thirty Buſhels to the Chaldron *Wincheſter* Meaſure, the Sum of five Shillings. (2) And for every Chaldron of Culm,

Coal per Chaldron 5 s.

Culm per Chaldron 1 s. Coal per Tun 5 s.

Culm, reckoning ſix and thirty Buſhels to the Chaldron *Wincheſter* Meaſure, the Sum of one Shilling. (3) And for every Tun of all Sorts of Coals uſually ſold by Weight, imported or carried in any Ship or Veſſel from any Part of *England* or *Wales*, or from *Scotland*, into any other Part or Place in *England* or *Wales*, reckoning twenty hundred Weight to each Tun, the Sum of five Shillings.

Increaſed and continued by 7 & 8 W. 3. c. 31. 9 & 10 W. 3. c. 13. 10 & 11 W. 3. c. 21. 1 Annæ, ſtat. 2. c. 4. 4 Annæ, c. 6. 5 Annæ, c. 19. 8 Annæ, c. 4. 9 Annæ, c. 6. & c. 22. 12 Annæ, ſtat. 2. c. 9. & c. 17. 1 Geo. 1. ſtat. 2. c. 23. 3 Geo. 1. c. 7. 5 Geo. 1. c. 9. & c. 19. 6 Geo. 1. c. 4. 13 Geo. 1. c. 21.

XV. Which ſaid ſeveral Impoſitions, Rates, Duties and Sums of Money aforeſaid, ſhall from time to time, during the ſaid Term of five Years, be anſwered and paid at the reſpective Ports and Places of Importation, or landing of the ſaid Coals and Culm, unto His Majeſty, His Heirs and Succeſſors, or to ſuch Officer or Perſon as ſhall by His Majeſty, His Heirs or Succeſſors, or by the Commiſſioners of His Majeſty's Cuſtoms, or any four or more of them for the time being, under their Hands and Seals, be thereunto appointed, by the Maſter, Owner or Owners, or other Perſon or Perſons having or taking the Charge of any Ship or Veſſel on which any ſuch Coals or Culm ſhall be laden, or wherein they ſhall be imported, carried or brought, before Bulk of the ſaid Ship or Veſſel ſhall be broken, or any the ſaid Coals or Culm unladen, and before any Meter, Meaſurer or Weigher ſhall be appointed for the Meaſuring or Weighing thereof; upon Receipt whereof, the Party appointed to receive the ſame ſhall without Delay, Fee or Reward, deliver a Receipt under his Hand, to the Perſon or Perſons who ſhall pay the ſaid Duty; which Receipt ſhall for ſo much be a ſufficient Diſcharge; of all which Ships and Veſſels, and of the Coals and Culm therein imported or brought, due Entries ſhall be from time to time made in the Cuſtom Houſe of or belonging to ſuch Port or Place, where ſuch Importation ſhall be made (if any Cuſtom Houſe be there) or elſe in the Cuſtom Houſe of the next Port or Place where ſuch Importation ſhall be; and in caſe any of the ſaid Coals or Culm ſhall be unſhipped, to be laid on Land, before the Impoſitions, Duties or Sums aforeſaid reſpectively due for the ſame ſhall be paid or ſecured, that then, as well the ſaid Coals and Culm ſo unſhipped, as alſo the Ship or Veſſel out of which the ſame ſhall be ſo unſhipped, with all her Guns, Tackle, Furniture and Ammunition, ſhall be forfeited and loſt; one Moiety of which Forfeiture ſhall be unto his Majeſty, His Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall ſeize, ſue or inform for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted.

Duties to be paid in the Port of Importation before breaking Bulk.

If Coals be landed before Duties paid, both Coals and Ship are forfeited.

The King or Four Commiſſioners of the Cuſtoms, may appoint Weighers, who ſhall certify the Weight of the Coals.

XVI. And to the end that the ſaid Impoſitions and Duties may be duly anſwered and paid, without Fraud or Covin, and for the better levying and collecting thereof, and for the Diſcovery of the juſt Quantities of all Sorts of Coals and Culm, to be Water-born, imported or unladen as aforeſaid; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, His Heirs or Succeſſors, or to or for any four or more of the ſaid Commiſſioners of the Cuſtoms for the time being, by Writing under their Hands and Seals, from time to time, to aſſign and appoint, within each Port or Place within the ſaid Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, ſuch and ſo many Meters, Weighers and Meaſurers of the ſaid Coals and Culm, as ſhall within the Term aforeſaid be imported, brought or landed in ſuch Port or Place, wherein or for which ſuch Meters, Weighers or Meaſurers, ſhall be aſſigned or appointed as aforeſaid; who ſhall from time to time meaſure and weigh all ſuch Coals and Culm ſo imported or brought, and when and as ſoon as any ſuch Ship or Veſſel ſhall be unladen, ſhall forthwith deliver a true Certificate in Writing, under his or their Hand or Hands, unto the Perſon or Perſons appointed to receive the ſaid Impoſitions or Duties within ſuch Port or Place, of the Sorts, Quantities and Numbers of Chaldrons or Tuns of Coals or Culm reſpectively, which ſhall be meaſured or weighed, and delivered from on Board any ſuch Ship or Veſſel, under the Penalty of one hundred Pounds; and in caſe it ſhall appear by ſuch Certificate or otherwiſe, that there was on Board any ſuch Ship or Veſſel a greater Number of Chaldrons or Tuns of Coals or Culm, than for which the ſaid Impoſitions or Duties hereby impoſed ſhall have been anſwered and paid as aforeſaid, that then in every ſuch Caſe there ſhall be paid unto His Majeſty, His Heirs and Succeſſors, by the Maſter or Owners of ſuch Ship or Veſſel, for every Chaldron or Tun of Coals or Culm ſo concealed, over and above the Impoſitions and Duties aforeſaid, the Sum of ten Shillings; for which, in caſe of Refuſal to pay the ſame, ſuch Ship or Veſſel, with the Tackle, Furniture, and Apparel thereof, or any Part thereof, ſhall and may be attached and detained by the Officer or Officers for the time being, in ſuch Port or Place appointed to receive the ſaid Impoſitions or Duties, or to meaſure or weigh the ſaid Coals or Culm, until Payment thereof, and to ſell the ſaid Ship or Veſſel, Tackle, Furniture and Apparel, or any Part thereof, in caſe all the ſaid Impoſitions, Duties or Payments before mentioned, for the ſaid concealed Coals or Culm, ſhall not be paid and ſatisfied, with reaſonable Coſts and Charges for ſuch attaching, detaining and ſelling, rendring the Overplus; which Sale ſhall be good and effectual in Law.

10 s. per Chaldron forfeited for paying leſs than certified.

Forfeiture ſaved by Poſt entry and Payment within 6 Days.

XVII. Provided nevertheleſs, That if the Importer, upon ſuch Certificate delivered in by the Meaſurer or Weigher, ſhall within the Space of ſix Days after the Delivery of ſuch Ship or Veſſel, give in his Poſt-entry, and ſatisfy and pay the whole Duty for the Surpluſage of the ſaid Coals or Culm, appearing upon the unlading of ſuch Ship or Veſſel, then upon ſuch Payment the Penalty aforeſaid ſhall be diſcharged.

Officers to keep a Book of Accounts, and to pay the Money to the Receivers of the Cuſtoms, who are to return it into the Exchequer.

XVIII. And for the Manifeſtation of the Truth and Certainty in the Premiſſes, be it further enacted by the Authority aforeſaid, That the Officers to be appointed in each Port and Place for the receiving of the ſaid Impoſitions or Duties, and for the weighing and meaſuring of the ſaid Coals and Culm, ſhall reſpectively keep one or more Book or Books for every ſuch Port or Place, wherein they ſhall reſpectively enter down a true Account of all ſuch Sums of Money, which ſhall be paid or received for or upon Account of the ſaid Impoſitions or Duties, and of all the Payments and Diſburſements of the ſame; and alſo a true Account of the Numbers of Chaldrons and Tuns of Coals and Culm ſo imported and unladen in any ſuch Port or Place, and of the reſpective Sorts thereof; and the Monies ariſing by the Impoſitions and Duties aforeſaid are to be paid into the Receiver or Receivers General of the Cuſtoms for the time being, and by them to be paid and returned into the Receipt of His Majeſty's *Exchequer*, for His Majeſty's Uſe, where

where the ſame ſhall be kept and entered in Books diſtinct and apart from any other Branch of His Majeſty's Revenue.

Allowance of Seamen to Coal Ships, and Penalty upon Officers impreſſing them. 11 & 12 W. 3. c. 13. §. 8. 6 Ann. c. 22. §. 8.

XIX. And for the encouraging of all ſuch Ships or Veſſels as ſhall be employed in bringing Coals for ſupplying the City of *London*, and other Ports of this Kingdom, at more reaſonable Rates than during this War they have hitherto been; Be it enacted by the Authority aforeſaid, That from and after the ſaid nine and twentieth Day of *September*, there ſhall be allowed yearly, from the fifteenth Day of *April* until the firſt Day of *January*, free from impreſſing, to every Maſter of any Ship or Veſſel employed in the Coal Trade, two able Seamen (ſuch as the Maſter ſhall nominate) for every Ship or Veſſel under one hundred Tun, and one for every fifty Tun, for every Ship or Veſſel of one hundred Tun and upwards Burthen, according to the Meaſurement which ſuch a Ship or Veſſel ſhall appear to be of, by a Certificate which ſhall be produced from the Cuſtom Houſe, of what Number of Tuns ſuch a Ship or Veſſel hath paid for, by an Act for laying a Duty on Tunnage of Shipping; and if any Captain, Lieutenant or other Officer, ſhall by any Authority whatſoever preſume to impreſs or take any of the Men allowed by this Act, ſuch Captain, Lieutenant or other Officer, ſhall forfeit to the Maſter or Owner of ſuch Ship or Veſſel ten Pounds for every Man he ſhall ſo impreſs or take, to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed, and ſhall alſo be made incapable of holding any Place, Office or Employment, in any of His Majeſty's Ships of War.

9 Annæ, c. 6. §. 5.

'XX. And whereas the Impoſition upon Coals exported to Foreign Parts is ſo great, that it is almoſt a 'Prohibition, to the great Diminution of His Majeſty's Cuſtoms, the leſſening of the *Engliſh* Navigation, 'and the Exportation of Coals beyond the Seas:' For Remedy whereof be it enacted by the Authority aforeſaid, That all Coals exported beyond the Seas in Foreign Bottoms ſhall, during the Continuance of this Act, only pay ten Shillings the Chaldron; and in *Engliſh* Bottoms, only three Shillings the Chaldron; any Law to the contrary notwithſtanding.

A Clauſe of Loan for 564,700l. upon this Act at 7 l. per Cent.

XXI. And be it further enacted by the Authority aforeſaid, That from and after the tenth Day of *May* one thouſand ſix hundred ninety-five, it ſhall and may be lawful to and for His Majeſty, or His Officers in the Receipt of His *Exchequer* by His Command and Appointment, to borrow and take into the ſaid Receipt, at Intereſt, for His Majeſty's Uſe, by Way of Loan, any Sum or Sums of Money, which together with the whole Value or Amount of all the Sums of Money which ſhall be collected, levied and paid by virtue of this Act, ſhall not exceed in the whole the Sum of five hundred ſixty-four thouſand ſeven hundred Pounds; which Sum or Sums of Money ſo to be taken up or borrowed, ſhall and may be charged upon the Credit of His Majeſty's *Exchequer* in general; and Tallies of Loan, and Orders for Repayment of the ſame, ſhall be levied accordingly, which Orders ſhall be aſſignable and tranſferrable from one Perſon to another.

If this Supply faileth in Payment, the next Aid given to be charged.

XXII. And it is hereby enacted and declared, That all and every Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, together with the Intereſt for the ſame, not exceeding the Rate of ſeven Pounds *per Centum per Annum*, to be paid every three Months, until Satisfaction of the Principal, ſhall be payable and be paid or ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns, out of the Monies ariſing by this Act, ſo far as the ſame ſhall extend; and ſo much as the ſaid Act ſhall fall ſhort or be deficient for paying, the ſame ſhall be payable, and be paid or ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her or their Executors, Adminiſtrators or Aſſigns, out of any of the next Aids or Supplies to be granted to His Majeſty in Parliament; and ſhall be tranſferred and tranſferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted; and in caſe no ſuch Aid or Supply ſhall be granted to his Majeſty before the ſecond Day of *February* one thouſand ſix hundred ninety-five, then the ſaid Sum and Sums of Money ſo to be borrowed, not exceeding as aforeſaid, and the Intereſt thereof, ſhall be payable, and be paid and ſatisfied to the ſaid Lender or Lenders, his, her or their Executors, Adminiſtrators or Aſſigns reſpectively, by and out of any of His Majeſty's Treaſure, which from thenceforth ſhall come into, be or remain in the Receipt of His Majeſty's *Exchequer*, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this Time made.

If no Aid given before Feb. 2. Exchequer charged.

Nine Ships to guard the Coal Trade.

XXIII. And be it further enacted by the Authority aforeſaid, That nine of the Ships of War, Part of the forty-three, which by an Act of this preſent Seſſion of Parliament were appointed to cruiſe in ſeveral Stations to guard the Coaſts and Trade of this Kingdom, are hereby appointed to cruiſe or convoy (that is to ſay) ſix on the Northern Coaſts, and three on the Weſtern Coaſts, in ſuch Stations as ſhall be directed by the Lord High Admiral of *England*, or Commiſſioners for executing the Office of Lord High Admiral of *England* for the time being, for the better protecting and preſerving ſuch Ships and Veſſels as ſhall be employed in the Coal Trade.

3 Months Time for paying the Duties, and the Duties to be repaid upon Exportation.

XXIV. And be it further enacted by the Authority aforeſaid, That there ſhall be allowed, to every Maſter or Owner of any Ship or Veſſel, three Months Time for the Payment of the Duty impoſed by this Act, good and ſufficient Security being given for the ſame, ſuch as the Collector or other Chief Officer of the Port or Place where ſuch Goods ſhall be imported or brought, ſhall approve of, or if ſuch Maſter or Owner ſhall pay preſent Money, there ſhall be allowed him after the Rate of ten Pounds *per Centum per Annum* for ſuch prompt Payment; and if any of the Coals, for which the Duty hereby granted, paid, or ſecured, at the Importation thereof, be again exported to any other Place of this Kingdom, or to any Parts beyond the Seas, then the aforeſaid Duty ſhall be wholly repaid, or the Security vacated, upon due Proof thereof in uſual Form.

Appropriation of the Monies ariſing by this

XXV. And it is hereby further enacted by the Authority aforeſaid, That out of the Money that ſhall be levied or paid into the Receipt of the *Exchequer*, as well upon Loans as otherwiſe, by virtue of this Act, and alſo by one other Act of this preſent Seſſion of Parliament, intituled, *An Act for granting to His Ma-*

*jeſty*

and the Marriage Act. 6 & 7 W. 3. c. 6.

*jeſty certain Rates and Duties upon Marriages, Births, and Burials, and upon Batchelors and Widowers, for the Term of five Years, for carrying on the War againſt* France, The Sum of four hundred forty-eight thouſand ſeven hundred and twelve Pounds ſhall be and is hereby appropriated for the Services of the Navy and Ordnance for Sea Service, performed and to be performed, and for Pay of the Officers and Soldiers of the two Marine Regiments (that is to ſay) out of this preſent Act, two hundred thouſand Pounds, and out of the laſt recited Act, the Sum of two hundred forty-eight thouſand ſeven hundred and twelve Pounds: And that all other Monies, which ſhall be levied and paid by virtue of this and the aforeſaid Act into the Receipt of the *Exchequer*, as well upon Loans, as otherwiſe, ſhall be applied and appropriated and is hereby appropriated to and for the Payment of his Majeſty's Land Forces and Armies, and the paying for Arms, Ammunition, and other Charges incident to the War, and not otherwiſe.

Rules in the Act of 1 W. & M. ſ. 2. c. 1. for 2 s. in the Pound to be obſerved.

XXVI. And for the more effectual doing thereof, and that the Sums by this Act appropriated may not be diverted or applied to any other Purpoſe than is hereby declared and intended, be it enacted by the Authority aforeſaid, That the Rules and Directions appointed and enacted in one Act made in the firſt Year of their Majeſties Reign, intituled, *An Act for a Grant to their Majeſties of an Aid of two Shillings in the Pound for one Year*, for the ſpeedy Payment of Money thereby granted, into the Receipt of the *Exchequer*, by the Collectors and Receivers, and for Diſtribution and Application thereof and keeping diſtinct Accounts of the ſame, and all other Proviſions, Pains, Penalties, and Forfeitures thereby enacted, in caſe of Diverſion of any Money thereby appropriated, are hereby revived and enacted to be in Force; and ſhall be practiſed, applied, executed, and put in ure, for and concerning the Diſtribution and Application of the ſaid Sums hereby appropriated, as fully, amply, and effectually, as if the ſame were here particularly repeated and re-enacted.

Coal Meters already ſworn ſtill to continue. *Farther Proviſions concerning Coals*, 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. *and* 33 *Geo.* 2. *c.* 15.

XXVII. Provided always, and be it further enacted by the Authority aforeſaid, That the Weight, Metage, and Admeaſurement, of all Coal and Culm, brought to or landed in the Port of *London*, or in any other Port or Place, where there are ſworn Coal Meters, ſhall be taken by ſuch Coal Meters for the time being, as now it is, and they to give an Account thereof upon Oath in Manner aforeſaid; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Penalty for trading in Alamodes, &c. not having the Cuſtom Houſe Mark. 8 & 9 W. 3. c. 36. §. 3. *Farther Proviſions concerning Silks*, 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9 & 20. *and* 26 *Geo.* 2. *c.* 21.

'XXVIII. And whereas notwithſtanding the Seals and Marks that are appointed and uſed by the Commiſſioners of His Majeſty's Cuſtoms upon Foreign Black Alamodes and Luſtrings, in order to prevent Frauds, and the Seal and Seals alſo uſed by the *Luſtring Company*, ill Men do daily import fraudulently great Quantities of *French* Alamodes and Luſtrings into this Realm, and do utter and ſell the ſame, by which Means alſo they have Opportunities to export Wooll and Money out of *England*, to the great Prejudice of this Nation:' For Remedy whereof be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall preſume to deal or ſell, buy or ſell again, or ſend beyond Sea, any black Alamodes or Luſtrings, unleſs they have the Seal or Seals, Mark or Marks, which are already uſed for Foreign Goods at the Cuſtom Houſe, or the Seal and Mark alſo uſed by the Luſtring Company, for the Goods manufactured by them in *England*, under the Forfeiture of all ſuch unqualified Goods, and alſo ſhall forfeit the Sum of one hundred Pounds for every Offence; one half to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other half to the Uſe of ſuch Perſon or Perſons who ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint, or Information, or otherwiſe, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law, ſhall be allowed, and no more than one Imparlance.

Buyer, on diſcovering the Seller, to be diſcharged, &c.

XXIX. And be it alſo enacted by the Authority aforeſaid, That if the Buyer of ſuch Goods, not ſealed according to Law, ſhall, within twelve Months after ſuch Offence committed, diſcover the Perſon or Perſons of whom he ſhall buy the ſame, he ſhall not only be diſcharged of the Penalty to which he is hereby liable, but ſhall alſo have and receive to his own Uſe one Moiety of the Sum hereby impoſed upon the Party or Parties that ſhall ſell or diſpoſe of any ſuch Alamodes and Luſtrings without the Seal or Marks aforeſaid.

100 l. for counterfeiting the Mark.

XXX. And be it further enacted, That if any Perſon or Perſons ſhall alter, counterfeit, or miſapply any of the Seals or Marks now uſed, and hereby required to be uſed, for the Purpoſes aforeſaid, ſuch Offender ſhall forfeit the Sum of one hundred Pounds, to ſuch Perſon or Perſons who ſhall ſue for the ſame, to be recovered in like Manner as is herein before mentioned.

5 & 6 W. & M. c. 22. Commiſſioners for the Hackney Coaches not to grant Licences for longer Time than June, 95.

'XXXI. And whereas upon the Act made the laſt Seſſion of Parliament, intituled, *An Act for licencing and regulating Hackney Coaches and Stage Coaches*, the Commiſſioners being thereby enabled to licence Stage Coaches; and it being enacted, That no Licence continue longer than for one Year from the Date thereof; and it being alſo enacted by the ſaid Act, That no Perſon ſhall preſume to drive or let to Hire any Stage Coach or Coach Horſes, without having ſuch Leave or Licence, as the ſaid Act directs; it hath been doubted whether the ſaid Commiſſioners might make new Licences for Stage Coaches, after the Determination of the firſt, and ſo to continue for the Term of one and twenty Years, and what was intended by the general Prohibition of Stage Coaches not having ſuch Licences, without having any Reſtraint or Limitation of Time:' For explaining of which Doubts, be it enacted, and it is hereby further enacted by the Authority aforeſaid, That nothing in the ſaid Act contained ſhall extend or be conſtrued any way to impower any Commiſſioners, that are or ſhall be appointed by virtue of the ſaid Act, to make or grant any Licence to any Perſon or Perſons whatſoever, to drive or let to Hire any Stage Coach or Coach Horſes, to continue or be in Force after the four and twentieth Day of *June* one thouſand ſix hundred ninety-five. And it is hereby declared and enacted, That all Leaſes or Licences heretofore made, and which are to continue after the ſaid four and twentieth Day of *June*, as for all the Time after the ſaid four and twentieth Day of *June*, ſhall be and are hereby declared null and void to all Intents and Purpoſes whatſoever. And it is hereby further enacted and declared, That nothing in the

ſaid Act contained ſhall extend or be conſtrued to be any Prohibition, whereby any Perſon ſhall be reſtrained from driving, or letting to Hire, any Stage Coach or Coach Horſes, from and after the ſaid four and twentieth Day of *June*. And if the ſaid Commiſſioners, or any of them, by reaſon of the Obſcurity of the ſaid Act, have made any Miſtake, by granting or giving Licences to drive or let to Hire Stage Coaches or Coach Horſes to continue longer or after the ſaid four and twentieth Day of *June*, for ſo doing they and every of them are hereby indemnified.

## CAP. XIX.

An Act for impriſoning Sir *Thomas Cooke*, Sir *Bazil Firebrace*, *Charles Bates* Eſquire, and *James Craggs*; and reſtraining them from alienating their Eſtates. EXP.

## CAP. XX.

An Act for the King's moſt gracious, general and free Pardon. EXP.

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# Anno Regni GULIELMI III. ſeptimo & octavo.

'AT the Parliament begun at *Weſtminſter* the two and twentieth Day of *November*, *Anno Dom.* 1695 in the ſeventh Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

## CAP. I.

### An Act for remedying the ill State of the Coin of the Kingdom.

'WHEREAS the Silver Coins of this Realm (as to a great Part thereof) do appear to be exceedingly diminiſhed by ſuch Perſons, who (notwithſtanding ſeveral good Laws formerly provided, and many Examples of Juſtice thereupon) have practiſed the wicked and pernicious Crime of clipping, until at length the Courſe of the Monies within this Kingdom is become difficult, and very much perplexed, to the unſpeakable Wrong and Prejudice of His Majeſty and his good Subjects in their Affairs as well publick as particular, and no ſufficient Remedy can be applied to the manifold Evils ariſing from the Clipping of the Monies, without recoining the clipt Pieces:' Now to the end a regular and effectual Method may be obſerved and put in Execution in and for the recoining of the ſaid clipt Monies, whether the ſame be Sterling Silver, or be Silver of a coarſer Allay than the Standard; and to the end the Loſs upon the ſaid Monies ſo to be recoined, to wit, the Quantity of Money that is clipt away or deficient in the ſaid Monies, may be better known and adjuſted, in order to the making Satisfaction for the ſame by a publick Charge or Contribution, *&c.* EXP.

25 Ed. 3. ſtat. 5. c. 13. 3 H. 5. c. 6 & 7. 19 H. 7. c. 5. 5 Eliz. c. 11. 18 Eliz. c. 1. 6 & 7 W. 3. c. 17. 1 *Haw. P. C. ch.* 17.

" A regular Method to be kept for recoining of clipt Money. On or before 1 *Feb.* 1695. the clipt Money " in the *Exchequer* to be told, weighed, and entred particularly, and afterwards melted, aſſayed, and coined. " New Money to be brought into the *Exchequer*, and placed to Account. See 7 & 8 W. 3. c. 18. §. 36. " Account to be kept in the *Exchequer* of the new Monies brought from the Mint. Deficiencies to be " made good. Receivers, *&c.* of the Revenue to take clipt Monies, being Sterling Silver, or Silver of a " coarſer Allay, at the ſame Value as if unclipt. Tellers of the *Exchequer* may receive clipt Money, and " take it for Loans, unleſs otherwiſe ſpecially directed. Clipt Money received for Loans to be kept apart, " be number'd, *&c.* and deliver'd to the Officers of the Mint to be coined, and placed to the reſpective " Accounts in the *Exchequer*. Account to be kept of the new Money brought from the Mints. Deficiencies " to be made good. Monies to be under the Methods preſcribed by this Act. Hammered Money unclipt " to be punched, and not current unleſs ſtruck through. Penalty. Farther provided for by 7 & 8 W. 3. " c. 19. §. 11. Juſtices of the Peace to determine Complaints. Officers making Default, to pay double " Damages. Out of every 100 lb. of Silver *Troy*, 40 lb. to be coined into Shillings, and 10 lb. into Six- " pences; and in caſe of Omiſſion forfeit 20 l. Altered by 7 & 8 W. 3. c. 30. §. 47. Sixpences not clipt to " be current." *Farther Proviſions concerning the Coin*, 7 & 8 *W.* 3. *c.* 19. 8 & 9 *W.* 3. *c.* 26. 9 & 10 *W.* 3. *c.* 21. 1 *Ann. ſtat.* 1. *c.* 9. *and* 15 *Geo.* 2. *c.* 28.

## CAP. II.

### An Act for enlarging the Times to come in and purchaſe certain Annuities therein mentioned, and for continuing the Duties formerly charged on Low Wines, or Spirits of the firſt Extraction, for carrying on the War againſt *France*.

'WHEREAS in and by an Act lately made and paſſed in Parliament, to wit, in the Seſſion holden at *Weſtminſter*, in the ſixth and ſeventh Years of His Majeſty's Reign, intituled, *An Act for enabling ſuch Perſons as have Eſtates for Life in Annuities payable by ſeveral former Acts therein mentioned,* 6 & 7 W. 3. c. 58.

' *to*

'*to purchase and obtain further or more certain Interests in such Annuities, and in default thereof for admitting other Persons to purchase and obtain the same, for raising Monies for carrying on the War against* France, it was enacted, That it should and might be lawful to and for any Person or Persons, being intituled to any Estate for one Life, of and in any Annuity purchased or obtained upon former Acts therein mentioned, or any of them, at any Time before the four and twentieth Day of *July*, which should be in the Year of our Lord one thousand six hundred ninety-five, to advance and pay into the Receipt of His Majesty's *Exchequer* so much Money as every or any such Annuity, being computed for four Years and an half, should amount unto; and that every such Person, or such as he should nominate, upon such Payment made, should be intituled to the same Annuity during the Term of ninety-six Years, to be reckoned from the five and twentieth Day of *January* one thousand six hundred ninety-five, in such Manner and Form as in the said Act is mentioned: And it was thereby further enacted, That if any Person or Persons, being intituled to any Estate for one Life in any such Annuity or Annuities, should not before the said four and twentieth Day of *July* one thousand six hundred ninety-five, advance and pay into the Receipt of *Exchequer* such Rate or Consideration Money, as is before mentioned, that then and in every such Case, it should and might be lawful to and for any Person or Persons whatsoever, at any Time and Times after the said four and twentieth Day of *July*, and on or before the twelfth Day of *November* one thousand six hundred ninety-five, to contribute, advance, and pay, into the said Receipt of *Exchequer*, so much Money, as any such Annuity, being computed for five Years, did or should amount unto; and that every such Person, on such Payment made, should have a good Estate and Interest in any such Annuity so to be purchased, during the said Term of ninety-six Years; subject nevertheless to the said particular Estate for Life in being: And that Tallies should be levied, and Orders drawn and signed, for the same, in such Manner as by the said Act is prescribed, as by the same, Relation being thereunto had, more plainly and at large it doth and may appear:

'II. And whereas divers Persons, in Pursuance of the said recited Act, did, within the said respective Times thereby limited, contribute or pay into the said Receipt of *Exchequer* several Sums of Money, amounting in the whole to two hundred thirty-five thousand nine hundred fifty-one Pounds and six Pence, for purchasing further or more certain Estates in some of the Annuities before mentioned:

'III. And whereas the Persons who are or may be intituled to such of the said Annuities as do still depend upon single Lives, and wherein further Estates are not already purchased by the said former Act, are or may be willing and desirous, or (in case of their or any of their Neglect or Refusal) other Persons may yet be willing and desirous to purchase and obtain a Term of Years, as aforesaid, in the Annuities last mentioned, or some of them, at the like Rates, or for such Considerations, as were prescribed by the said former Act, so as further Times be allowed them for the doing thereof:' Now, for the better Encouragement of such Persons who shall so contribute Monies for the Purpose aforesaid, and for the better supplying of Monies, with as much Ease as may be, for the carrying on the War against *France*:

Persons intituled to Annuities for one Life on the Acts 4 & 5 W. & M. c. 3. 5 & 6 W. & M. c. 20.

IV. Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, being (as original Contributors, or by Mesne Assignments, or by other lawful Ways and Means) intitled to any Estate for one Life (*viz.* his own, or the Life of any other Person) of or in any Annuity purchased or obtained upon the several Acts of Parliament mentioned in the Act above recited, or any of them, or such as they shall nominate, at the Rate of one hundred Pounds for every fourteen Pounds *per Annum*, at any Time before the four and twentieth Day of *June*, which shall be in the Year of our Lord one thousand six hundred ninety-six, to advance and pay into the Receipt of His Majesty's *Exchequer*, so much Money as every or any such Annuity, being computed for four Years and an half, doth or shall amount to (that is to say) Every such Person shall or may pay to His Majesty's Use, for every one hundred Pounds that was paid for the single Life, in any Annuity of fourteen Pounds *per Annum*, the Sum of sixty-three Pounds more, for changing or converting the same into a certain Term for the Residue which shall be then to come of the said ninety-six Years, or for a further Interest for the Residue of the said Term of ninety-six Years, to take Effect after the Estate for Life, as aforesaid, and in the same Proportion for higher or larger Annuities.

May for 63 l. more purchase the Residue of the Term of 96 Years.

Persons intituled to Estates for Life, not paying Consideration Money before 24 June, may, before 29 Sept. 1696. pay 70 l. for Residue of 96 Years.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons, being intitled to any Estate for one Life in being in any such present Annuity or Annuities, as aforesaid, or such as they shall nominate, shall not before the said four and twentieth Day of *June* advance and pay into the Receipt of *Exchequer* such Rate or Consideration Money as is before mentioned, for changing such his, her, or their Estate for Life, into a Term certain, or for a future Interest, as aforesaid; that then and in every such Case it shall and may be lawful to or for any Person or Persons whatsoever, Natives or Foreigners, having or not having any Property or Interest in such Estate for Life, at any Time or Times after the said four and twentieth Day of *June*, and on or before the nine and twentieth Day of *September*, in the Year of our Lord one thousand six hundred ninety-six, to contribute, advance and pay into the said Receipt of *Exchequer*, so much Money as any such Annuity, being computed for five Years, doth or shall amount to (that is to say) For every hundred Pounds that was paid for the single Life in an Annuity of fourteen Pounds a Year, there shall be paid, in all the Cases last mentioned, the Sum of seventy Pounds for an Interest for the then Residue of the said Term of ninety-six Years, to be reckoned as aforesaid, and to be charged with and subject to the present Estate for Life, of and in the same or the like Annuities; and there shall be paid a Rate or Consideration in the same Proportion for Annuities exceeding fourteen Pounds a Year: And that all and every the Person and Persons, so paying the Consideration Monies as aforesaid, shall immediately upon Payment of their Monies be intitled by this Act to such Annuity or Annuities so to be purchased, and the same shall be charged upon such respective Fund or Revenue in the said recited Act mentioned, as if the Consideration Money so to be contributed or advanced for the same had been actually advanced

Persons paying a Rate for Annuities exceeding 14 l. per Ann. intitled to such Annuity.

advanced or contributed within the respective Times limited by the said former Act; and that all and every the Directions, Powers, and Clauses, in the said recited Act contained, for or concerning the levying of Tallies, or making forth of Orders, or for making Transferrences or Assignments, or for the appropriating or applying the Monies arising by the said Funds or Revenues, or any of them, or for appointing, settling, or establishing, any other Matter or Thing, for or in Relation to the respective Annuities thereby purchased or obtained, shall be and are by Force and Virtue of this Act revived, and shall be duly observed, practised, and put in Execution, for and in respect of such Annuities as shall be purchased or obtained upon this Act, as fully and effectually as if the same Powers, Directions, and Clauses, were here again expressed, or particularly repeated.

All Clauses in the recited Act 6 & 7 W. 3. c. 5. mentioned revived by this Act.

'VI. And whereas in and by an Act made in the second Year of the Reign of His Majesty and the late 'Queen MARY of blessed Memory, intituled, *An Act for the encouraging the distilling of Brandy and Spirits 'from Corn, and for laying several Duties on Low Wines, or Spirits of the first Extraction*, it was enacted, 'That from and after the four and twentieth Day of *December* in the Year of our Lord one thousand six 'hundred and ninety, until the five and twentieth Day of *December* in the Year of our Lord one thousand 'six hundred ninety five, there should be paid by way of Excise, unto their Majesties and their Successors, 'for all Low Wines, or Spirits of the first Extraction, drawn by Distillers, or other Makers of Spirits 'and Strong Waters for Sale within this Kingdom of *England*, Dominion of *Wales*, and Town of *Ber-'wick* upon *Tweed*, the several Rates and Duties therein mentioned;' Be it further enacted by the Authority aforesaid, That the several Duties granted by the Act last mentioned shall be raised, levied, collected, answered, and paid to His Majesty's Use, for the carrying on of the War against the *French* King, from the four and twentieth Day of *December* one thousand six hundred ninety five, to the five and twentieth Day of *March* one thousand six hundred ninety six, and no longer; and that the said last mentioned Act, and all the Powers, Provisions and Penalties, Articles and Clauses therein contained, concerning the said Duties which were thereby granted, shall continue and be of full Force and Effect until the said five and twentieth Day of *March*, and shall be applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said Duties hereby continued, according to the Intent and Meaning of this present Act.

2 W. & M. st. 2. c. 9. 1 Geo. 1. c. 12.

Excise on Brandy, Low Wines, &c.

to be raised from 24 Dec. 1695. to 25 March, 1696.

All Powers contained in the said Act to be in Force till 25 March.

## CAP. III.

### An Act for regulating of Trials in Cases of Treason and Misprision of Treason.

'WHEREAS nothing is more just and reasonable, than that Persons prosecuted for High Treason 'and Misprision of Treason, whereby the Liberties, Lives, Honour, Estates, Blood, and Posterity 'of the Subjects, may be lost and destroyed, should be justly and equally tried, and that Persons accused as 'Offenders therein should not be debarred of all just and equal Means for Defence of their Innocencies 'in such Cases;' in order thereunto, and for the better Regulation of Trials of Persons prosecuted for High Treason and Misprision of such Treason; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March* in the Year of our Lord one thousand six hundred ninety-six, all and every Person and Persons whatsoever, that shall be accused and indicted for High Treason, whereby any Corruption of Blood may or shall be made to any such Offender or Offenders, or to any the Heir or Heirs of any such Offender or Offenders, or for Misprision of such Treason, shall have a true Copy of the whole Indictment, but not the Names of the Witnesses, delivered unto them, or any of them, five Days at the least before he or they shall be tried for the same, whereby to enable them, and any of them respectively, to advise with Counsel thereupon, to plead and make their Defence, his or their Attorney or Attorneys, Agent or Agents, or any of them, requiring the same, and paying the Officer his reasonable Fees for writing thereof, not exceeding Five Shillings for the Copy of every such Indictment; and that every such Person so accused and indicted, arraigned or tried for any such Treason, as aforesaid, or for Misprision of such Treason, from and after the said Time, shall be received and admitted to make his and their full Defence, by Counsel learned in the Law, and to make any Proof that he or they can produce by lawful Witness or Witnesses, who shall then be upon Oath, for his and their just Defence in that Behalf; and in case any Person or Persons so accused or indicted shall desire Counsel, the Court before whom such Person or Persons shall be tried, or some Judge of that Court, shall and is hereby authorized and required immediately, upon his or their Request, to assign to such Person and Persons such and so many Counsel, not exceeding Two, as the Person or Persons shall desire, to whom such Counsel shall have free Access at all seasonable Hours; any Law or Usage to the contrary notwithstanding.

25 *Ed.* 3. *stat.* 5. *c.* 2.

From 25 March 1696. Persons indicted for High Treason to have a Copy of the Indictment 5 Days before Trial, paying for the same, 7 Annæ, c. 21. §. 11.

and to make their Defence by Counsel and Witnesses on Oath.

Court authorized to assign Counsel.

II. And be it further enacted, That from and after the said five and twentieth Day of *March* in the Year of our Lord one thousand six hundred ninety-six, no Person or Persons whatsoever shall be indicted, tried, or attainted, of High Treason, whereby any Corruption of Blood may or shall be made to any such Offender or Offenders, or to any the Heir or Heirs of any such Offender or Offenders, or of Misprision of such Treason, but by and upon the Oaths and Testimony of two lawful Witnesses, either both of them to the same Overt Act, or one of them to one, and the other of them to another Overt Act of the same Treason; unless the Party indicted, and arraigned, or tried, shall willingly, without Violence, in open Court, confess the same, or shall stand mute, or refuse to plead, or in Cases of High Treason shall peremptorily challenge above the Number of thirty-five of the Jury; any Law, Statute, or Usage, to the contrary notwithstanding.

No Person to be tried for High Treason, but on the Oath of 2 Witnesses.

III. Provided always, That any Person or Persons, being indicted, as aforesaid, for any of the Treasons, or Misprisions of the Treasons aforesaid, may be outlawed, and thereby attainted of or for any of the said Offences of Treason, or Misprision of Treason; and in Cases of the High Treasons aforesaid, where by the

Persons indicted may be outlawed. But have Benefit of this Act.

the Law, after ſuch Outlawry, the Party outlawed may come in, and be tried, he ſhall, upon ſuch Trial, have the Benefit of this Act.

One Witneſs to one Treaſon, and another to another, not to be deemed 2 Witneſſes.

IV. And be it further enacted and declared by the Authority aforeſaid, That if two or more diſtinct Treaſons of divers Heads or Kinds ſhall be alledged in one Bill of Indictment, one Witneſs produced to prove one of the ſaid Treaſons, and another Witneſs produced to prove another of the ſaid Treaſons, ſhall not be deemed or taken to be two Witneſſes to the ſame Treaſon, within the Meaning of this Act.

No Perſon to be indicted for Treaſon, unleſs within 3 Years after Offence.

V. And to the Intent that the Terror and Dread of ſuch criminal Accuſations may in ſome reaſonable Time be removed, be it further enacted by the Authority aforeſaid, That from and after the ſaid five and twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-ſix, no Perſon or Perſons whatſoever ſhall be indicted, tried or proſecuted, for any ſuch Treaſon as aforeſaid, or for Miſpriſion of ſuch Treaſon, that ſhall be committed or done within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, after the ſaid five and twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-ſix, unleſs the ſame Indictment be found by a Grand Jury within three Years next after the Treaſon or Offence done or committed.

No Proſecution, unleſs indicted within 3 Years.

VI. And that no Perſon or Perſons ſhall be proſecuted for any ſuch Treaſon, or Miſpriſion of ſuch Treaſon, committed or done, or to be committed or done, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, before the ſaid five and twentieth Day of *March*, unleſs he or they ſhall be indicted thereof within three Years after the ſaid five and twentieth Day of *March*; always provided and excepted, That if any Perſon or Perſons whatſoever ſhall be guilty of deſigning, endeavouring, or attempting, any Aſſaſſination on the Body of the King, by Poiſon or otherwiſe, ſuch Perſon or Perſons may be proſecuted at any Time, notwithſtanding the aforeſaid Limitation.

Exception.

Perſons tried to have Copies of the Panel 2 Days before Trial.

VII. And that all and every Perſon and Perſons, who ſhall be accuſed, indicted, and tried for ſuch Treaſon as aforeſaid, or for Miſpriſion of ſuch Treaſon, after the ſaid five and twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-ſix, ſhall have Copies of the Panel of the Jurors who are to try them, duly returned by the Sheriff, and delivered unto them and every of them ſo accuſed and indicted reſpectively, two Days at the leaſt before he or they ſhall be tried for the ſame; and that all Perſons ſo accuſed and indicted for any ſuch Treaſon as aforeſaid, ſhall have the like Proceſs of the Court where they ſhall be tried, to compel their Witneſſes to appear for them at any ſuch Trial or Trials, as is uſually granted to compel Witneſſes to appear againſt them.

Proceſs of the Court to compel Witneſſes to appear.

No Evidence of Acts not laid in the Indictment.

VIII. And be it further enacted, That no Evidence ſhall be admitted or given of any Overt Act that is not expreſly laid in the Indictment againſt any Perſon or Perſons whatſoever.

No Indictment to be quaſhed for miſ-writing, &c. unleſs Exception be made before Evidence given.

And not to ſtay Judgment.

IX. Provided alſo, and be it enacted by the Authority aforeſaid, That no Indictment for any of the Offences aforeſaid, nor any Proceſs or Return thereupon, ſhall be quaſhed on the Motion of the Priſoner, or his Counſel, for miſ-writing, miſ-ſpelling, falſe or improper *Latin*, unleſs Exception concerning the ſame be taken and made in the reſpective Court where ſuch Trial ſhall be, by the Priſoner or his Counſel aſſigned, before any Evidence given in open Court upon ſuch Indictment; nor ſhall any ſuch miſ-writing, miſ-ſpelling, falſe or improper *Latin*, after Conviction on ſuch Indictment, be any Cauſe to ſtay or arreſt Judgment thereupon: But nevertheleſs any Judgment given upon ſuch Indictment, ſhall and may be liable to be reverſed upon a Writ of Error, in the ſame Manner, and no other, than as if this Act had not been made.

Jury of 12 Freeholders.

'X. And whereas by the good Laws of this Kingdom, in Caſes of Trials of Commoners for their Lives, 'a Jury of Twelve Freeholders muſt all agree in one Opinion before they can bring a Verdict, either for 'Acquittal or Condemnation of the Priſoner:

Peers to be ſummoned 20 Days before Trial; and ſhall take the Oaths, &c.

'XI. And whereas upon the Trials of Peers or Peereſſes, a major Vote is ſufficient, either to acquit or 'condemn;' Be it further enacted by the Authority aforeſaid, That upon the Trial of any Peer or Peereſs, either for Treaſon or Miſpriſion, all the Peers who have a Right to ſit and vote in Parliament ſhall be duly ſummoned, twenty Days at leaſt before every ſuch Trial, to appear at every ſuch Trial; and that every Peer, ſo ſummoned and appearing at ſuch Trial, ſhall vote in the Trial of ſuch Peer or Peereſs ſo to be tried, every ſuch Peer firſt taking the Oaths mentioned in an Act of Parliament made in the firſt Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; and alſo every ſuch Peer ſubſcribing and audibly repeating the Declaration mentioned in *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament*, and made in the thirtieth Year of the Reign of the late King CHARLES the Second.

1 W. & M. ſſ. 1. c. 8.

30 Car. 2. ſtat. 2. c. 1.

Act not to extend to any Impeachment in Parliament.

XII. Provided always, That neither this Act, nor any thing therein contained, ſhall any ways extend to, or be conſtrued to extend to any Impeachment or other Proceedings in Parliament, in any Kind whatſoever.

20 Geo. 2. c. 30. Nor to counterfeiting the Coin, &c.

XIII. Provided alſo, That this Act, nor any thing therein contained, ſhall any ways extend to any Indictment of High Treaſon, nor to any Proceedings thereupon, for counterfeiting His Majeſty's Coin, His Great Seal, or Privy Seal, His Sign Manual, or Privy Signet. [The Benefit hereof is extended by 2 & 3 ANNÆ, cap. 20. §. 43. to Treaſons within that Act.]

*Further Proviſions concerning Treaſon,* 9 *W.* 3. *c.* 1. 13 *W.* 3. *c.* 3 & 6. 1 *Ann. ſtat.* 2. *c.* 17. 2 & 3 *Ann. c.* 20. 4 *Ann. c.* 8. 6 *Ann. c.* 7. 7 *Ann. c.* 21. 1 *Geo.* 1. *ſtat.* 2. *c.* 33. 17 *Geo.* 2. *c.* 39. 19 *Geo.* 2. *c.* 9. 20 *Geo.* 2. *c.* 30 & 46.

## CAP. IV.

### An Act for preventing Charge and Expence in Elections of Members to ſerve in Parliament.

'WHEREAS grievous Complaints are made, and manifeſtly appear to be true, in the Kingdom, 'of undue Elections of Members to Parliament, by exceſſive and exorbitant Expences, contrary to 'the Laws, and in Violation of the Freedom due to the Election of Repreſentatives for the Commons of

'*England* in Parliament, to the great Scandal of the Kingdom, diſhonourable, and may be deſtructive to 'the Conſtitution of Parliaments:' Wherefore for Remedy therein, and that all Elections of Members to Parliament may be hereafter freely and indifferently made without Charge or Expence; be it enacted and declared by our Sovereign Lord the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons hereafter to be elected to ſerve in Parliament for any County, City, Town, Borough, Port or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, after the *Teſte* of the Writ of Summons to Parliament, or after the *Teſte* or the iſſuing out or ordering of the Writ or Writs of Election upon the calling or ſummoning of any Parliament hereafter, or after any ſuch Place becomes vacant hereafter in the Time of this preſent or of any other Parliament, ſhall or do hereafter, by himſelf or themſelves, or by any other Ways or Means on his or their Behalf, or at his or their Charge, before his or their Election to ſerve in Parliament for any County, City, Town, Borough, Port or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, directly or indirectly give, preſent or allow to any Perſon or Perſons, having Voice or Vote in ſuch Election, any Money, Meat, Drink, Entertainment or Proviſion, or make any Preſent, Gift, Reward or Entertainment, or ſhall, at any Time hereafter, make any Promiſe, Agreement, Obligation or Engagemhnt, to give or allow any Money, Meat, Drink, Proviſion, Preſent, Reward or Entertainment, to or for any ſuch Perſon or Perſons in particular, or to any ſuch County, City, Town, Borough, Port or Place in general, or to or for the Uſe, Advantage, Benefit, Employment, Profit or Preferment of any ſuch Perſon or Perſons, Place or Places, in order to be elected, or for being elected, to ſerve in Parliament for ſuch County, City, Borough, Town, Port or Place.

Candidates, after the Teſte of the Writ, or after any ſuch Place becomes vacant, giving or promiſing any Preſent or Reward to any Perſon having Vote, for being ſo elected; 2 Geo. 2. c. 24. 16 Geo. 2. c. 11.

II. And it is hereby further enacted and declared, That every Perſon and Perſons ſo giving, preſenting or allowing, making, promiſing or engaging, doing, acting or proceeding, ſhall be and are hereby declared and enacted diſabled and incapacitated, upon ſuch Election, to ſerve in Parliament for ſuch County, City, Town, Borough, Port or Place; and that ſuch Perſon or Perſons ſhall be deemed and taken, and are hereby declared and enacted to be deemed and taken, no Members in Parliament, and ſhall not act, ſit, or have any Vote or Place in Parliament, but ſhall be and are hereby declared and enacted to be to all Intents, Conſtructions and Purpoſes, as if they had been never returned or elected Members for the Parliament. [See 2 Geo. 2. cap. 24. *which provides that Perſons taking Money, &c. ſhall forfeit* 500 *l. and be diſabled to vote, &c. and which Act is extended to Election of Delegates in* Scotland *by* 16 *Geo.* 2. *c.* 11. *And ſee farther concerning Parliaments*, 7 & 8 *W.* 3. *c.* 7, 15, & 25. 10 & 11 *W.* 3. *c.* 7. 11 & 12 *W.* 3. *c.* 2. 12 & 13 *W.* 3. *c.* 3 & 10. 2 & 3 *Ann. c.* 18. 6 *Ann. c.* 7 & 23. 9 *Ann. c.* 5. 10 *Ann. c.* 19 & 23. 1 *Geo.* 1. *c.* 38 & 56. 2 *Geo.* 2. *c.* 24. 6 *Geo.* 2. *c.* 23. 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.]

incapable to ſerve in Parliament.

## CAP. V.

An Act for granting to His Majeſty an Aid of four Shillings in the Pound for one Year, for carrying on the War againſt *France*. EXP.

## CAP. VI.

### An Act for the more eaſy Recovery of Small Tithes.

FOR the more eaſy and effectual Recovery of ſmall Tithes, and the Value of them, where the ſame ſhall be unduly ſubſtracted and detained; where the ſame do not amount to above the yearly Value of forty Shillings from any one Perſon; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon and Perſons ſhall henceforth well and truly ſet out and pay all and ſingular the Tithes, commonly called *Small Tithes*, and Compoſitions and Agreements for the ſame, with all Offerings, Oblations and Obventions, to the ſeveral Rectors, Vicars, and other Perſons, to whom they are or ſhall be due, in their ſeveral Pariſhes within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, according to the Rights, Cuſtoms, and Preſcriptions commonly uſed within the ſaid Pariſhes reſpectively; and if any Perſon or Perſons ſhall hereafter ſubſtract or withdraw, or any ways fail in the true Payment of ſuch ſmall Tithes, Offerings, Oblations, Obventions, or Compoſitions as aforeſaid, by the Space of twenty Days at moſt after Demand thereof, then it ſhall and may be lawful for the Perſon or Perſons, to whom the ſame ſhall be due, to make his or their Complaint in Writing unto two or more of His Majeſty's Juſtices of the Peace within that County, Riding, City, Town Corporate, Place or Diviſion where the ſame ſhall grow due; neither of which Juſtices of Peace is to be Patron of the Church or Chapel whence the ſaid Tithes do or ſhall ariſe, nor any ways intereſted in ſuch Tithes, Offerings, Oblations, Obventions or Compoſitions aforeſaid.

Continued further for 7 Years by 10 & 11 W. 3. c. 15. and perpetuated by 3 & 4 Annæ, c. 18. §. 1.

*Vin. V.* 8. 564. *Burn, V.* 2. 498.

Small Tithes not paid in 20 Days after Demand, lawful to complain to two Juſtices, not intereſted,

II. And be it further enacted by the Authority aforeſaid, That if hereafter any Suit or Complaint ſhall be brought to two or more Juſtices of the Peace as aforeſaid, concerning ſmall Tithes, Offerings, Oblations, Obventions or Compoſitions as aforeſaid, the ſaid Juſtices are hereby authorized and required to ſummon in Writing under their Hands and Seals, by reaſonable Warning, every ſuch Perſon or Perſons againſt whom any Complaint ſhall be made as aforeſaid; and after his or their Appearance, or upon Default of their Appearance, the ſaid Warning or Summons being proved before them upon Oath, the ſaid Juſtices of Peace, or any two or more of them, ſhall proceed to hear and determine the ſaid Complaint, and upon the Proofs, Evidences and Teſtimonies, produced before them, ſhall, in Writing under their Hands and Seals, adjudge the Caſe, and give ſuch reaſonable Allowance and Compenſation for ſuch Tithes, Oblations and

18 *Ed.* 3. *ſtat.* 3. c. 7. 45 *Ed.* 3. *c.* 3. 5 *H.* 4. *c.* 11.

who may ſummon the Perſons complained of, and on Default of Appearance determine the Complaint, and

give Allowance, with Coſts not exceeding 10 s.

and Compoſitions ſo ſubſtracted or with-held, as they ſhall judge to be juſt and reaſonable, and alſo ſuch Coſts and Charges, not exceeding ten Shillings, as upon the Merits of the Cauſe ſhall appear juſt.

On Refuſal to pay in 10 Days after Notice, the Conſtables, &c. may diſtrain, and after 3 Days ſell the ſame, and ſatisfy the Sum and Charges, rendering the Overplus.

III. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect, by the Space of ten Days after Notice given, to pay or ſatisfy any ſuch Sum of Money, as upon ſuch Complaint and Proceeding ſhall by two or more Juſtices of the Peace be adjudged as aforeſaid, in every ſuch Caſe the Conſtables and Churchwardens of the ſaid Pariſh, or one of them, ſhall, by Warrant under the Hands and Seals of the ſaid Juſtices to them directed, diſtrain the Goods and Chattels of the Party ſo refuſing or neglecting as aforeſaid, and after detaining them by the Space of three Days, in caſe the ſaid Sum ſo adjudged to be paid, together with reaſonable Charges for making and detaining the ſaid Diſtreſs, be not tendred or paid by the ſaid Party in the mean Time, ſhall and may make publick Sale of the ſame, and pay to the Party complaining ſo much of the Money ariſing by ſuch Sale as may ſatisfy the ſaid Sum ſo adjudged, retaining to themſelves ſuch reaſonable Charges for making and keeping the ſaid Diſtreſs, as the ſaid Juſtice ſhall think fit, and ſhall render the Overplus (if any be) to the Owner.

Juſtices to adminiſter an Oath.

IV. Provided always, and be it enacted, That it ſhall and may be lawful for all Juſtices of Peace, in the Examination of all Matters offered to them by this Act, to adminiſter an Oath or Oaths to any Witneſs or Witneſſes, where the ſame ſhall be neceſſary for their Information, and for the better Diſcovery of the Truth.

Not to extend to London, nor any Place otherwiſe ſettled by Parliament.

V. Provided alſo, and be it enacted, That this Act, or any thing herein contained, ſhall not extend to any Tithes, Oblations, Payments or Obventions within the City of *London*, or Liberties thereof, nor to any other City or Town Corporate where the ſame are ſettled by any Act of Parliament in that Caſe particularly made and provided.

No Complaint to be heard, unleſs made within 2 Years.

VI. Provided alſo, and be it enacted, That no Complaint for or concerning any ſmall Tithes, Offerings, Oblations, Obventions or Compoſitions hereafter due, ſhall be heard and determined by any Juſtices of the Peace, by virtue of this Act, unleſs the Complaint ſhall be made within the Space of two Years next after the Times that the ſame Tithes, Oblations, Obventions and Compoſitions did become due or payable; any thing in this Act contained to the contrary notwithſtanding.

Perſons aggrieved to appeal to the Seſſions, who are to determine the Matter.

If Judgment be confirmed, Juſtices to give Coſts.

No Judgment to be removed, unleſs the Title be in queſtion.

VII. Provided alſo, and be it enacted, That any Perſon finding him, her or themſelves aggrieved, by any Judgment to be given by any two Juſtices of the Peace, ſhall and may appeal to the next General Quarter-Seſſions to be held for that County, Riding, City, Town Corporate or Diviſion, and the Juſtices of the Peace there preſent, or the major Part of them, ſhall proceed finally to hear and determine the Matter, and to reverſe the ſaid Judgment, if they ſhall ſee Cauſe; and if the Juſtices then preſent, or the major Part of them, ſhall find Cauſe to confirm the Judgment given by the firſt two Juſtices of the Peace, they ſhall then decree the ſame by Order of Seſſions, and ſhall alſo proceed to give ſuch Coſts againſt the Appellant, to be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Appellant, as to them ſhall ſeem juſt and reaſonable; and no Proceedings, or Judgment had, or to be had by virtue of this Act, ſhall be removed or ſuperſeded by virtue of any Writ of *Certiorari*, or other Writ out of His Majeſty's Courts at *Weſtminſter*, or any other Court whatſoever, unleſs the Title of ſuch Tithes, Oblations, or Obventions, ſhall be in Queſtion; any Law, Statute, Cuſtom, or Uſage to the contrary notwithſtanding.

Perſons complained of, inſiſting on any Compoſition, &c. and giving Security to pay Coſts, Juſtices not to give Judgment.

VIII. Provided always, and be it enacted, That where any Perſon or Perſons complained of for ſubſtracting or withholding any ſmall Tithes, or other Duties aforeſaid, ſhall before the Juſtices of the Peace to whom ſuch Complaint is made, inſiſt upon any Preſcription, Compoſition, or *Modus decimandi*, Agreement, or Title, whereby he or ſhe is or ought to be freed from Payment of the ſaid Tithes, or other Dues in Queſtion, and deliver the ſame in Writing to the ſaid Juſtices of the Peace, ſubſcribed by him or her, and ſhall then give to the Party complaining reaſonable and ſufficient Security, to the Satisfaction of the ſaid Juſtices, to pay all ſuch Coſts and Damages, as upon a Trial at Law to be had for that Purpoſe, in any of His Majeſty's Courts having Cognizance of that Matter, ſhall be given againſt him, her or them, in caſe the ſaid Preſcription, Compoſition, or *Modus decimandi*, ſhall not upon the ſaid Trial be allowed; that in that Caſe the ſaid Juſtices of the Peace ſhall forbear to give any Judgment in the Matter; and that then and in ſuch Caſe the Perſon or Perſons ſo complaining ſhall and may be at Liberty to proſecute ſuch Perſon or Perſons for their ſaid Subſtraction in any other Court or Courts whatſoever, where he, ſhe, or they might have ſued before the making of this Act; any thing in this Act to the contrary notwithſtanding.

And Complainant may proſecute in any other Court.

Judgment to be inrolled at the next Seſſions by the Clerks of the Peace,

and to bar Vicars from any other Remedy.

IX. And be it further enacted by the Authority aforeſaid, That every Perſon and Perſons, who ſhall by virtue of this Act obtain any Judgment, or againſt whom any Judgment ſhall be obtained, before any Juſtices of the Peace out of Seſſions, for ſmall Tithes, Oblations, Obventions or Compoſitions, ſhall cauſe or procure the ſaid Judgment to be inrolled at the next General Quarter-Seſſions to be holden for the ſaid County, City, Riding or Diviſion; and the Clerk of the Peace for the ſaid County, City, Riding or Diviſion, is hereby required upon Tender thereof, to inrol the ſame; and that he ſhall not aſk or receive for the Inrollment of any one Judgment any Fee or Reward exceeding one Shilling; and that the Judgment ſo inrolled, and Satisfaction made by paying the ſame Sum ſo adjudged, ſhall be a good Bar to conclude the ſaid Rectors, Vicars and other Perſons, from any other Remedy for the ſaid ſmall Tithes, Oblations, Obventions or Compoſitions, for which the ſaid Judgment was obtained.

Perſons removing, Juſtices may certify the Judgment, and other Juſtices by Warrant may levy the Sum adjudged.

X. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, againſt whom any ſuch Judgment or Judgments ſhall be had as aforeſaid, ſhall remove out of the County, Riding, City, or Corporation, after Judgment had as aforeſaid, and before the levying the Sum or Sums thereby adjudged to be levied, the Juſtices of the Peace who made the ſaid Judgment, or one of them, ſhall certify the ſame, under his or their Hands and Seals, to any Juſtice of Peace of ſuch other County, City or Place, wherein the ſaid Perſon or Perſons ſhall be Inhabitants; which ſaid Juſtice is hereby authorized and required, by Warrant under his Hand and Seal, to be directed to the Conſtables or Churchwardens of the Place, or one of them, to levy the Sum or Sums ſo adjudged to be levied, as aforeſaid, upon the Goods and Chattels of

ſuch Perſon or Perſons, as fully as the ſaid other Juſtices might have done, if he, ſhe or they had not removed as aforeſaid; which ſhall be paid according to the ſaid Judgment.

XI. Provided always, and be it enacted, That no Vicar or other Perſon ſhall have Remedy to recover ſmall Tithes, or other Dues aforeſaid, which became or were due before the making of this Act, unleſs Complaint be made to the Juſtices of the Peace in form aforeſaid, before the firſt Day of *October*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſix. Small Tithes to be recovered before 1 October 1696.

XII. And it is hereby declared and enacted, That the ſaid Juſtices of the Peace, who ſhall hear and determine any of the Matters aforeſaid, ſhall have Power to give Coſts, not exceeding ten Shillings, to the Party proſecuted, if they ſhall find the Complaint to be falſe and vexatious; which Coſts ſhall be levied in Manner and Form aforeſaid. Juſtices may give Coſts not exceeding 10 s.

XIII. Provided alſo, and be it further enacted, That if any Perſon or Perſons ſhall be ſued for any thing done in Execution of this Act, and the Plaintiff in ſuch Suit ſhall diſcontinue his Action, or be nonſuit, or a Verdict paſs againſt him, that then, in any of the ſaid Caſes, ſuch Perſon or Perſons ſhall recover double Coſts. If the Plaintiff be nonſuit, Perſon ſued to have double Coſts.

XIV. Provided always, That any Clerk, or other Perſon or Perſons, who ſhall begin any Suit for Recovery of ſmall Tithes, Oblations or Obventions, not exceeding the Value of forty Shillings, in His Majeſty's Court of *Exchequer*, or in any of the Eccleſiaſtical Courts, ſhall have no Benefit by this Act, or any Clauſe in it, for the ſame Matter for which he or they have ſo ſued. Suits for Tithes not exceeding 40 s. to have no Benefit by this Act.

XV. Provided always, and be it further enacted, That this Act ſhall continue for the Space of three Years, and from thence to the End of the next Seſſion of Parliament, and no longer. [Made perpetual 3 Ann. c. 18.] Act to continue 3 Years.

*Farther Proviſions reſpecting Tithes,* 11 & 12 *W.* 3. *c.* 16. *which is made perpetual by* 1 *Geo.* 1. *c.* 26.

## CAP. VII.

### An Act to prevent Falſe and Double Returns of Members to ſerve in Parliament.

'WHEREAS Falſe and Double Returns of Members to ſerve in Parliament are an Abuſe of Truſt in a Matter of the greateſt Conſequence to the Kingdom, and not only an Injury to the Perſons duly choſen, by keeping them from their Service in the Houſe of Commons, and putting them to great Expence to make their Elections appear, but alſo to the Counties, Cities, Boroughs, and Cinque Ports, by which they are choſen, and the Buſineſs of Parliament diſturbed and delayed thereby;' Be it therefore enacted and declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all falſe Returns wilfully made, of any Knight of the Shire, Citizen, Burgeſs, Baron of the Cinque Ports, or other Member to ſerve in Parliament, are againſt Law, and are hereby prohibited; and in caſe that any Perſon or Perſons ſhall return any Member to ſerve in Parliament for any County, City, Borough, Cinque Port or Place, contrary to the laſt Determination in the Houſe of Commons, of the Right of Election in ſuch County, City, Borough, Cinque Port or Place, that ſuch Return ſo made ſhall and is hereby adjudged to be a falſe Return. *Continued by* 12 & 13 *W.* 3. *c.* 5. Falſe Returns of Members prohibited. What ſhall be a falſe Return.

II. And be it further enacted, That the Party grieved, to wit, every Perſon that ſhall be duly elected to ſerve in Parliament for any County, City, Borough, Cinque Port or Place, by ſuch falſe Return, may ſue the Officers and Perſons making or procuring the ſame, and every or any of them, at his Election, in any of His Majeſty's Courts of Record at *Weſtminſter*, and ſhall recover double the Damages he ſhall ſuſtain by reaſon thereof, together with his full Coſts of ſuch Suit. Party grieved may ſue in any Court at Weſtminſter, and recover double Damages.

III. And to the end the Law may not be eluded by double Returns, be it further enacted, That if any Officer ſhall wilfully, falſly and maliciouſly, return more Perſons than are required to be choſen by the Writ or Precept on which any Choice is made, the like Remedy may be had againſt him or them, and the Party or Parties that willingly procure the ſame, and every or any of them, by the Party grieved, at his Election. 1 Lutw. 184. The like Remedy againſt an Officer returning more Perſons than required.

IV. And be it further enacted, That all Contracts, Promiſes, Bonds and Securities whatſoever, hereafter made or given, to procure any Return of any Member to ſerve in Parliament, or any Thing relating thereunto, be adjudged void; and that whoever makes or gives ſuch Contract, Security, Promiſe or Bond, or any Gift or Reward, to procure ſuch falſe or double Return, ſhall forfeit the Sum of three hundred Pounds; one third Part thereof to be to His Majeſty, His Heirs and Succeſſors, another third Part thereof to the Poor of the County, City, Borough or Place concerned, and one third Part thereof to the Informer, with his Coſts, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, nor any more than one Imparlance. 2 Geo. 2. c. 24. Contracts made to procure Returns void. Penalty.

V. And for the more eaſy and better Proof of any ſuch falſe or double Return, be it enacted by the Authority aforeſaid, That the Clerk of the Crown for the time being ſhall from time to time enter, or cauſe to be entred, in a Book for that Purpoſe to be kept in his Office, every ſingle and double Return of any Member or Members to ſerve in Parliament, which ſhall be returned, or come into his Office, or to his Hands, and alſo every Alteration and Amendment, as ſhall be made by him or his Deputy in every ſuch Return; to which Book all Perſons ſhall have free Acceſs at all ſeaſonable Times, to ſearch and take true Copies of ſo much thereof as ſhall be deſired, paying a reaſonable Fee or Reward for the ſame: And that the Party or Parties proſecuting ſuch Suit, ſhall and may at any Trial give in Evidence ſuch Book ſo kept, or a true Copy thereof, relating to ſuch falſe or double Return, and ſhall have the like Advantage of ſuch Proof, as he or they ſhould or might have had by producing the Record itſelf; any Law, Cuſtom or Uſage Clerk of the Crown to enter every Return and Amendment. All Perſons to have Acceſs to the Book, and the Book, or a Copy, may be given in Evidence.

to

to the contrary notwithstanding. And in case the said Clerk of the Crown shall not within six Days after any Return shall come into his Office, or to his Hands, duly and fairly make an Entry or Entries as aforesaid, or shall make any Alteration in any Return, unless by Order of the House of Commons, or give any Certificate of any Person not returned, or shall wilfully neglect or omit to perform his Duty in the Premisses, he shall for every such Offence forfeit to the Party and Parties aggrieved the Sum of five hundred Pounds, to be recovered as aforesaid, and shall also forfeit and lose his said Office, and be for ever incapable of having or holding the same.

Clerk not entring Returns in 6 Days after Receipt, making any Alteration, or omitting to perform his Duty, to forfeit 500l. and lose his Office.

VI. Provided always, That every Information or Action grounded upon this Statute shall be brought within the Space of two Years after the Cause of Action shall arise, and not after.

Information to be within 2 Years.

VII. Provided also, and be it enacted by the Authority aforesaid, That this Act shall continue for the Term of seven Years, and from thence to the End of the next Session of Parliament and no longer. [Made perpetual by 12 Annæ, Stat. 1. Cap. 15.]

Act to continue for 7 Years.

*See Post. Ch.* 15 & 25. *And for farther Provisions relating to Parliament,* 10 & 11 *W.* 3. *c.* 7. 11 & 12 *W.* 3. *c.* 2. 12 & 13 *W.* 3. *c.* 3 & 10. 2 & 3 *Ann. c.* 18. 6 *Ann. c.* 7 & 22. 9 *Ann. c.* 5. 10 *Ann. c.* 19 & 23. 1 *Geo.* 1. *c.* 38 & 56. 2 *Geo.* 2. *c.* 24. 6 *Geo.* 2. *c.* 23. 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

## CAP. VIII.

EXP. An Act for taking, examining and stating the Publick Accounts.

## CAP. IX.

EXP. An Act for repairing the Highways between the City of *London* and the Town of *Harwich* in the County of *Essex*. Act to continue 15 Years, unless Roads be sooner amended.

## CAP. X.

An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco, and *East India* Goods, and other Merchandize imported, for carrying on the War against *France*.

*Most Gracious Sovereign,*

Further continued by 8 Annæ, c. 13. and made perpetual by 9 Annæ, c. 21. §. 1.

WE Your Majesty's most dutiful Subjects, the Commons in Parliament assembled, for a further Supply to Your Majesty, for the more effectual prosecuting the present War against *France*, have chearfully and unanimously given and granted unto Your Majesty the Impositions and Duties hereafter mentioned, for and during the respective Terms hereafter expressed, and do beseech Your Majesty to accept thereof, and that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Impositions and Duties upon Wines and Vinegar, granted by an Act made in the first Year of the Reign of the late King *James* the Second, intituled, *An Act for granting His Majesty an Imposition upon all Wines and Vinegar, imported between the four and twentieth Day of* June *one thousand six hundred eighty and five, and the four and twentieth Day of* June *one thousand six hundred ninety-three*; which said Act by an Act of Parliament made in the second Year of the Reign of His Majesty and the late Queen (of Blessed Memory) was continued from the three and twentieth Day of *June* one thousand six hundred ninety-three, until the four and twentieth Day of *June* one thousand six hundred ninety-six, and by another Act of Parliament made in the fourth and fifth Years of their Reign, was further continued from the three and twentieth Day of *June* one thousand six hundred ninety-six, until the four and twentieth Day of *June* one thousand six hundred ninety-eight, shall be continued from the three and twentieth Day of *June* one thousand six hundred ninety-eight, until the nine and twentieth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and one, and no longer; and that the said first mentioned Act, and all Powers, Provisions, Penalties, Articles, and Clauses, therein contained, shall continue and be of full Force and Effect, until the said nine and twentieth Day of *September* one thousand seven hundred and one, and shall be applied, practised, and executed for the raising, levying, collecting, answering, and paying, the said Duties hereby continued, according to the Tenor and Intent of this present Act, as fully, to all Intents and Purposes, as if all and every the Clauses, Matters, and Things, in the said Act contained, had been again repeated in this Act, and particularly enacted.

1 Jac. 2. c. 3.

2 W. & M. ff. 2. c. 5.

4 & 5 W. & M. c. 15.

Duties on Wines and Vinegar continued to 29 Sept. 1701.

II. And be it further enacted by the Authority aforesaid, That the Rates, Duties, and Impositions, for all Sorts of Tobacco, granted by an Act made in the first Year of the Reign of the said late King JAMES, intituled, *An Act for granting to His Majesty an Imposition upon all Tobacco and Sugar imported, between the four and twentieth Day of* June *one thousand six hundred eighty-five, and the four and twentieth Day of* June *one thousand six hundred ninety-three*; which said Act, as for and concerning the said Duties and Impositions on Tobacco only, by an Act of Parliament made in the second Year of the Reign of His Majesty and the said late Queen, was continued from the three and twentieth Day of *June* in the said Year one thousand six hundred ninety-three, until the four and twentieth Day of *June* one thousand six hundred ninety-six, and by another Act made in the fourth and fifth Year of their said Majesties Reign, was continued from the three and twentieth Day of *June* one thousand six hundred and ninety-six, until the four and twentieth Day of *June* one thousand six hundred ninety-eight, shall be continued from the three and twentieth

1 Jac. 2. c. 4.

Duty on Tobacco continued to 29 Sept. 1701.

2 W. & M. ff. 2. c. 5. 4 & 5 W. & M. c. 15.

tieth Day of *June* one thouſand ſix hundred ninety-eight, until the ſaid nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and one, and no longer.

How to be paid. 1 Jac. 2. c. 4.

III. Provided always, and be it declared and enacted by the Authority aforeſaid, That the ſaid Duties upon Tobacco, which were granted by the ſaid Act made in the firſt Year of the Reign of the ſaid late King JAMES, and continued, as aforeſaid, and which by the ſaid Acts were made payable by the firſt Buyer, and ſubject to the Rules of Exciſe, in the ſeveral Parts of Management thereof, ſhall, for all ſuch Tobacco as ſhall be imported between the firſt Day of *May* one thouſand ſix hundred ninety ſix, and the ſaid nine and twentieth Day of *September* one thouſand ſeven hundred and one, be ſecured, collected, raiſed, levied, anſwered, and paid to His Majeſty, according to the true Intent and Meaning of this preſent Act, in the Method herein after particularly directed, and with ſuch Diſcount and Allowances to the Merchants as are herein alſo mentioned, and no otherwiſe; any thing in the ſaid former Acts to the contrary notwithſtanding: And that the Commiſſioners of His Majeſty's Cuſtoms for the time being, or any four or more of them, be authorized and impowered, and the ſaid Commiſſioners of the Cuſtoms, or any four or more of them for the time being, are hereby authorized and impowered to give the neceſſary Directions for ſecuring, collecting, raiſing, levying, anſwering, and paying, to His Majeſty, the ſaid Duties upon Tobacco, and to make the Diſcount and Allowances to the Merchants herein after mentioned, for all ſuch Tobacco as ſhall be imported between the ſaid firſt Day of *May* in the Year of our Lord one thouſand ſix hundred ninety-ſix, and the ſaid nine and twentieth Day of *September* one thouſand ſeven hundred and one, in the ſame Manner and Form, and by ſuch Rules, Means, or Ways, and under ſuch Penalties and Forfeitures, as are mentioned and expreſſed in one Act of Parliament made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *A Subſidy granted to the King of Tunnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported*, and the Rules, Directions, and Orders, thereunto annexed, or any other Law now in Force, relating to the Collection of His Majeſty's Cuſtoms; which ſaid Act and Acts, and every Article, Rule, and Clauſe, therein contained, ſhall ſtand and be in Force for the Purpoſes aforeſaid, during the Continuance of this Act.

12 Car. 2. c. 4.

IV. And be it further enacted by the Authority aforeſaid, That the ſeveral additional and other Rates, Impoſitions, Duties, and Charges, upon the ſeveral Sorts of Goods and Merchandizes, granted by an Act of Parliament made in the ſaid Second Year of their ſaid Majeſties Reign, intituled, *An Act for granting to their Majeſties certain Impoſitions upon all* Eaſt India *Goods and Manufactures, and upon all wrought Silks, and ſeveral other Goods and Merchandize, to be imported after the five and twentieth Day of* December *one thouſand ſix hundred and ninety*, and which were thereby to have Continuance until the tenth Day of *November* one thouſand ſix hundred ninety-five, and by another Act made in the fourth and fifth Years of their ſaid Majeſties Reign, were continued from the ninth Day of *November* one thouſand ſix hundred ninety-five, until the tenth Day of *November* one thouſand ſix hundred ninety-ſeven, ſhall be further continued from the ninth Day of *November* one thouſand ſix hundred ninety-ſeven, until the nine and twentieth Day of *September*, one thouſand ſeven hundred and one; and that the ſaid Act, intituled, *An Act for granting to their Majeſties certain Impoſitions upon all* Eaſt India *Goods and Manufactures, and upon all wrought Silks, and ſeveral other Goods and Merchandize, to be imported after the ſaid five and twentieth Day of* December *one thouſand ſix hundred and ninety*, and all Powers, Proviſions, Penalties, Articles, and Clauſes, therein contained, ſhall continue and be of full Force and Effect, until the ſaid nine and twentieth Day of *September*, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying, the ſaid Duties hereby continued, according to the Tenor and Intent of this preſent Act, as fully, to all Intents and Purpoſes, as if the ſaid laſt mentioned Act, and all and every the Clauſes, Matters, and Things, therein contained, had been again repeated in this Act, and enacted particularly, except only as to ſuch Part of the ſaid Acts, touching which other Proviſions or Alterations are made by any Act or Acts of Parliament now in being, which other Proviſions or Alterations are to be obſerved, and to continue during the Continuance of this Act.

2 W. & M. ff. 2. c. 4. Additional Impoſitions on Eaſt India Goods, &c. continued to 29 Sept. 1701. 4 & 5 W. & M. c. 15. 2 W. & M. ff. 2. c. 4. to continue in Force.

2 W. & M. ff. 2. c. 4.

Exception.

'V. And whereas the Methods preſcribed by the ſaid recited Act, granting the ſaid Duties upon To-
'bacco, made in the firſt Year of the late King JAMES the Second, have been found prejudicial to Trade,
'and grievous to the Merchants concerned in paying the ſame:' Therefore, for the more eaſy and better Collection of the ſaid Duties for the future, be it enacted by the Authority aforeſaid, That the Security to be given for the ſaid Duties upon Tobacco be by Bond to be given by the Importer thereof, with one or more ſufficient Sureties, for Payment of the Duty at the End of eighteen Months from the Importation, and that there be a Diſcount of ten *per Centum*, for prompt Payment of the ſaid Impoſt Duty, if the ſame ſhall be paid within three Months from the Date of the Entry, and of eight *per Centum* at any Time afterwards within ſix Months from the ſame, of ſix *per Centum* if within nine Months, of four *per Centum* if within twelve Months, of two *per Centum* if within fifteen Months; but after fifteen Months expired, there ſhall be no Diſcount at all; that on any Payment of the ſaid Duty for Tobacco to be conſumed here, there be an Allowance for the future of eight Pounds *per Centum*, for the Merchants Encouragement, in Conſideration of Waſte and Shrinkage in the Cellars; that the Security given by the Importers for eighteen Months be diſcharged by Debentures referring to the particular Entries on Exportations, at any Time within twelve Months from the Importation, and not after that Time; that there ſhall be an Allowance of four Pounds *per Centum*, in conſideration of Waſte that may ariſe on any Tobacco ſo exported, to be ſtruck off only from the Entry, and not to be paid where the whole Quantity entred ſhall happen to be exported; that the Debentures for half Subſidy, Additional and Impoſt Duties of the ſame Quantity of Tobacco exported be one or more Parchment or Parchments, and that the Oath be printed thereon *in hæc verba*, to be ſigned and ſworn by the Exporters, That all the Tobacco entred and ſhipped, as there certified, is really and truly exported for Parts beyond the Seas on his own Account, if he acts for himſelf; or if he acts by Commiſſion, then on the Account of ſuch Perſon or Perſons for whom the Deponent acts in the Direction of

Importer to give Security for the Duties on Tobacco.

Diſcount on prompt Payment.

8 l. per Cent. allowed for Waſte and Shrinkage. See 7 Geo. 1. ſtat. 1. c. 21. §. 10, & 11.

4 l. per Cent. allowed for Waſte of Tobacco.

of the Voyage; and that none of the said Tobacco has been since landed, or is intended to be re-landed, in *England*, *Wales*, or Town of *Berwick* upon *Tweed*.

Management of Duties on Tobacco.

VI. And be it further enacted by the Authority aforesaid, That the whole Management or Ordering of the said Duties on Tobacco, both as to the Entry and the Account thereof, be made during the Continuance of this Act (except where it is otherwise hereby directed) conformable to the Methods and Rules of the Customs.

4 & 5 W. & M. c. 15.

'VII. And whereas by the Act of Parliament made in the fourth and fifth Years of their said Majesties 'Reign, intituled, *An Act for continuing certain Acts therein mentioned, and for charging several Joint Stocks*, 'a Credit was given for borrowing any Sums, not exceeding five hundred thousand Pounds, as well upon 'the Security of that Act, as of the several other Acts therein before mentioned; in pursuance whereof 'several Sums, amounting to five hundred thousand Pounds, were actually lent at the Receipt of *Exchequer*, 'and Part thereof doth still remain unsatisfied;' Be it further enacted by the Authority aforesaid, That it

Persons may lend 1,500,000l. on this Act, &c.

shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend unto His Majesty, upon the Security of the Impositions and Duties arising by this Act, and also upon Security of the Impositions and Duties, which from and after the Repayment of the said Sum of five hundred thousand Pounds, borrowed as aforesaid, and the Interest thereof, shall arise by the said Act made in the fourth and fifth Years of their said Majesties Reign, any Sum or Sums, not exceeding in the whole the Sum of fifteen hundred thousand Pounds, to be supplied out of such Impositions,

and have Tallies and Orders for Repayment, with Interest, &c.

or other Duties, as are before mentioned; and that Tallies of Loan shall be levied for all and every Sum and Sums of Money so to be lent; and that Orders, according to the Course of the *Exchequer*, shall be drawn, signed, and issued, for the Repayment of the same, and for Payment of Interest, for the Forbearance of every such Sum of Money; which Interest shall not exceed the Rate of five Pounds *per Centum per Annum*, for the first four hundred thousand Pounds; six Pounds *per Centum per Annum*, for the second four hundred thousand Pounds; seven Pounds *per Centum per Annum*, for the third four hundred thousand Pounds, and eight Pounds *per Centum per Annum*, for the remaining three hundred thousand Pounds; and shall be payable every three Months, from the respective Dates of the Tallies of Loan, until the Satisfaction of the respective Principal Sums.

A Register to be kept of all Monies lent on this Act.

VIII. And to the end that all Monies, which shall be so lent unto His Majesty, may be well and sufficiently secured out of the Impositions and Duties arising and payable by this Act, and also out of the Impositions and Duties, which, from and after the Repayment of the said Principal Money borrowed, as aforesaid, and the Interest thereof, shall arise by the said Act made in the fourth and fifth Years of their Majesties said Reign, shall be respectively answered and paid; Be it further enacted by the Authority aforesaid, That there shall be provided and kept in His Majesty's *Exchequer*, that is to say, in the Office of the Auditor of Receipts, one Book or Register, in which all Monies, that shall be lent into the *Exchequer* by virtue of this Act, shall be entred and registred apart and distinct from all Monies paid or payable to His

Lender to have a Tally and Order with Interest.

Majesty upon any other Branch of His Majesty's Revenue, or any other Account whatsoever; and that all and every Person and Persons, Natives or Foreigners, Bodies Politick and Corporate, who shall lend any Money to His Majesty upon the aforesaid Credit, and pay the same into the Receipt of *Exchequer*, shall immediately have a Tally of Loan struck for the same, and an Order for his or their Repayment, bearing the same Date with the Tally; in which Order shall be also contained a Warrant for Payment of Interest for Forbearance, after the Rate so to be allowed for the same, so as such Interest do not exceed the Rates before mentioned, to be paid every three Months, until Repayment of the Principal; and that all Orders for Repayment of Money shall be registred in course, according to the Date of the Tally respectively,

Orders to be registred and paid in Course,

without Preference of one before another; and that all and every Person and Persons, Natives or Foreigners, Bodies Politick and Corporate, shall be paid in course, according as their Orders shall stand entred in the Register Book, so as that the Person or Persons, Bodies Politick or Corporate, who shall have his or their Order or Orders first entred in the said Book of Register, shall be taken and accounted as the first to be paid upon the Monies to come in by virtue of this Act, or any the before mentioned Acts, from and after the Repayment of the said Sum of five hundred thousand Pounds, borrowed as aforesaid, and the Interest thereof; and he or they, who shall have his or their Order or Orders next entred, shall be taken and

without undue Preference, and not divertible.

accounted the second Person to be paid, and so successively and in course; and that the Monies to come in by this Act or the said former Acts, shall be in the same Order liable to the Satisfaction of the said respective Parties, their Executors, Administrators, Successors, or Assigns, respectively, without Preference of one before another, and not otherwise, and not to be divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken of any of His

No Fee to be taken for registring or searching, &c.

Majesty's Subjects, for providing or making of any such Books, Registers, Entries, Views, or Search, in or for Payment of Money lent, or the Interest as aforesaid, by any of Majesty's Officer or Officers, their Clerks or Deputies, upon Payment of treble Damages to the Party grieved by the Party offending with Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place

Penalty on Officer for making undue Entry or Payment, &c.

also; and if any undue Preference of one before another shall be made, either in Point of Registry, or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, Damages, and Costs, to the Party grieved, and shall be forejudged from his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever after uncapable of his Place or Office: And in case the Auditor shall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order, as afore directed, then he or they shall be judged to forfeit, and their respective Deputies and Clerks herein offending, to be liable to such Ac-

Penalties how to be recovered.

tion, Debt, Damages, and Costs, in such Manner as aforesaid. All which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any of the Officers of the *Exchequer*, or any their Deputies or Clerks, shall

ſhall or may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

No undue Preference where Tallies are dated the ſame Day,

IX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference which of thoſe he enters firſt, ſo he enters them all the ſame Day.

or where Money is reſerved for Payment.

X. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders of Perſons that come and demand their Money, and bring their Orders, before other Perſons that did not come to demand their Money, and bring their Orders, in their Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Intereſt to ceaſe from that Time.

Orders entred may be aſſigned.

XI. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons, Natives or Foreigners, Bodies Politick and Corporate, to whom any Monies ſhall be due by Virtue of this Act, after Order entred in the Book of Regiſter for Payment thereof, his or their Executors, Adminiſtrators, or Aſſigns, by Indorſement of his or their Order, may aſſign or transfer his or their Right, Title, Intereſt, and Benefit of ſuch Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of Receipts aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officers ſhall, upon Requeſt, without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his Executors, Adminiſtrators, and Aſſigns to the Benefit thereof, and Payment thereon: And ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons, Bodies Politick or Corporate, who have or hath made ſuch Aſſignments, to make void, releaſe, or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Aſſignee may aſſign again.

'XII. And whereas great Frauds and Abuſes have been and are daily committed, to the Prejudice of His 'Majeſty's Revenue, by Pretence or Colour of exporting Tobacco and other Goods by Land Carriage into '*Scotland*, and obtaining Debentures for the ſame, although in truth ſuch Goods have not been really ex-'ported, or if exported, have been again clandeſtinely returned into this Kingdom, which Practice is hardly 'poſſible to be prevented upon the Borders:' It is hereby further enacted, That from and after the five and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſix, no Debentures ſhall be allowed for any Goods pretended to be exported, but for ſuch only as ſhall, according to the ſecond Rule annexed to the Book of Rates, be ſhipt for Tranſportation, and the ſhipping thereof teſtified by His Majeſty's Searcher and Under Searcher in the Port of *London*, or the Searcher of any of the Out Ports reſpectively, and all the other Requiſites of the ſaid Rule duly performed.

No Debentures allowed but according to the Book of Rates, and the ſhipping teſtified.

'XIII. And whereas by a late Act, intituled, *An Act for granting to their Majeſties certain additional Im-'poſitions upon ſeveral Goods and Merchandizes*, the Sum of twenty Shillings is impoſed on every Tun of *Lapis* '*Calimanaris* exported from and after the firſt Day of *May* one thouſand ſix hundred ninety-two, which 'is found by Experience to hinder the Exportation thereof, and utterly to ruin the Manufacture:' Wherefore, for Remedy thereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *March* one thouſand ſix hundred ninety-ſix, the Sum of two Shillings only ſhall be paid for every Tun of *Lapis Calimanaris* exported, over and above the Rates thereon charged by the Book of Rates, the ſaid Act or any Thing therein contained to the contrary nothwithſtanding, to be collected as in and by the ſaid Act is directed and appointed.

4 & 5 W. & M. c. 5.

Lapis Calaminaris to pay only 2 s. per Tun above the Rates in the Book.

8 & 9 W. 3. c. 20. §. 9.

XIV. And for the Encouragement of ſuch Perſons as ſhall make Sail-cloth in *England*, be it enacted by the Authority aforeſaid, That ſo much of *Engliſh* made Sail-cloth as ſhall be found fit for the Service of His Majeſty's Navy, ſhall have the Preference of all Foreign Sail-cloth; and the Commiſſioners of the Navy are hereby directed and required from time to time, during the Continuance of this Act, to contract and agree for ſuch *Engliſh* made Sail-cloth, and to allow the Makers and Manufacturers thereof a Recompence of two Pence *per* Yard for the ſame, above what they pay for Foreign Cloth of equal Strength and Goodneſs.

1 Annæ, ſtat. 1. c. 13. §. 9.

Engliſh Sail-cloth to have Preference.

Makers to have 2 d. per Yard more.

Perpetual 9 Annæ, c. 21.

'XV. And whereas by reaſon of great Loſſes befallen Traders during the preſent War, many Perſons, 'who are Debtors to the King for new Impoſt or additional Duties of Goods already imported, have been 'forced to abſcond, but yet are willing to pay what they are able;' Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Lords Commiſſioners of the Treaſury, or any three or more of them, or the Lord Treaſurer for the time being, according to their Diſcretion, to compound with ſuch Perſon or Perſons as have ſuſtained great Loſſes by the preſent War, and have been forced to abſcond, for any Monies by them or any of them due or owing for new Impoſt or additional Duties, or any Bond or Bonds given for ſecuring of new Impoſt or additional Duties, although ſuch Impoſition or Duty on which the Debts owing by ſuch Perſon or Perſons are appropriated to particular Uſes, ſo as this Power ſhall not extend to any ſuch Debts contracted, or Bonds given, after the firſt Day of *February* one thouſand ſix hundred ninety-five; any thing in any former Act or Acts of Parliament to the contrary notwithſtanding.

Perſons not able to pay the new Impoſts, may compound.

'XVI. And whereas ſeveral Merchants trading with the *United Provinces* in ſeveral Sorts of coarſe Linens, 'commonly called *Borelapps*, have of late been compelled to pay Cuſtom for the ſame as *Hollands*, which 'comes to above thirty-five Pounds *per Centum*, whereby the ſaid Trade (ſo uſeful to the poorer Sort of 'People) is not only like to be loſt, but the Cuſtoms thereby much abated:' Be it therefore enacted by the Authority aforeſaid, That all ſuch Linen Cloth known or commonly called by the Name of *Borelapps*, not exceeding twenty-eight Inches and an Half in Breadth, nor twelve Pence an *Engliſh* Ell in Value, ſhall be entred *ad valorum* during the Continuance of this Act, and pay all other Duties accordingly.

Linen Cloth called Borelapps to be entred ad valorem, and pay the Duties.

Bar-Iron unwrought, &c. may be imported from Ireland, and discharged of the Duties in 4 & 5 W. & M. c. 5. 8 W. 3. c. 20. §. 10.

' XVII. And whereas the Scarcity and Dearneſs of Iron in this Kingdom have of late much diſcouraged ' the Manufactures thereof, in which great Numbers of the Poor are employed:' For Remedy whereof for the future be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to import into this Kingdom, from *Ireland*, any Bar-Iron unwrought, and Iron ſlit or hammered into Rods (other than *Sueditſh* or other Foreign Iron) diſcharged of the Impoſitions and Duties laid upon the ſame by an Act made in the fourth and fifth Year of the Reign of their Majeſties King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majeſties certain additional Impoſitions upon ſeveral Goods and Merchandizes, for the proſecuting the War againſt* France; any thing in the ſaid Act to the contrary notwithſtanding.

Rates of Gold Coin eſtabliſhed.

XVIII. And for preventing the further Increaſe of the Rate of coined Gold, and the Miſchiefs which may thence befall this Realm, be it enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety-ſix, no Perſon ſhall receive, take, or pay, any of the Pieces of Gold Coin of this Kingdom, commonly called *Guineas*, at any greater or higher Rate than twenty-ſix Shillings, for each Guinea, and not to exceed the ſame in Proportion for the Pieces of Gold called *Half-guineas*, *Double-guineas*, and *Five-pound Pieces*; and in caſe any Perſon ſhall offend herein, he ſhall forfeit for every ſuch Offence double the Value of the Gold ſo received or paid, and alſo the Sum of twenty Pounds; the one Moiety to His Majeſty, and the other Moiety to the Perſon or Perſons who ſhall ſue or inform for the ſame, to be recovered, with Coſts of Suit, in any of His Majeſty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Privilege, Protection, or Wager of Law, ſhall be allowed, nor any more than one Imparlance. And be it declared, That nothing in this Act contained ſhall extend, or be conſtrued to compel any Perſon or Perſons to receive any Guinea or Guineas at the ſaid Rate of twenty-ſix Shillings.

Guineas.

Half-guineas.

Double guineas.

5 l. Pieces.

Penalty.

None compelled to take Guineas at 26 s.

*Vid. Poſt. Ch.* 19.

Loan upon Credit of the Monies for Annuities.

7 & 8 W. 3. c. 2.

XIX. And be it further enacted by the Authority aforeſaid, That from and after the laſt Day of *February* one thouſand ſix hundred ninety-five, it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to His Majeſty, at the Receipt of his *Exchequer*, upon Credit of the Monies to be contributed or advanced for Annuities, by the Act made and paſſed in this preſent Parliament, holden in the ſeventh Year of His Majeſty's Reign, intituled, *An Act for enlarging the Times to come in and purchaſe certain Annuities therein mentioned, and for continuing the Duties formerly charged on Low Wines or Spirits of the firſt Extraction, for carrying on the War againſt* France, any Sum or Sums of Money, as, together with the whole Value, or Amount of all the Sums of Money which have been or ſhall, before the ſaid laſt Day of *February*, be contributed or advanced for Annuities on the ſaid Act, ſhall not exceed the Sum of three hundred eighty-two thouſand four hundred ſixty-nine Pounds; and Tallies of Loan ſhall be levied for the ſame, and Orders for Repayment ſhall be drawn for the Principal Monies ſo to be lent, and for Intereſt thereof not exceeding the Rate of ſix Pounds *per Centum per Annum*; which ſaid Orders ſhall be aſſignable and transferrable from one Perſon to another.

Tallies of Loan, and Orders.

Intereſt at 6 l. per Cent.

To be paid every 3 Months.

XX. And it is hereby enacted, That all and every Sum and Sums of Money ſo to be lent, in Order and Courſe, according to the Time of lending the ſame, and the Intereſt thereof, not exceeding the ſaid Rate of ſix Pounds *per Centum per Annum*, to be paid every three Months, until Satisfaction of the Principal, ſhall be payable and ſatisfied unto the reſpective Lender or Lenders of the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, out of the Monies which from and after the ſaid laſt Day of *February* ſhall ariſe and be brought into the Exchequer, upon the Act laſt mentioned, by or for Contribution or Conſideration Monies for the Annuities before mentioned, ſo far as the ſame will extend; and the Monies ſo ariſing by or for Contributions as aforeſaid, ſhall be applied to the Satisfaction of the Principal Monies to be lent in Courſe, and the ſaid Intereſt thereof, and not be diverted or divertible to any other Uſe, except only ſuch Part of the ſaid Contributions or Conſideration Monies, as by any other Act of this preſent Seſſion of Parliament (if any ſuch be) may be directed to be applied to the Payment of Principal, Intereſt, and Reward for milled, broad, or unclipt Monies, to be lent upon the Credit of the Contribution or Conſideration Monies aforeſaid; and in caſe the Monies ſo ariſing by Contributions ſhall not be ſufficient for the paying of the ſaid Loans, and the Intereſt thereof, then the ſaid Loans, which ſhall remain unſatisfied, and the Intereſt of the ſame, ſhall be paid and ſatisfied out of the then next Aids or Supplies to be granted to His Majeſty in Parliament, and ſhall be transferred or transferrable thereunto, as ſoon as any ſuch Aid or Supply ſhall be granted to His Majeſty; and if no ſuch Aids or Supplies ſhall be granted to His Majeſty before the ſecond Day of *February*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſix, then the ſaid Sum and Sums of Money, ſo to be borrowed, not exceeding as aforeſaid, and the Intereſt thereof, ſhall be payable, and be paid and ſatisfied to the ſaid Lender or Lenders, his, her, or their Executors, Adminiſtrators, or Aſſigns, reſpectively, by and out of any of His Majeſty's Treaſure, which from thenceforth ſhall come into, be or remain in the Receipt of His Majeſty's *Exchequer*, not being already appropriated to any particular Uſes by any Act or Acts of Parliament before this Time made; and that the Monies ſo to be lent on the Credit laſt mentioned, ſhall not be taxed or charged to any Tax or Aid whatſoever; and that no Fees or Gratuities ſhall be demanded or taken in the *Exchequer*, for the making or repaying of the Loans laſt mentioned, or for the Intereſt thereof, and no undue Preference ſhall be given in the Repayment of the ſame Loans, under the like Penalties to be incurred by the Officers or Clerks in the *Exchequer* reſpectively, for the demanding or taking of ſuch Fees or Gratuities, or for the giving of ſuch undue Preference, as are preſcribed in and by an Act of this preſent Seſſion of Parliament, *For granting to His Majeſty an Aid of four Shillings in the Pound*, for taking or demanding of any Fees or Gratuities, or for giving any undue Preference, in Reſpect of the Loans authorized to be made upon Credit of the ſaid Aid of four Shillings in the Pound.

Monies lent not divertible.

Exceptions.

Loans and Intereſts unſatisfied to be paid out of the next Aids,

or out of the King's Treaſure.

Monies lent not to be taxed, nor Fees taken.

No undue Preference in Repayment.

CAP.

## CAP. XI.

An Act for impowering His Majesty to apprehend and detain such Persons as he shall find Cause to suspect are conspiring against His Royal Person or Government. EXP.

'WHEREAS there has been a most horrid, barbarous and detestable Conspiracy formed and carried on by Papists and other wicked and traiterous Persons, for assassinating His Majesty's Royal Person, in order to the encouraging an intended Invasion from *France*, to the utter Ruin and Subversion of the Protestant Religion, and the Laws and Liberties of this Kingdom: Wherefore for the better Preservation of his Majesty's Sacred Person, and for securing the Peace of this Kingdom in this Time of imminent Danger, against all Attempts and traiterous Conspiracies of evil disposed Persons, &c.'

## CAP. XII.

An Act for Relief of poor Prisoners for Debt or Damages. EXP.

22 & 23 Car. 2. c. 20.
30 Car. 2. stat. 1. c. 7.
2 W. & M. ff. 2. c. 15.
Rep. 8 W. 3. c. 1.

## CAP. XIII.

An Act for taking off the Obligation and Encouragement for Coining Guineas for a certain Time therein mentioned.

## CAP. XIV.

An Act for making navigable the Rivers of *Wye* and *Lugg* in the County of *Hereford*. The Rivers *Wye* and *Lugg* to be deemed common for carrying of Goods. Powers vested in the Commissioners in Trust for the Inhabitants of the County of *Hereford*. The Directions in the former Act to be observed. Wears to be pulled down, making Satisfaction to the Owners. Commissioners, or any seven, may examine on Oath; settle the yearly Value of Wears, &c. and proportion the Purchase Money. Commissioners Decrees to be binding, and preserved upon Record. Money to be levied on the County of *Hereford*. How to be assessed. Sum not to exceed 377 *l.* 4 *s.* 5 *d. per Mensem*. County and City of *Hereford*, and Borough of *Leominster*, to be assessed 4,526 *l.* 13 *s.* 1 *d. per Annum*, as the Commissioners shall direct. Commissioners of the Land Tax 7 W. 3. c. 5. to be Commissioners for the said Assessments. Commissioners Power. Collectors Allowances. Commissioners to meet, and put the Act in Execution. And to nominate a Receiver General, who shall give Security, and account for Money received. Register to deliver a Copy of Orders and Accounts at *Michaelmas* Sessions. Commissioners may build Warehouses with Surplus Monies. *Custos Rotulorum* of the County of *Hereford* to have Account of Monies disbursed. Commissioners to have the same Power for cleansing the said Rivers, as any Commissioners of Sewers. A Register and other Officers to be appointed. Monthly Sum to continue from 24 *June* 1696, to 24 *June* 1700. Trustees may borrow 16,000 *l.* at 4 *l. per Cent*. Right of Fishing reserved. Earl of *Kent*, &c. to make and maintain a new Lock on the River at or near to *New Wear*, and build a House for a Person to live in, to keep the said Lock, and to allow him 10 *l. per Annum*. Ten Yards of *New Wear* to be taken 12 Inches lower than the lowest Part thereof. Snares, Nets, &c. not to be laid. In case of Omission or Neglect for 7 Months after 25 *March* 1696. Trustees may employ Workmen to do the same, and repair the Lock, in case of Omission after four Weeks Notice. In case of Nonperformance, to levy by Distress on the said Farm, with Costs. No Privilege to be allowed. Trustees not to pull down the Iron-mill or Wear. If the Earl of *Kent* removeth the Wear and Lock, Obligation to cease. Tenants, &c. hindering Boats, or destroying the Fish, to forfeit 100 *l.* if sued in six Months. Grants made by the Earl of *Kent*, &c. of Fishing in the said River after 24 *June* 1696, to be void.

P R. 13 & 14 Car. 2. a private Act.

## CAP. XV.

An Act for the continuing, meeting, and sitting of a Parliament, in case of the Death or Demise of His Majesty, His Heirs and Successors.

'WHEREAS this Kingdom of *England* may be exposed to great Dangers, by the Invasion of Foreigners, or by the traiterous Conspiracies of wicked and ill disposed Persons, whenever it shall please God to afflict these Realms by the Death of our Gracious Sovereign King WILLIAM (whom God long preserve) or by the Death of any of His Heirs and Successors, before a Parliament can be summoned and called by the next Heir and Successor to the Crown:' For Prevention whereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That this present Parliament, or any other Parliament, which shall hereafter be summoned and called by His Majesty King WILLIAM, His Heirs and Successors, shall not determine or be dissolved by the Death or Demise of His said Majesty, His Heirs and Successors; but such Parliament shall, and is hereby enacted to continue, and is hereby impowered and required immediately to meet, convene and sit, and to act, notwithstanding such Death or Demise, for and during the Time of six Months, and no longer, unless the same shall be sooner prorogued or dissolved by such Person who shall be next Heir to the Crown of this Realm of *England* in Succession, according to an Act of Parliament made in the first Year of the Reign of King WILLIAM

4 Ann. c. 8. §. 4. 6 Ann. c. 7. §. 4.

Parliament to sit for 6 Months after the King's Death, unless sooner dissolved by the Successor.

1 W. & M. ff. 2. c. 2.

LIAM and Queen MARY, intituled, *An Act declaring the Rights and Liberties of the Subject, and ſettling the Succeſſion of the Crown:*' And if the ſaid Parliament ſhall be ſo prorogued, then it ſhall meet and ſit on and upon the Day unto which it ſhall be prorogued, and continue for the Reſidue of the ſaid Time of ſix Months, unleſs ſooner prorogued or diſſolved as aforeſaid.

In caſe of no Parliament, the laſt preceding to act.

II. And it is hereby further enacted by the Authority aforeſaid, That in caſe there ſhall be no Parliament in being, at the Time of the Death or Demiſe of His Majeſty, or any of His Heirs and Succeſſors, then the laſt preceding Parliament ſhall immediately convene and ſit, and is hereby impowered and required to act as aforeſaid, to all Intents and Purpoſes, as if the ſaid Parliament had never been diſſolved.

Act not to abridge the King's Power to prorogue or diſſolve Parliaments. 6 & 7 W. 3. c. 2.

III. Provided always, and it is hereby declared, That nothing in this Act contained ſhall extend or be conſtrued to extend to alter or abridge the Power of the King, His Heirs and Succeſſors, to prorogue or diſſolve Parliaments, nor to repeal or make void one Act of Parliament made in the ſixth and ſeventh Years of the Reign of His preſent Majeſty King WILLIAM, intituled, *An Act for the frequent Meeting and Calling of Parliaments*, but that the ſaid Act ſhall continue in Force in every Thing that is not contrary to, or inconſiſtent with, the Directions of this Act. *See Poſt. Ch.* 25. *And for farther Proviſions relating to Parliament, ſee* 10 & 11 *W.* 3. *c.* 7. 11 & 12 *W.* 3. *c.* 2. 12 & 13 *W.* 3. *c.* 3 & 10. 2 & 3 *Ann. c.* 18. 6 *Ann. c.* 7 & 23. 9 *Ann. c.* 5. 10 *Ann. c.* 19 & 23. 1 *Geo.* 1. *c.* 38 & 56. 2 *Geo.* 2. *c.* 24. 6 *Geo.* 2. *c.* 23. 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. *and* 33 *Geo.* 2. *c.* 20.

## C A P. XVI.

EXP. 13 & 14 Car. 2. c. 3.

An Act for raiſing the Militia of this Kingdom for the Year one thouſand ſix hundred ninety-ſix, although the Month's Pay formerly advanced be not repaid.

## C A P. XVII.

An Act to continue four former Acts for preventing Theft and Rapine upon the Northern Borders of *England*.

13 & 14 Car. 2. c. 22. 18 Car. 2. c. 3. 29 & 30 Car. 2. c. 2.

'WHEREAS an Act was made in the thirteenth and fourteenth Years of the Reign of our late Sovereign Lord King CHARLES the Second, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of* England: And whereas alſo another Act was made in the eighteenth Year of the ſaid King, intituled, *An Act to continue a former Act to prevent Theft and Rapine upon the Northern Borders of* England: Both which Acts were continued by another Act made in the twenty-ninth and thirtieth Years of the Reign of the ſaid late King, intituled, *An Act for Continuance of two former Acts for preventing of Theft and Rapine upon the Northern Borders of* England, for and during the Space and Time of ſeven Years, and alſo from thence until the End of the firſt Seſſion of the then next Parliament: And whereas the three afore-mentioned Acts were continued by another Act made in the firſt Year of the Reign of the late King JAMES the Second, intituled, *An Act for Continuance of three former Acts for preventing of Theft and Rapine upon the Northern Borders of* England, for and during the Space and Term of eleven Years, and alſo from thence unto the End of the firſt Seſſion of this preſent Parliament; which Laws have been found very neceſſary for the Preſervation of thoſe Places from that great Number of lewd, diſorderly and lawleſs Perſons, that uſually infeſted and frequented thoſe Parts:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid four former Acts, and all and every of them, and every Matter, Clauſe and Clauſes therein contained, and all and every the Powers and Authorities thereby given, ſhall be, continue and remain in full Force from henceforth, for and during the Space and Term of five Years, and alſo from thence unto the End of the firſt Seſſion of the next Parliament.

1 Jac. 2. c. 14.

The Powers in the fore-mentioned Acts continued for 5 Years. Continued further for 11 Years by 12 & 13 W. 3. c. 6. 6 Geo. 2. c. 37. 17 Geo. 2. c. 40.

## C A P. XVIII.

Rep. 20 Geo. 2. c. 3.

An Act for granting to His Majeſty ſeveral Rates or Duties upon Houſes, for making good the Deficiency of the clipped Money. From 25 *March* 1696, for ſeven Years, every Dwelling Houſe inhabited to pay 2 *s.* Houſe with ten Windows to pay 4 *s. per Annum*, above the 2 *s.* Twenty Windows, 8 *s. per Annum.* to be paid Half-yearly. For the Increaſe and Continuance, *&c.* of theſe Duties ſee 9 & 10 W. 3. c. 20. 1 Annæ, ſtat. 1. c. 13. 5 Annæ, c. 13. 7 Annæ, c. 7. 8 Annæ, c. 4. 3 Geo. 1. c. 8. §. 18. 5 Geo. 1. c. 3. §. 22. and c. 19. 6 Geo. 1. c. 21. §. 61. Duties to be charged on the Inhabitants. Commiſſioners for the Land Tax 7 & 8 W. 3. c. 5. to execute this for the firſt Year, and meet before 7 *May* 1696, and divide themſelves into Hundreds, and direct their Precepts to Aſſeſſors to appear in ten Days. Aſſeſſors to certify the inhabited Houſes, and Number of Windows, with the Names of the Inhabitants, and what they ought to pay. Two Perſons to be Collectors in each Pariſh, for whom the Pariſh to be anſwerable. Aſſeſſors to take the Oaths by 1 W. & M. ſſ. 1. c. 8. Certificates of Rates to be returned before 4 *June* 1696. Commiſſioners to iſſue their Warrants for collecting the Duties. Money collected to be paid to the Receiver General in twenty Days after Receipt. In Default of Payment to be levied by Diſtreſs. The Receiver General to pay the Money into the *Exchequer* Half-yearly. Commiſſioners ſuſpecting any Houſe not duly charged or omitted, may examine the Inhabitant, who neglecting to appear is to pay Double. Receiver General to have 2 *d.* and Collector 3 *d.* in the Pound. Clerks allowed 1 *d.* in the Pound. Appeals may be made in ten Days, and Commiſſioners may abate or increaſe the Aſſeſſment,

ment, and eſtreat it into the *Exchequer*. Juſtices of Peace to be Commiſſioners for the laſt ſix Years. Collectors for preceding Years to deliver Copies of their Aſſeſſments, and alſo the Names of two able Perſons to be Collectors for the enſuing Year, to the Juſtices in ten Days after the Year's End. [By 6 Geo. 1. c. 21. §. 61. Juſtices of Peace may appoint Collectors and make Re-aſſeſſments.] Houſes or Windows omitted, or not duly charged, Commiſſioners examine Inhabitants. On Default of Appearance, to pay Double. Letters Patents no Exemption from Payment. *Non obſtante's* to be void. Parents or Guardians to pay for Perſons under twenty-one Years of Age. Collectors not paying the Money received, to be impriſoned, and their Eſtates ſeized. The Commiſſioners to ſell ſuch Eſtate, and pay the Sum detained to the Receiver General. Commiſſioners not liable to the Penalties in the Act of 25 Car. 2. c. 2. Occupiers of Houſes who pay not to Church and Poor, excepted. Houſes built in *Warwick* ſince the late Fire, not to be charged. 1,200,000 *l.* may be lent on this Act. Intereſt for 600,000 *l.* at 7 *l. per Cent.* And for the Remainder 8 *l. per Cent.* Money lent not to be taxed. A Regiſter to be kept of all Monies paid in, and entred apart. Perſons lending Monies to have a Talley, and an Order for Repayment with Intereſt every three Months. Orders to be regiſtred, and paid in Courſe, without undue Preference. No Fee to be taken for Books or Searches. Orders entred may be aſſigned. Aſſignee may aſſign again, and ſo *toties quoties*. Monies coming in by Loans on this Act, other than what is appointed for Satisfaction of the ſame, *&c.* to be applied for making good Deficiency of the clipt Money. Commiſſioners of the Treaſury to take an Account of the Deficiencies, and apply the Money ariſing by this Act. Monies placed to the Account of ſuch Deficiency, to be paid out ſo far as it will extend, and not divertible. [Theſe Duties were made Part of the Aggregate Fund by 3 Geo. 1. c. 8.] 7 W. 3. c. 1.

## CAP. XIX.

### An Act to encourage the bringing Plate into the Mint to be coined, and for the Remedying the ill State of the Coin of the Kingdom.

III. AND be it further enacted by the Authority aforeſaid, That from and after the fourth Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſix, no Perſon keeping an Inn, Tavern, Alehouſe or Victualling-houſe, or ſelling Wine, Ale, Beer, or any other Liquors by Retail, ſhall publickly uſe or expoſe to be uſed in ſuch his or her Houſe, any wrought or manufactured Plate whatſoever, or any Utenſil or Veſſel thereof (except Spoons) under the Penalty of forfeiting the ſame, or the full Value thereof, together with full Coſts of Suit, to him, her or them, who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or Imparlance, ſhall be allowed. No Retailers of Liquors to uſe or expoſe wrought Plate (except Spoons) under a Penalty. 11 & 12 W. 3. c. 25. §. 2.

" All Coining Preſſes not brought into the Mint before 1 *March* 1695, to be ſeized. Duties of Exciſe and Poſt Office received in clipt Monies by 7 W. 3. c. 1. to be recoined, for Payment of Tallies in Courſe. Account to be kept of the Weight and Tale. Charges excepted. New Monies to be iſſued for Payment of Tallies and Intereſt. Account to be kept of the clipt and new Monies." EXP.

VI. And for the more effectual prohibiting the melting down the Coin of this Kingdom, and Silver Plate wrought within this Realm, and the Exportation of the molten Silver and Bullion of this Kingdom, be it enacted by the Authority aforeſaid, That from and after the laſt Day of *March* one thouſand ſix hundred ninety-ſix, no Perſon or Perſons whatſoever ſhall ſhip or cauſe to be ſhipped or put on board any Veſſel or Ship whatſoever, any molten Silver or Bullion whatſoever, either in Bars, Ingots, Wedges, Cakes, Pinas, or in any other Form whatſoever, unleſs a Certificate be firſt had and obtained from the Court of the Lord Mayor and Aldermen of the City of *London*, Oath having been made before the ſaid Court, by the Owner or Owners of ſuch molten Silver or Bullion, and likewiſe by two or more credible Witneſſes, that the ſame molten Silver and Bullion, and every Part and Parcel thereof, was and is foreign Bullion, and that no Part thereof was (before the ſame was molten) the Coin of this Realm, or Clippings thereof, nor Plate wrought within this Kingdom; which Oath the ſaid Court of the ſaid Lord Mayor and Aldermen of the City of *London* are hereby required and authorized to adminiſter, and to examine ſtrictly all and every ſuch Perſons as ſhall make ſuch Oath concerning the Premiſſes, and likewiſe to make and grant a Certificate thereof, as aforeſaid, without Fee or Reward; which Certificate ſhall alſo contain and expreſs the Name and Names of the Owner or Owners of ſuch molten Silver or Bullion, and of the Witneſs or Witneſſes, and the true Weight of ſuch molten Silver or Bullion; an Entry of which Certificate ſhall be duly made by the ſaid Court, in a Book to be kept for that purpoſe; which Certificate ſhall be ſhewn to the Commiſſioners of the Cuſtoms for the time being, or four of them, before any Cocket be granted for the exporting ſuch molten Silver or Bullion; and an Entry thereof ſhall be alſo duly made by the ſaid Commiſſioners of the Cuſtoms, in a Book to be kept by them for that Purpoſe. No Perſon to ſhip molten Silver or Bullion without Certificate and Oath that the ſame is Foreign Bullion, and not coined, clipt, &c. in England. By 9 & 10 W. 3. c. 28. Watches, Sword Hilts, wrought Plate, &c. may be exported, &c. Certificate to expreſs the Owner's Name, Weight of the Bullion, to be entred and given gratis.

VII. And be it further enacted, That if any Perſon or Perſons whatſoever ſhall ſhip, or cauſe to be ſhipped or put on board any Veſſel or Ship, any molten Silver or Bullion whatſoever, as aforeſaid, without Oath, Certificate, and Entry, firſt made and obtained, as is before provided; in every ſuch Caſe it ſhall and may be lawful to and for any Officer or Officers of His Majeſty's Cuſtoms, or any other Perſon or Perſons, to ſeize ſuch molten Silver and Bullion ſo ſhipped and put on board, as forfeited; one Moiety whereof ſhall be to His Majeſty, His Heirs, and Succeſſors, and the other Moiety to the Officer and Officers, or Perſons ſo ſeizing the ſame; and the Owner or Owners, Proprietor or Proprietors of ſuch molten Silver or Bullion, ſhall forfeit double the Value of ſuch molten Silver or Bullion; one Moiety whereof ſhall be to His Majeſty, and the other Moiety to the Perſon that ſhall ſue or inform for the ſame, to be recovered with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, wherein no Molten Silver or Bullion ſhipt without Oath, &c. Officer may ſeize. One Moiety to the King, the other to the Officer. Penalty on the Owners.

Pri-

Master or Captain of a Ship to forfeit 200 l.

Privilege, Protection, or Wager of Law, shall be allowed, nor any more than one Imparlance; and the Captain or Master of such Ship or Vessel (if the same belong to a Subject) who shall knowingly permit the said molten Silver or Bullion to be put on board his said Ship or Vessel, shall forfeit to such Person or Persons as shall sue or inform for the same, the Sum of two hundred Pounds, to be sued for and recovered in Manner as aforesaid; and in case the Ship or Vessel be a Man of War, or Vessel belonging to His Majesty, then the Captain thereof shall forfeit the Sum of two hundred Pounds to any Person that shall sue for the same as aforesaid, and shall forfeit his Employment, and be made uncapable of any Office or Employment, Civil or Military.

Penalty on Commissioners, &c. granting Cocquets for exporting Bullion before Certificate, &c.

VIII. And be it further enacted, That if any Commissioner or Commissioners, Officer or Officers of the Customs, shall grant any Cocquet for exporting of any molten Silver or Bullion whatsoever, before such Certificate first had, as by this Act is directed, and Entry thereof made in the Book hereby directed to be kept by the Commissioners of the Customs; that every such Commissioner and Officer of the Customs so offending shall forfeit the Sum of two hundred Pounds, and be made uncapable of any other Office or Place of Profit or Trust whatsoever.

In case of Seizure of Bullion, Proof to lie on the Owners;

IX. And be it further enacted by the Authority aforesaid, That in case any Seizure of any molten Silver or Bullion shall happen to be made in Pursuance and Execution of this Act, or that any Action, Bill, Plaint, or Information shall be brought for any of the Forfeitures or Penalties incurred by this Act, and a Doubt or Question shall arise thereon, Whether the molten Silver or Bullion then in Question were really and truly foreign Bullion, or prohibited to be exported, or otherwise forfeited by this Act; in every such Case the Proof shall lie on the Part of the Owner, Proprietor, or Claimer, of such molten Silver or Bullion,

and for want of Proof, to be forfeited.

and unless the Owner, Proprietor, or Claimer, or the Party sued, shall prove that the molten Silver or Bullion in Question was, at the Time of the Seizure or Forfeiture thereof, foreign Bullion, and that no Part thereof was (before the same was molten) the Coin of this Realm, nor Clippings thereof, nor Plate wrought within this Kingdom, that in every such Case, for want of such Proof, the molten Silver and Bullion in Question shall be adjudged, deemed, construed, and taken, to be molten Silver and Bullion forfeited by this Act, and liable to the Penalties before mentioned.

Bullion exported by the King's Licence, not exceeding 200,000 l. excepted.

X. Provided always, and be it further enacted, That this Act, or any thing therein contained, shall not extend to prohibit the Exportation of such Bullion of Gold or Silver as shall be licenced by His Majesty (such Licences being entred in the Books of the Custom-house of the Port of *London*) so as the same be exported before the last Day of *January*, which shall be in the Year one thousand six hundred ninety-six, and do not exceed in Value two hundred thousand Pounds Sterling, to be applied for the Payment of His Majesty's Forces.

Penalty for taking clipt Money in Payment. 7 W. 3. c. 1. *Farther Provisions concerning Coin*, 8 & 9 W. 3. c. 26. 9 & 10 W. 3. c. 21. 1 *Ann. stat.* 1. c. 9. *and* 15 *Geo.* 2. c. 28.

XI. And to the end the Subject, after so great a Contribution and Charge for making good the Deficiency of clipt Money, may not remain under any Part of the Mischiefs which the Continuance of the Currency of such Money will occasion, be it further enacted, That whosoever, after the fourth Day of *May* one thousand six hundred ninety-six, shall take or receive any such clipt Money, otherwise than according to the Directions, and in Pursuance of an Act of this present Session of Parliament, intituled, *An Act for remedying the ill State of the Coin of the Kingdom*, in any Payment whatsoever, as if it were lawful Money, shall forfeit double the Value of the Silver so received, to the Use of such Person as will inform or prosecute for the same, to be recovered in such Manner and Form as the Forfeiture for uttering Money clipt, after a Hole has been punched through it, in Pursuance of an Act made in this present Session of Parliament is directed to be recovered by the said Act; and the Justices of the Peace are hereby impowered to hear and determine such Information or Prosecution accordingly.

Guineas to be at 22 s. after 10 April 1696.

'XII. And whereas the uncertain Value of coined Gold has been highly prejudicial to Trade, and an 'Encouragement to certain evil disposed Persons to raise and fall the same, to the great Prejudice of the 'landed Men of this Kingdom:' Be it therefore enacted by the Authority aforesaid, That from and after the Tenth Day of *April* one thousand six hundred ninety-six, no Person shall utter or receive any of the Pieces of Gold Coin, commonly called *Guineas*, at any higher or greater Rate or Value than two and twenty Shillings for each Guinea, and so proportionably for every greater or lesser Piece of coined Gold;

Penalty.

and whosoever shall offend herein shall incur the Penalties and Forfeitures provided in an Act made in this present Parliament, for those that shall receive or pay Guineas, and other Pieces of coined Gold, at a greater or higher Rate than in that Act is directed, to be recovered by the same Ways and Means that the Penalties and Forfeitures of that Act are to be or may be recovered.

7 & 8 W. 3. c. 10. §. 18.

## CAP. XX.

### An Act for granting to His Majesty an additional Duty upon all *French* Goods and Merchandize.

*Most Gracious Sovereign,*

WE Your Majesty's most dutiful and loyal Subjects, the Commons assembled in Parliament, have chearfully and unanimously given and granted, and do hereby give and grant unto Your Majesty the additional and other Rates, Impositions, Duties, and Charges, upon the several Sorts of Goods and Merchandize, to be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, during such Time, and in such Manner and Form as herein after followeth; and do humbly pray Your Majesty that it may be enacted:

II. And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be answered and paid to His Majesty, and his Heirs and Successors, for the several Goods and Merchandizes hereafter mentioned, over and above all Impositions, Duties, and Charges,

Charges, already impoſed and payable upon and for the ſame in the Book of Rates of Merchandize, by Act of Parliament eſtabliſhed, and the Direction therein contained or otherwiſe, the further Rates and Duties following (that is to ſay)

III. For every Tun of *French* Wine imported from and after the twenty-eighth Day of *February* one thouſand ſix hundred ninety-ſix, for the Term of one and twenty Years, and from thence to the End of the next Seſſion of Parliament, and no longer, five and twenty Pounds above the Duties already charged thereupon, without any Deduction, and ſo proportionably for a greater or leſſer Quantity.

French Wine imported to pay 25 l. per Tun above the old Rates for 21 Years.

IV. For every Tun of *French* Brandy of ſingle Proof imported after the twenty-eighth Day of *February* one thouſand ſix hundred ninety-ſix, for the Term of one and twenty Years, and from thence to the End of the next Seſſion of Parliament, and no longer, thirty Pounds: And for every Tun of *French* Brandy of double Proof imported, as aforeſaid, ſixty Pounds, over and above the Duties already charged thereupon, without any Deduction, and ſo proportionably for a greater or leſſer Quantity.

Brandy of ſingle Proof 30 l. per Tun. Double Proof 60 l. per Tun.

French Goods condemned as Prize exempted by 8 & 9 W. 3. c. 24. §. 5. Repealed as to rating ſeveral Goods, ad valorem, 11 Geo. 1. c. 7. Wines and Goods, &c. made perpetual by 1 Geo. 1. ſtat. 2. c. 12. §. 3.

Duties on French

V. For every Tun of *French* Vinegar imported after the ſaid twenty-eighth Day of *February* one thouſand ſix hundred ninety-ſix, for the Term of one and twenty Years, and from thence to the End of the next Seſſion of Parliament, and no longer, fifteen Pounds, over and above the Duties already charged thereupon, without any Deduction, and ſo proportionably for any greater or leſſer Quantity.

Vinegar 15 l. per Tun.

VI. For all other Goods of the Growth, Product, or Manufacture of *France*, imported after the ſaid twenty-eighth Day of *February* one thouſand ſix hundred ninety-ſix, for the Term of one and twenty Years, and from thence to the End of the next Seſſion of Parliament, and no longer, five and twenty Pounds *per Centum ad valorem*, over and above the Duties already charged thereupon, without any Deduction, and ſo proportionably for a greater or leſſer Quantity.

All other French Goods 25 l. per Cent. ad valorem.

VII. Provided always, and be it enacted, That the ſeveral Rates and Impoſitions hereby impoſed upon the reſpective Goods and Merchandizes aforeſaid, ſhall be collected and paid according to the reſpective Rates and Proportions herein expreſſed, and be raiſed, levied, collected, and paid into His Majeſty, during the reſpective Times before mentioned, in the ſame Manner and Form, and by ſuch Rules, Means, and Ways, and under ſuch Penalties and Forfeitures as are mentioned and expreſſed in one Act of Parliament, made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *A Subſidy granted to the King of Tunnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported*, and the Rules, Directions, and Orders, thereunto annexed, or any other Laws now in Force relating to the Collection of His Majeſty's Cuſtoms; which ſaid Act and Acts, and every Article, Rule, and Clauſe, therein contained, ſhall ſtand and be in Force for the purpoſes aforeſaid, during the Continuance of this Act.

Duties on Wine Lees imported, repealed by 1 Geo. 1. ſtat. 2. c. 17. §. 1, 2. and Wine Lees are to pay as Wine. Rates, Penalties, &c. to be as in 12 Car. 2. c. 4. Made Part of the Aggregate Fund, 1 Geo. 1. c. 12.

'VIII. And whereas a very uſeful and profitable Invention or Myſtery hath been lately found out for 'the better and more ſpeedy making and knitting of Worſted and Silk Stockings, Waiſtcoats, Gloves, 'and other wearing Neceſſaries, whereby great Quantities are wrought off in a little Time, His Maje-'ſty's Dominions abundantly ſupplied, and great Quantities exported into foreign Nations, to the Increaſe 'of His Majeſty's Cuſtoms, and the Improvement of Trade and Commerce: And whereas ſeveral of the 'Frames or Engines for the making and knitting of ſuch Stockings and other wearing Neceſſaries have 'been of late exported out of this Kingdom, whereby the ſaid Commodities have been made in Foreign 'Parts, which were heretofore made in this Kingdom only, to the great Diſcouragement of the Woollen 'Trade in general, and the great Detriment of the ſaid Myſtery, and the Impoveriſhment of many Families, 'who have been thereby maintained:' For the Prevention of which Inconveniencies for the future, Be it enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſix hundred ninety-ſix, no Perſon or Perſons whatſoever ſhall load or put on board any Ship or Veſſel any ſuch Frame or Frames, or any Part or Parcel thereof, in order to be exported beyond the Seas; upon Pain that the Perſon or Perſons offending herein ſhall not only forfeit and loſe ſuch Frame and Frames, Parts or Parcels of Frames, which ſhall be ſo loaden and put on board, in order to be exported beyond the Seas, as aforeſaid, but alſo the Sum of forty Pounds of lawful Money of *England*, for ſuch Frame, or Part or Parcel thereof; the one Moiety thereof to His Majeſty, His Heirs and Succeſſors, the other Moiety thereof to the Perſon or Perſons who ſhall inform and ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law, ſhall be allowed, or more than one Imparlance.

Penalty on exporting Stocking Frames or Engines.

One Moiety to the King, the other to the Proſecutor.

IX. And for the more effectual preventing the Exportation of ſuch Frames, be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, which from and after the ſaid firſt Day of *May* ſhall buy, ſell, diſpoſe of, or remove from Place to Place, any ſuch Frame or Engine, or any Parts or Parcels thereof, ſhall, within two Months next after ſuch Diſpoſal or Removal thereof, give Notice in Writing to the Maſter and Wardens of the Company of *Framework-knitters* within the City of *London*, or to their lawful Deputy or Deputies for the time being, ſome or one of them, to whom and what Place the ſame were ſo ſold, diſpoſed, or removed, to the end that an Account may be taken by the ſaid Maſter and Wardens, or their Deputy or Deputies, thereof, upon Pain that every Perſon and Perſons offending herein ſhall forfeit and pay, for every ſuch Offence, to the Uſes aforeſaid, the Sum of five Pounds of like Money, to be recovered as aforeſaid.

Maſter and Wardens of the Company of Frame-knitters, London, to have Notice of the ſelling or removing of Stocking Frames.

## CAP. XXI.

### An Act for the Increase and Encouragement of Seamen.

'FORASMUCH as the Strength and Safety of this, and other His Majesty's Realms and Dominions, do very much depend upon the furnishing and supplying of His Majesty's Royal Navy with a competent Number of able Mariners and Seamen, which may be in a Redineſs at all Times for that Service:

'II. And whereas the Seamen of this Kingdom have for a long Time distinguished themselves throughout the World by their Industry and Skilfulness in their Employments, and by their Courage and Constancy manifested in Engagements for the Defence and Honour of their Native Country: And for an Encouragement to continue this their ancient Reputation, and to invite greater Numbers of His Majesty's Subjects to betake themselves to the Sea, it is fit and reasonable that some competent Provision should be made, that Seamen, who by Age, Wounds, or other Accidents, shall become disabled for future Service at Sea, and shall not be in a Condition to maintain themselves comfortably, may not fall under Hardships and Miseries, may be supported at the publick Charge, and that the Children of such disabled Seamen, and also the Widows and Children of such Seamen as shall happen to be slain, killed, or drowned in Sea-service, may in some reasonable Manner be provided for and educated:

'III. And whereas His Majesty, and Her late Majesty the Queen, of Blessed Memory, reflecting upon the Premisses, determined with themselves, That an Hospital should be erected, established, and endowed for the Purposes aforesaid, and in order thereunto by their Letters Patents under the Great Seal of *England*, bearing Date the five and twentieth Day of *October* last past, did give and grant to certain Persons named therein, their Heirs and Assigns, a certain Piece or Parcel of Ground, situate and being within the Parish of *East Greenwich* in the County of *Kent*, Parcel or reputed Parcel of their Manor of *East Greenwich* aforesaid, and in the said Letters Patents particularly described, and the Capital Messuage commonly called by the Name of *The Palace of* Greenwich, standing upon the said Piece or Parcel of Ground, and several other Edifices, Buildings, and other Things in the said Letters Patents mentioned (except as herein is excepted) to the Intent that the Premisses should be converted and employed unto and for the Use and Service of an Hospital, for the Relief of Seamen, their Widows, and Children, and an Encouragement of Navigation, as therein is mentioned:

'IV. And whereas His Majesty, in further Execution of his pious and princely Intention for the founding and endowing of an Hospital at *Greenwich* for the Purposes aforesaid, by His Letters Patents under the Great Seal of *England*, bearing Date the tenth Day of *September* one thousand six hundred ninety and five, hath constituted Commissioners, and granted an annual Sum, payable out of the Treasury, and given divers proper Directions, Powers, and Authorities, for the carrying on and perfecting the said Hospital, and the Endowment and Maintenance thereof, and of the said Persons to be placed therein:' And to the Intent that such Mariners, Watermen, Seamen, Fishermen, Lightermen, Bargemen, and Keelmen, as shall voluntarily come in and register themselves, in and for His Majesty's Sea Service, as hereafter mentioned, may have and receive the Privileges, Benefits, and Advantages following: Be it enacted, *&c.*

2 *R.* 2. *stat.* 1. c. 4.

REP. "Mariners, *&c.* above 18 and under 50 may register themselves in the King's Service. Repealed by 9 Annæ, c. 21. §. 63. as to registering of Seamen. Register Office to be kept at the Navy Office, *London*, or elsewhere. Seamens Names to be registred in Course of Time without Fee. Registers of Sea Ports to give Certificates *gratis*, of the Number and Names of Seamen registred in their Office, and transmit them to the Navy Office. An Account to be given once a Year to the Commissioners of the Admiralty. Number not to exceed 30,000 Men, and each to have 40*s. per Ann.* Bounty. Repealed by 9 Annæ, c. 21. §. 63. None but registred Seamen to be preferred. Registred Seamen in Service may assign two Months Pay in Six. Monies due to Seamen dead in the Service, to be paid to their Executors. Registred Seamen to have a double Share out of Prizes, and freed from serving on Juries, and Parish Offices, *&c.*"

VII. And for the Relief, Benefit, or Advantage, of such the said registred Mariners or Seamen, Watermen, Fishermen, Lightermen, Bargemen, Keelmen, or Seafaring-men, who by Age, Wounds, or other Accidents, shall be disabled for future Service at Sea, and shall not be in a Condition to maintain themselves comfortably, and the Children of such disabled Seamen, and the Widows and Children of such of them as shall happen to be slain, killed, or drowned, in Sea-service, so far forth as the Hospital herein before mentioned shall be capable to receive them, and the Revenue thereof will extend for or towards their Relief or Support, and according to the Rules, Orders, and Constitutions, to be settled and provided for the said Hospital, and the Government and Regulation thereof: Be it further enacted by the Authority aforesaid, That every such Seaman, Waterman, Fisherman, Lighterman, Bargeman, Keelman, or Seafaring-man, registred and disabled, as aforesaid, shall, upon certificate thereof from the Captain, Master, Surgeon, and Purser, or so many of them as were in the said Ship for the Time being, under his or their Hand and Seal, unto the Governor or Governors of the said Hospital at *Greenwich* for the time being, be admitted and placed in the said Hospital, and shall have provided and allowed unto him, during his Life, at the Charges of the said Hospital, and out of the Revenues thereof, according to the Rules, Orders, and Constitutions, to be provided and settled for the said Hospital, and the Government and Regulation thereof, fitting and convenient Lodging, Meat, Drink, Clothing, and other Necessaries and Conveniencies; and also the Widows of such Seamen, Watermen, Fishermen, Lightermen, Bargemen, Keelmen, and Seafaring-

Registred Seamen being disabled, on Certificate to the Governor of Greenwich Hospital, to be taken in, and provided for during Life.

Widows and Children of Seamen slain or

faring-men, who ſhall be ſlain, killed, or drowned, in the Sea-Service, and the Children of ſuch Seamen, Watermen, Fiſhermen, Lightermen, Bargemen, Keelmen, or Seafaring-men, ſo ſlain, killed, or drowned, and not of Ability to maintain or provide comfortably for themſelves, ſhall be received into the ſaid Hoſpital, and there be provided for; and the ſaid Children ſhall be educated at the Charges of the ſaid Hoſpital, till they are fit to be put out, or of Ability to maintain themſelves; all which ſhall be done ſo far forth as the ſaid Hoſpital ſhall be capable to receive ſuch diſabled Seamen, and ſuch Widows and Children as aforeſaid, and as the Revenues thereof will extend for the Purpoſes aforeſaid, and according to the Rules, Orders, and Conſtitutions, to be provided and ſettled for the ſaid Hoſpital, and the Government and Regulation thereof.

drowned in the Service to be received and provided for. Farther provided for by 8 & 9 W. 3. c. 23. §. 1. By 2 & 3 Ann. c. 6. §. 19. Lord Admiral may appoint diſabled Seamen, &c. to be maintained.

" Regiſtred Seamen withdrawing themſelves in Time of War from the King's Service, and not repairing " on Board in 30 Days after Summons, if not detained by Sickneſs, to loſe the Benefit of this Act, and " ſerve ſix Months without Pay. This Act not to alter the Puniſhment inflicted by 13 Car. 2. ſtat. 1. " c. 9."

X. And be it further enacted by the Authority aforeſaid, That when and after five and twenty Years, to be reckoned from the five and twentieth Day of *March* one thouſand ſix hundred ninety and ſix, ſhall be expired, no Perſon or Perſons whatſoever ſhall be capable of being a Brother of *Trinity Houſe* of *Deptford Strond*, but only ſuch as at the Time of his or their Election, or before, ſhall be, or ſhall have been, a Seaman, or Seamen, Watermen, Fiſhermen, Lightermen, Bargemen, Keelmen, regiſtred in Purſuance of this Act; and that every Seaman whatſoever, that ſhall ſerve His Majeſty, His Heirs, or Succeſſors, or any other Perſon or Perſons whatſoever, in any of His Majeſty's Ships, or in any Ship or Veſſel whatſoever, belonging or to belong to any the Subjects of *England*, or any other His Majeſty's Dominions, ſhall allow, and there ſhall be paid out of the Wages of every ſuch Seaman to grow due for ſuch his Service, ſix Pence *per Menſem* for the better Support of the ſaid Hoſpital, and to augment the Revenues thereof for the Purpoſes aforeſaid; which Monthly Allowance ſhall and may be collected, levied, and recovered, by ſuch Officers, and according to ſuch Rules and Methods, as ſhall in that Behalf be appointed by the ſaid Commiſſioners for executing the Office of Lord High Admiral of *England*, or any three or more of them, or by the Lord High Admiral of *England* for the time being.

After 25 Years from Mar. 25. 1696. none to be a Brother of Trinity Houſe but regiſtred Seamen. 6 d. per Menſem to be paid out of all Seamens Wages towards the Support of Greenwich Hoſpital. By 2 & 3 Annæ, c. 6. §. 7. poor Boys aſſigned over to the Sea, ſhall not pay the 6 d. per Menſem, till the Age of 18.

" By 10 Annæ, c. 17. §. 1. Perſons employed in Boats, *&c.* are to pay 6 *d. per Menſem*. Further Provi- " ſions relating to the Payment of 6 *d. per Menſem* by 2 Geo. 2. c. 7 and c. 36. §. 9 & 10. 18 Geo. 2. c. 31. " Abode of regiſtred Seamen to be certified by two Juſtices. Perſons under 18 or above 55 not obliged to " ſerve. Commiſſion or Warrant Officer not intitled to the Bounty or liable to the Penalty. Admiralty " may diſmiſs regiſtred Seamen on Miſbehaviour."

XV. Be it alſo enacted, That Licences ſhall at any Time be given by Order of His Majeſty, or the Lord High Admiral, or Commiſſioners of the Admiralty for the Time being, to any Landmen deſirous to apply themſelves to the Sea Service, to ſerve in Merchant Ships, or other Trading Veſſels, which ſhall be to them a Protection againſt being impreſſed, for the Space of two Years following the Date of ſuch Licence: Provided that ſuch Landmen bring to the Regiſter two credible Perſons, Inhabitants, or known in the Place where they ſo enter themſelves, who ſhall aſſert their Knowledge of ſuch Landmen for two Years paſt, and in what Profeſſion or Buſineſs they have known them employed; and that if any Perſon ſhall vouch any one for a Landman, who ſhall afterwards be proved to be a Seaman, he ſhall forfeit the Sum of twenty Pounds, to be levied in Manner, and to the Uſes aforementioned; and that any Seaman perſonating or taking another's Name, or any Seaman or other Perſon whatever, counterfeiting any Licence, ſhall forfeit twenty Pounds, to the ſaid Uſes, and be liable to ſuch further Puniſhment as by Law may be inflicted for ſuch a Fraud or Miſdemeanor; and any Seaman ſo offending as above ſhall be incapable of the Benefit of this Act.

Licences to be given to Landmen to ſerve aboard Merchant Ships.

Penalty on falſe vouching or perſonating another, or counterfeiting Licence.

" Seamen inhabiting in the Cinque Ports may be there regiſtred. Regiſters to be appointed by the War- " den of the Cinque Ports, and to take the Oath. Seamen ſo regiſtred, and their Wives and Children, to " have the ſame Advantages as if elſewhere regiſtred. Regiſtred Seamen not to ſerve as Land Soldiers. " Chaplain, Surgeon, *&c.* not debarred.

*Farther Proviſions concerning Seamen*, 8 & 9 *W.* 3. *c.* 23. 9 & 10 *W.* 3. *c.* 41. 2 *Ann.* *c.* 6. 4 & 5 *Ann. c.* 19. 10 *Ann. c.* 17. 1 *Geo.* 1. *c.* 25. 2 *Geo.* 2. *c.* 7 & 36. 6 *Geo.* 2. *c.* 25. *ſect.* 18. 8 *Geo.* 2. *c.* 29. 11 *Geo.* 2. *c.* 30, 13 *Geo.* 2. *c.* 3 & 17. 14 *Geo.* 2. *c.* 38. 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10.

## CAP. XXII.

### An Act for preventing Frauds, and regulating Abuſes in the Plantation Trade.

' WHEREAS notwithſtanding divers Acts made for the Encouragement of the Navigation of this ' Kingdom, and for the better ſecuring and regulating the Plantation Trade, more eſpecially one ' Act of Parliament made in the twelfth Year of the Reign of the late King *Charles* the Second, intituled, ' *An Act for increaſing of Shipping and Navigation*, another Act made in the fifteenth Year of the Reign ' of His ſaid late Majeſty, intituled, *An Act for the Encouragement of Trade*, another Act made in the two ' and twentieth and three and twentieth Years of His ſaid late Majeſty's Reign, intituled, *An Act to pre-* ' *vent the Planting of Tobacco in* England, *and for regulating the Plantation Trade*, another Act made in the ' twenty-fifth Year of the Reign of His ſaid late Majeſty, intituled, *An Act for the Encouragement of the* ' Greenland *and* Eaſtland *Trades, and for the better ſecuring the Plantation Trades*, great Abuſes are daily

12 Car. 2. c. 18. 15 Car. 2. c. 7. 22 & 23 Car. 2. c. 26. 25 Car. 2. c. 7.

'committed, to the Prejudice of the *English* Navigation, and the Loss of a great Part of the Plantation 'Trade to this Kingdom, by the Artifice and Cunning of ill-disposed Persons:' For Remedy whereof for the future,

Goods not to be imported or exported to or from the Plantations, but in Ships built in England, Ireland, or in the Plantations.

II. Be it enacted, and it is hereby enacted and ordained by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That after the five and twentieth Day of *March* one thousand six hundred ninety-eight, no Goods or Merchandizes whatsoever shall be imported into, or exported out of, any Colony or Plantation to His Majesty, in *Asia*, *Africa* or *America*, belonging, or in His Possession, or which may hereafter belong unto, or be in the Possession of His Majesty, His Heirs or Successors, or shall be laden in, or carried from any one Port or Place in the said Colonies or Plantations to any other Port or Place in the same, the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, in any Ship or Bottom, but what is or shall be of the Built of *England*, or of the Built of *Ireland*, or the said Colonies or Plantations, and wholly owned by the People thereof, or any of them, and navigated with the Masters and three fourths of the Mariners of the said Places only (except such Ships only as are or shall be taken as Prize, and Condemnation thereof made in one of the Courts of Admiralty in *England*, *Ireland*, or the said Colonies or Plantations, to be navigated by the Master and three fourths of the Mariners *English*, or of the said Plantations as aforesaid, and whereof the Property doth belong to *English* Men; and also except for the Space of three Years, such Foreign-built Ships as shall be employed by the Commissioners of His Majesty's Navy for the time being, or upon Contract with them, in bringing only Masts, Timber and other Naval Stores for the King's Service from His Majesty's Colonies or Plantations to this Kingdom, to be navigated as aforesaid, and whereof the Property doth belong to *English* Men) under Pain of Forfeiture of Ship and Goods; one third Part whereof to be to the Use of His Majesty, His Heirs and Successors, one third Part to the Governor of the said Colonies or Plantations, and the other third Part to the Person who shall inform and sue for the same, by Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, or in any Court in His Majesty's Plantations, where such Offence shall be committed.

Except Prize Ships, and Foreign Ships employed for 3 Years to bring in Naval Stores.

Penalty.

Goods may be imported and exported in Prize Ships, the Master and 3 fourths of the Mariners being English.

III. And be it further enacted by the Authority aforesaid, That (from and after the said five and twentieth Day of *March*) Goods or Merchandizes may be exported or imported to and from this Kingdom, the Colonies, Plantations and Places aforesaid, in any such Ships as are or shall be taken as Prize, and whereof Condemnation shall be made in one of the Courts of Admiralty aforesaid, and shall be navigated as aforesaid, by the Master, three fourths of the Mariners *English*, and whereof the Property shall belong to *English* Men, and also Masts, Timber, and other naval Stores for His Majesty's Service, for the Space of three Years, may be imported from His Majesty's Colonies or Plantations to this Kingdom, in such foreign built Ships as shall be employed by the Commissioners of the Navy for the time being, or by Contract with them; any Law or Statute to the contrary notwithstanding.

12 Car. 2. c. 18.

'IV. And whereas by one Clause in the said Act passed in the twelfth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, 'all Governors of His Majesty's Colonies or Plantations in *Asia*, *Africa* or *America*, are required to take 'a solemn Oath to do their utmost that every the Clauses therein before mentioned, and all the Matters 'and Things therein contained, shall be punctually and *bona fide* observed according to the true Intent and 'Meaning thereof, so that the said Governors are not strictly obliged by that Oath to put in Execution the 'subsequent Clauses of the said Act, although some of the Clauses following are of great Importance, and 'tend greatly to the Security of the Plantation Trade: And whereas divers other good Laws have been 'made for the better regulating and securing the Plantation Trade since the said last mentioned Act;' Be it further enacted by the Authority aforesaid, That all the present Governors and Commanders in Chief of any *English* Colonies or Plantations, shall, before the five and twentieth Day of *March* one thousand six hundred ninety-seven, and all who hereafter shall be made Governors or Commanders in Chief of the said Colonies or Plantations, or any of them, before their Entrance into their Government, shall take a solemn Oath to do their utmost, that all the Clauses, Matters and Things, contained in the before recited Acts of Parliament heretofore passed, and now in Force, relating to the said Colonies and Plantations, and that all and every the Clauses contained in this present Act, be punctually and *bona fide* observed, according to the true Intent and Meaning thereof (which Oath shall be taken before such Person or Persons as shall be appointed by His Majesty, His Heirs and Successors, who are hereby authorized to administer the same) so far as appertains unto the said Governors or Commanders in Chief respectively; and upon Complaint and Proof made before His Majesty, His Heirs and Successors, or such as shall be by him or them thereunto authorized and appointed, by the Oath of two or more credible Witnesses, that any the said Governors or Commanders in Chief have neglected to take the said Oath at the Times aforesaid, or have been wittingly or willingly negligent in doing their Duty accordingly, the said Governor so neglecting or offending shall be removed from his Government, and forfeit the Sum of one thousand Pounds Sterling.

13 & 14 Car. 2. c. 11.
4 & 5 W. & M. c. 17.
Governors of English Plantations to take an Oath to observe all the Clauses in this and the other Acts relating to the said Plantations.
Farther provided for by 8 & 9 W. 3. c. 20. §. 69.
On Neglect, to be removed from his Government, and forfeit 1,000 l.

15 Car. 2. c. 7.

'V. And whereas by the said Act of the fifteenth of King CHARLES the Second, intituled, *An Act 'for the Encouragement of Trade*, the Governors of the Plantations are impowered to appoint an Officer for 'the Performance of certain Things in the said Act mentioned, which said Officer is there commonly 'known by the Name of the *Naval Officer*: And whereas through the Connivance or Negligence of the 'Persons so appointed by the Governors of the said Plantations, divers Frauds and Abuses are or have 'been committed;' Be it therefore enacted by the Authority aforesaid, That all and every the said Officers already appointed shall, within two Months after Notice of this Act in the respective Plantations, or as soon as conveniently it may be, give Security to the Commissioners of the Customs in *England* for the time being, or such as shall be appointed by them, for His Majesty's Use, for the true and faithful Performance of their Duty; and all and every Person or Persons, who shall hereafter be appointed to the said

Naval Officers in the Plantations to give Security to the Commissioners of the Customs in England for Performance of their Duty, and in Default to be disabled.

ſaid Office or Employment, ſhall within two Months, or as ſoon as conveniently it may be, after his or their Entrance upon the ſaid Office or Employment, give ſufficient Security to the Commiſſioners of the Cuſtoms as aforeſaid, for His Majeſty's Uſe, for the true and faithful Performance of his or their Duty; and in Default thereof, the Perſon or Perſons neglecting or refuſing to give ſuch Security, ſhall be diſabled to execute the ſaid Office or Employment; and until ſuch Security given, and the Perſon appointed to the ſaid Office or Employment be approved by the Commiſſioners of the Cuſtoms as aforeſaid, the reſpective Governor or Governors ſhall be anſwerable for any the Offences, Neglects or Miſdemeanors, of the Perſon or Perſons ſo by him or them appointed.

Governors in the interim to be anſwerable.

VI. And for the more effectual preventing of Frauds, and regulating Abuſes in the Plantation Trade in *America*, be it further enacted by the Authority aforeſaid, That all Ships coming into, or going out of, any of the ſaid Plantations, and lading or unlading any Goods or Commodities, whether the ſame be His Majeſty's Ships of War, or Merchants Ships, and the Maſters and Commanders thereof, and their Ladings, ſhall be ſubject and liable to the ſame Rules, Viſitations, Searches, Penalties and Forfeitures, as to the entring, lading or diſcharging their reſpective Ships and Ladings, as Ships and their Ladings, and the Commanders and Maſters of Ships, are ſubject and liable unto in this Kingdom, by virtue of an Act of Parliament made in the fourteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Frauds, and regulating Abuſes in His Majeſty's Cuſtoms:* And that the Officers for collecting and managing His Majeſty's Revenue, and inſpecting the Plantation Trade, in any of the ſaid Plantations, ſhall have the ſame Powers and Authorities, for viſiting and ſearching of Ships, and taking their Entries, and for ſeizing and ſecuring or bringing on Shore any of the Goods prohibited to be imported or exported into or out of any the ſaid Plantations, or for which any Duties are payable, or ought to have been paid, by any of the before mentioned Acts, as are provided for the Officers of the Cuſtoms in *England* by the ſaid laſt mentioned Act made in the fourteenth Year of the Reign of King CHARLES the Second, and alſo to enter Houſes or Warehouſes, to ſearch for and ſeize any ſuch Goods; and that all the Wharfingers, and Owners of Keys and Wharfs, or any Lightermen, Bargemen, Watermen, Porters, or other Perſons aſſiſting in the Conveyance, Concealment or Reſcue of any of the ſaid Goods, or in the hindring or Reſiſtance of any of the ſaid Officers in the Performance of their Duty, and the Boats, Barges, Lighters or other Veſſels employed in the Conveyance of ſuch Goods, ſhall be ſubject to the like Pains and Penalties as are provided by the ſame Act made in the fourteenth Year of the Reign of King CHARLES the Second, in relation to prohibited or uncuſtomed Goods in this Kingdom; and that the like Aſſiſtance ſhall be given to the ſaid Officers in the Execution of their Office, as by the ſaid laſt mentioned Act is provided for the Officers in *England*; and alſo that the ſaid Officers ſhall be ſubject to the ſame Penalties and Forfeitures, for any Corruptions, Frauds, Connivances, or Concealments, in Violation of any the before mentioned Laws, as any Officers of the Cuſtoms in *England* are liable to, by virtue of the ſaid laſt mentioned Act; and alſo that in caſe any Officer or Officers in the Plantations ſhall be ſued or moleſted for any thing done in the Execution of their Office, the ſaid Officer ſhall and may plead the General Iſſue, and ſhall give this or other Cuſtom Acts in Evidence, and the Judge to allow thereof, have and enjoy the like Privileges and Advantages, as are allowed by Law to the Officers of His Majeſty's Cuſtoms in *England*.

And Officers of the Revenue there to have the ſame Powers as Officers of the Cuſtoms in England.

Penalty on Wharfingers, &c. aſſiſting in Concealment or Reſcue of Goods.

Aſſiſtance to be given the Officers, and Officers ſubject to the ſame Penalties as by 13 & 14 Car. 2. c. 11.

General Iſſue.

VII. And it is hereby further enacted, That all the Penalties and Forfeitures before mentioned, not in this Act particularly diſpoſed of ſhall be one third Part to the Uſe of His Majeſty, His Heirs and Succeſſors, and one third Part to the Governor of the Colony or Plantation where the Offence ſhall be committed, and the other third Part to ſuch Perſon or Perſons as ſhall ſue for the ſame, to be recovered in any of his Majeſty's Courts at *Weſtminſter*, or in the Kingdom of *Ireland*, or in the Court of Admiralty held in His Majeſty's Plantations reſpectively, where ſuch Offence ſhall be committed, at the Pleaſure of the Officer or Informer, or in any other Plantation belonging to any Subject of *England*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed; and that where any Queſtion ſhall ariſe concerning the Importation or Exportation of any Goods into or out of the ſaid Plantations, in ſuch Caſe the Proof ſhall lie upon the Owner or Claimer, and the Claimer ſhall be reputed the Importer or Owner thereof.

One third of the Forfeitures to be to the King, another to the Governor of the Plantation, and the other to the Proſecutor.

Proof to lie on the Owner.

'VIII. And whereas in ſome of His Majeſty's *American* Plantations, a Doubt or Miſconſtruction has ariſen 'upon the before mentioned Act, made in the five and twentieth Year of the Reign of King CHARLES 'the Second, whereby certain Duties are laid upon the Commodities therein enumerated (which by Law 'may be tranſported from one Plantation to another for the Supply of each others Wants) as if the ſame 'were by the Payment of thoſe Duties in one Plantation, diſcharged from giving the Securities intended 'by the aforeſaid Acts, made in the twelfth, two and twentieth, and three and twentieth Years of the 'Reign of King CHARLES the Second, and conſequently be at Liberty to go to any foreign Market in '*Europe*, without coming to *England*, *Wales* or *Berwick*:' It is hereby further enacted and declared, That notwithſtanding the Payment of the aforeſaid Duties in any of the ſaid Plantations, none of the ſaid Goods ſhall be ſhi ped or laden on board, until ſuch Security ſhall be given as is required by the ſaid Acts, made in the twelfth, two and twentieth, and three and twentieth Years of the Reign of King CHARLES the Second, to carry the ſame to *England*, *Wales* or *Berwick*, or to ſome other of His Majeſty's Plantations, and ſo *toties quoties*, as any of the ſaid Goods ſhall be brought to be re-ſhipped or laden in any of the ſaid Plantations, under the Penalty and Forfeiture of Ship and Goods, to be divided and diſpoſed of as aforeſaid.

25 Car. 2. c. 7.

No Goods to be ſhipped though Duties paid in the Plantations, until Security be given as required by 12 Car. 2. c. 18 & 22 & 23 Car. c. 26.

on Forfeiture of Ship and Goods.

IX. And it is further enacted and declared by the Authority aforeſaid, That all Laws, By-laws, Uſages or Cuſtoms, at this Time, or which hereafter ſhall be in Practice, or endeavoured or pretended to be in Force or Practice, in any of the ſaid Plantations, which are in any wiſe repugnant to the before mentioned Laws, or any of them, ſo far as they do relate to the ſaid Plantations, or any of them, or which are any ways repugnant to the preſent Act, or to any other Law hereafter to be made in this Kingdom, ſo far as ſuch Law ſhall relate to and mention the ſaid Plantations, are illegal, null and void, to all Intents and Purpoſes whatſoever.

Laws, By-laws, &c. of Plantations, repugnant to this Act, to be void.

'X. And whereas great Frauds and Abuſes have been committed by *Scotch* Men and others in the Plantation Trade, by obtruding falſe and counterfeit Certificates upon the Governor and Officers in the Plantations appointed by His Majeſty's Commiſſioners of the Cuſtoms in *England*, of having given Security in this Kingdom to bring the Ladings of Plantation Goods to *England*, *Wales*, or Town of *Berwick* upon *Tweed*, as alſo Certificates of having diſcharged their Lading of Plantation Goods in this Kingdom, purſuant to Securities taken in the Plantation, and alſo Cocquets or Certificates of having taken in their Ladings of *European* Goods in *England*, *Wales* or *Berwick*; by Means whereof they may carry the Goods of *Scotland*, and other Places of *Europe*, without ſhipping or lading the ſame in *England*, *Wales* or *Berwick*, to His Majeſty's Plantations, and alſo carry the Goods of the Plantations directly to *Scotland*, or to any other Market in *Europe*, without bringing the ſame into *England*, *Wales*, or Town of *Berwick* upon *Tweed*:' It his hereby further enacted, That in ſuch Caſes where the Governor or Officers appointed by the Commiſſioners of the Cuſtoms in the Plantations ſhall have reaſonable Ground of Suſpicion that ſuch Certificates are falſe or counterfeit (that is to ſay) that the Certificate of having given Security in *England* is falſe, in ſuch Caſe the Governor or Officers appointed by the Commiſſioners of the Cuſtoms, ſhall require and take ſufficient Security there for the Diſcharge of the Plantation Lading in *England*, *Wales*, or Town of *Berwick* upon *Tweed*: and in ſuch Caſe where there ſhall be cauſe to ſuſpect, that the Certificate of having diſcharged her Lading of Plantation Goods in this Kingdom is falſe or counterfeit, the Governor or Officers aforeſaid ſhall not cancel or vacate the Security given in the Plantation, until he or they ſhall be informed from the Commiſſioners of the Cuſtoms in *England* that the Matter of the ſaid Certificate is true; and if any Perſon or Perſons ſhall counterfeit, raſe or falſify any Cocket, Certificate, Return or Permit, for any Veſſel or Goods, or ſhall knowingly or willingly make Uſe thereof, ſuch Perſon or Perſons ſhall forfeit the Sum of five hundred Pounds, to be recovered and diſpoſed of as aforeſaid, and the Cocket, Certificate, Return or Permit ſo counterfeited, raſed or falſified, ſhall be invalid, and of no Effect.

Officers ſuſpecting Certificate, to take Security for Diſcharge of the Plantation Lading, and not to cancel Certificate till informed of the Truth.

Penalty or Perſons counterfeiting Cockets, &c.

XI. And for the better executing the ſeveral Acts of Parliament relating to the Plantation Trade, be it enacted by the Authority aforeſaid, That the Lord Treaſurer, Commiſſioners of the Treaſury, and the Commiſſioners of the Cuſtoms in *England* for the time being, ſhall and may conſtitute and appoint ſuch and ſo many Officers of the Cuſtoms in any City, Town, River, Port, Harbour or Creek, of or belonging to any of the Iſlands, Tracts of Land and Proprieties, when and as often as to them ſhall ſeem needful; be it further alſo enacted, That upon any Actions, Suits and Informations that ſhall be brought, commenced or entred in the ſaid Plantations, upon any Law or Statute concerning His Majeſty's Duties, or Ships or Goods to be forfeited by reaſon of any unlawful Importations or Exportations, there ſhall not be any Jury, but of ſuch only as are Natives of *England* or *Ireland*, or are born in his Majeſty's ſaid Plantations; and alſo that upon all ſuch Actions, Suits and Informations, the Offences may be laid or alledged to be in any Colony, Province, County, Precinct or Diviſion of any of the ſaid Plantations where ſuch Offences are alledged to be committed, at the Pleaſure of the Officer or Informer.

Treaſury and Commiſſioners of Cuſtoms may appoint Officers in any Town, Port, &c. in the Iſlands, &c.

If Actions brought in Plantations, Jury to be Natives of England, Ireland or Plantations.

Offence to be laid in any Colony.

XII. Provided always, That all Places of Truſt in the Courts of Law, or what relates to the Treaſury of the ſaid Iſlands, ſhall, from the making of this Act, be in the Hands of the native-born Subjects of *England* or *Ireland*, or of the ſaid Iſlands.

Places of Truſt to be in the Hands of the Natives.

'XIII. And whereas by the ſaid Act made in the two and twentieth and three and twentieth Years of the Reign of his ſaid late Majeſty King CHARLES the Second, the Bonds required to be given in the Plantatations by virtue of the ſaid Act, for encouraging and increaſing of Shipping and Navigation, are altered, and the Word *Ireland* to be left out of the Condition of all ſuch Bonds; and by the ſaid Act it is enacted and provided, That for ſuch Ships or Veſſels coming from other Ports or Places, to any of the ſaid Plantations, which by the ſaid Act for encouraging and Increaſe of Shipping were permitted to trade there, the Governors of ſuch *Engliſh* Plantations ſhould, before the ſaid Ship or Veſſel ſhould be permitted to load on board any of the Commodities in the ſaid Act particularly mentioned, take Bond in Manner and to the Value mentioned and directed in the above mentioned Act for encouraging and Increaſe of Shipping and Navigation, for each reſpective Ship or Veſſel, that ſuch Ship or Veſſel ſhall carry all the aforeſaid Goods, that ſhould be laden on board in the ſaid Ship, to ſome other of His Majeſty's *Engliſh* Plantations, or to *England*, *Wales*, or Town of *Berwick* upon *Tweed*: But becauſe no Proviſion hath hitherto been made for the returning and producing Certificates within ſome reaſonable limited Time, of the landing and diſcharging ſuch Goods, according to the Condition of the ſaid Bonds, and alſo becauſe many Times it hath happened, that the Sureties taken in the ſaid Bonds have been Perſons not reſident in the ſaid Plantations, but of uncertain and unknown Abodes, the ſaid Bonds have proved ineffectual to the good Purpoſes intended by the ſaid Acts;' Be it therefore enacted by the Authority aforeſaid, That in all ſuch Bonds, to be hereafter given or taken in the ſaid Plantations, the Sureties therein named ſhall be Perſons of known Reſidence and Ability in the ſaid Plantations, for the Value mentioned in the ſaid Bonds, and that the Condition of the ſaid Bonds ſhall be, within eighteen Months after the Date thereof (the Danger of the Seas excepted) to produce Certificate of having landed and diſcharged the Goods therein mentioned, in one of his Majeſty's ſaid Plantations, or in *England*, *Wales*, or *Berwick* upon *Tweed*; otherwiſe ſuch Bond, or Copies thereof, being atteſted under the Hand and Seal of the Governor or Commander in Chief to whom ſuch Bonds were given, ſhall be in Force, and allowed of in any Court in *England*, *Ireland*, or the Plantations, as if the Original were produced in Court by the Proſecutor.

Bonds given in Plantations, Sureties to be of Ability.

Condition of the Bonds.

Farther Proviſions relating to ſuch Bonds by 8 Annæ, c. 13. §. 23.

'XIV. And whereas ſeveral Ships and Veſſels laden with Tobacco, Sugars, and other Goods of the Growth and Product of His Majeſty's Plantations in *America*, have been diſcharged in ſeveral Ports of the Kingdoms of *Scotland* and *Ireland*, contrary to the Laws and Statutes now in being, under Pretence that the ſaid Ships and Veſſels were driven in thither by Streſs of Weather, or for Want of Proviſions and other Diſabilities could not proceed on their Voyage:' For Remedy whereof be it enacted by the Authority

rity aforeſaid, That from and after the firſt Day of *December* one thouſand ſix hundred ninety-ſix, it ſhall not be lawful, on any Pretence whatſoever, to put on Shore in the ſaid Kingdoms of *Scotland* or *Ireland*, any Goods or Merchandize of the Growth or Product of any of His Majeſty's Plantations aforeſaid, unleſs the ſame have been firſt landed in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and paid the Rates and Duties wherewith they are chargeable by Law, under the Penalty of the Forfeiture of the Ship and Goods; three fourths without Compoſition to His Majeſty, His Heirs and Succeſſors, and the other fourth to him or them that ſhall ſue for the ſame.

Product of the Plantations not to be put on Shore in Scotland, or Ireland, unleſs Duties be firſt paid in England.

XV. Provided nevertheleſs, That if any Ship or Veſſel laden as aforeſaid, ſhall by Streſs of Weather be ſtranded, or by Reaſon of Leakineſs, or other Diſability, ſhall be driven into any Port or Place within the Kingdom of *Ireland*, and ſhall not be able to proceed on her Voyage; then and in ſuch Caſe only the ſaid Goods and Merchandizes may be permitted to be put on Shore, but ſhall be delivered into the Cuſtody and Poſſeſſion of the Collector or Chief Officer of the Cuſtoms of ſuch Port or Place where the ſaid Ship ſhall be ſo ſtranded or driven into, there to remain until the ſaid Goods and Merchandize ſhall, at the Charge of the Owner thereof, be put on Board ſome other Ship or Veſſel, in order to be tranſported and carried to ſome other Port or Place within the ſaid Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the ſaid Officer firſt taking good and ſufficient Security for the Delivery of the ſame, according to the true Intent and Meaning of this Act.

If Ship ſtranded in Ireland, Goods may be put on Shore, and kept in Cuſtody of the Officer of the Cuſtoms, till ſhipped again for England.

Officer to take Security for Delivery.

XVI. And be it further enacted by the Authority aforeſaid, That all Perſons and their Aſſignees, claiming any Right or Propriety in any Iſlands or Tracts of Land upon the Continent of *America*, by Charter or Letters Patents, ſhall not at any Time hereafter aliene, ſell or diſpoſe of any of the ſaid Iſlands, Tracts of Land or Proprieties, other than to the natural-born Subjects of *England*, *Ireland*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, without the Licence and Conſent of His Majeſty, His Heirs and Succeſſors, ſignified by his or their Order in Council, firſt had and obtained; and all Governors nominated and appointed by any ſuch Perſons or Proprietors, who ſhall be intitled to make ſuch Nomination, ſhall be allowed and approved of by His Majeſty, His Heirs and Succeſſors, as aforeſaid, and ſhall take the Oaths injoined by this or any other Act to be taken by the Governors or Commanders in Chief in other His Majeſty's Colonies and Plantations, before their entering upon their reſpective Governments, under the like Penalty, as His Majeſty's Governors and Commanders in Chief are by the ſaid Acts liable to.

Perſons not to ſell Plantations in America, but to Subjects of England, &c.

Governors to be approved of by the King, and to take the Oaths.

Penalty.

XVII. And for a more effectual Prevention of Frauds which may be uſed to elude the Intention of this Act, by colouring Foreign Ships under *Engliſh* Names; be it further enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-eight, no Ship or Veſſel whatſoever ſhall be deemed or paſs as a Ship of the Built of *England*, *Ireland*, *Wales*, *Berwick*, *Guernſey*, *Jerſey*, or any of His Majeſty's Plantations in *America*, ſo as to be qualified to trade to, from or in any of the ſaid Plantations, until the Perſon or Perſons claiming Property in ſuch Ship or Veſſel ſhall regiſter the ſame as followeth, that is to ſay, If the Ship at the Time of ſuch Regiſter doth belong to any Port in *England*, *Ireland*, *Wales*, or to the Town of *Berwick* upon *Tweed*, then Proof ſhall be made upon Oath of one or more of the Owners of ſuch Ship or Veſſel, before the Collector and Comptroller of His Majeſty's Cuſtoms in ſuch Port; or if at the Time of ſuch Regiſter the Ship belong to any of His Majeſty's Plantations in *America*, or to the Iſlands of *Guernſey* or *Jerſey*, then the like Proof to be made before the Governor, together with the principal Officer of His Majeſty's Revenue reſiding on ſuch Plantation or Iſland, which Oath the ſaid Governors and Officers of the Cuſtoms reſpectively are hereby authorized to adminiſter in the Tenor following, *viz.*

Engliſh built Ships to be regiſtred, and Proof made on Oath before the Collector of the Cuſtoms;

or, if belonging to America, &c. before the Governor, &c.

'*JURAT' A. B.* That the Ship [Name] of [Port] whereof [Maſters Name] is at preſent Maſter, being a [Kind of Built] of [Burthen] Tuns, was built at [Place where] in the Year [Time when] and that [Owners Name] of and of, *&c.* are at preſent Owners thereof; and that no Foreigner, directly or indirectly, hath any Share, or Part, or Intereſt therein.'

The Oath.

XVIII. Which Oath, being atteſted by the Governor, or Cuſtom Officer reſpectively, who adminiſtred the ſame, under their Hands and Seals, ſhall after having been regiſtred by them, be delivered to the Maſter of the Ship for the Security of her Navigation, a Duplicate of which Regiſter ſhall be immediately tranſmitted to the Commiſſioners of His Majeſty's Cuſtoms in the Port of *London*, in order to be entred in a general Regiſter, to be there kept for this Purpoſe, with Penalty upon any Ship or Veſſel trading to, from or in any of His Majeſty's Plantations in *America*, after the ſaid five and twentieth Day of *March*, and not having made Proof of her Built and Property, as is here directed, that ſhe ſhall be liable, and ſhe is hereby made liable, to ſuch Proſecution and Forfeiture as any Foreign Ship (except Prizes condemned in the High Court of Admiralty) would for trading with theſe Plantations by this Law be liable to.

Oath to be atteſted by the Governor, and a Duplicate to be tranſmitted.

Penalty on Ship trading to America without Proof of her Built.

XIX. Provided always, That all ſuch Ships as have been or ſhall be taken at Sea by Letters of Mart or Reprizal, and Condemnation thereof made in the High Court of Admiralty of *England* as lawful Prize, ſhall be ſpecially regiſtred, mentioning the Capture and Condemnation inſtead of the Time and Place of Building, with Proof alſo upon Oath, that the entire Property is *Engliſh*, before any ſuch Prize ſhall be allowed the Privilege of an *Engliſh* built Ship, according to the Meaning of this Act.

Prize-ſhips to be regiſtred, and Oath made that the Property is Engliſh.

XX. Provided alſo, That nothing in this Act ſhall be conſtrued to require the regiſtring any Fiſher-boats, Hoys, Lighters, Barges, or any open Boats or other Veſſels (though of *Engliſh* or Plantation Built) whoſe Navigation is confined to the Rivers or Coaſts of the ſame Plantation or Place where they trade reſpectively, but only of ſuch of them as croſs the Seas to or from any of the Lands, Iſlands, Places or Territories, in this Act before recited, or from one Plantation to another.

Fiſher-boats, Hoys, &c. not to be regiſtred.

XXI. And

Ship's Name not to be altered without registring de novo; and if sold, such Sale to be indorsed on the Register's Certificate.

XXI. And be it further enacted by the Authority aforesaid, That no Ship's Name registred shall be afterwards changed, without registring such Ship *de novo*, which is hereby required to be done upon any Transfer of Property to another Port, and delivering up the former Certificate to be cancelled, under the same Penalties, and in the like Method, as is herein before directed; and that in case there be any Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship after registring thereof, such Sale shall always be acknowledged by Indorsement on the Certificate of the Register before two Witnesses, in order to prove that the entire Property in such Ship remains to some of the Subjects of *England*, if any Dispute arises concerning the same.

*Farther Provisions concerning Plantations*, 11 *W.* 3. *c.* 12. 3 & 4 *Ann. c.* 5 & 10. 6 *Ann. c.* 30. 8 *Ann. c.* 13. 9 *Ann. c.* 17. 10 *Ann. c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 3 *Geo.* 2. *c.* 12 & 28. 4 *Geo.* 2. *c.* 15. 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. *and* 30 *Geo.* 2. *c.* 9.

## CAP. XXIII.

EXP. An Act for continuing several former Acts for punishing Officers and Soldiers who shall mutiny or desert His Majesty's Service, and for punishing false Musters, and for Payment of Quarters, for one Year longer.

## CAP. XXIV.

### An Act requiring the Practicers of Law to take the Oaths, and subscribe the Declaration therein mentioned.

FOR the better Security of His Majesty's Government, and the public Peace of this Kingdom; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the Authority of the same, That if any Person at any Time after the five and twentieth Day of *May*, which shall be in the Year of our Lord one thousand six hundred ninety-six, shall act as a Serjeant at Law, Counsellor at Law, Barrister, Advocate, Attorney, Sollicitor, Proctor, Clerk or Notary, by practising in any Manner as such in any Court or Courts whatsoever, not having, before the Time of such acting, taken in His Majesty's Court of *Chancery*, or *King's Bench*, or Quarter-Sessions of the County wherein he lives, the Oaths mentioned and appointed to be taken in and by one Act made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the abrogating of the Oaths of Allegiance and Supremacy, and appointing other Oaths*, and made and subscribed the Declaration appointed to be made and subscribed in and by one Act made in the five and twentieth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popish Recusants*, such Persons shall incur all the Pains, Penalties, and Forfeitures, mentioned in the Statute of Provision and Premunire, made in the sixteenth Year of the Reign of King RICHARD the Second.

Persons practising Law not taking the Oaths by 1 W. & M. st. 1. c. 8. to incur the Penalties in Statute of Premunire, 16 R. 2. c. 5. 25 Car. 2. c. 2.

## CAP. XXV.

### An Act for the further regulating Elections of Members to serve in Parliament, and for the preventing irregular Proceedings of Sheriffs, and other Officers, in the electing and returning such Members.

*See Ante Ch.* 7 & 15.

'WHEREAS by the evil Practices and irregular Proceedings of Sheriffs, Under Sheriffs, Mayors, Bailiffs, and other Officers, in the Execution of Writs and Precepts for electing of Members to serve in Parliament, as well the Freeholders and others, in their Right of Election, as also the Persons by them elected to be their Representatives, have heretofore been greatly injured and abused:' Now for remedying the same, and preventing the like for the future, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when any new Parliament shall at any Time hereafter be summoned or called, there shall be forty Days between the *Teste* and Returns of the Writs of Summons; and that the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, shall issue out the Writs for Election of Members to serve in the same Parliament, with as much Expedition as the same may be done; and that as well upon the calling or summoning any new Parliament, as also in case of any Vacancy during this present or any future Parliament, the several Writs shall be delivered to the proper Officer to whom the Execution thereof doth belong or appertain, and to no other Person whatsoever: And that every such Officer, upon the Receipt of the same Writ, shall upon the Back thereof indorse the Day he received the same, and shall forthwith, upon Receipt of the Writ, make out the Precept or Precepts to each Borough, Town Corporate, Port, or Place within his Jurisdiction, where any Member or Members are to be elected to serve in such new Parliament, or to supply any Vacancy during the present, or any future Parliament; and within three Days after the Receipt of the said Writ of Election, shall, by himself or proper Agent, deliver or cause to be delivered, such Precept or Precepts to the proper Officer of every such Borough, Town Corporate, Port, or Place within his Jurisdiction, to whom the Execution of such Precept doth belong or appertain, and to no other Person whatsoever; and every such Officer, upon the Back of the same Precept, shall indorse the Day of his Receipt thereof, in the Presence of the Party from whom he received such Precept, and shall forthwith cause publick Notice to be given of the Time and Place of Election, and shall proceed to Election thereupon, within the Space of eight Days next after his Receipt of the same Precept, and give four Days Notice at least of the Day appointed for the Election.

Forty Days between the Teste and Return of the Writ.

Writ to be issued out with all Expedition, and delivered to the proper Officer, who is to indorse the Day when received, and make out the Precept.

Precept to be delivered in three Days after Receipt of the Writ. By 10 & 11 W. 3. c. 7. §. 2. these three are enlarged to six.

Officer to indorse the Day of Receipt, and give Notice of the Time of Election in 8 Days after.

II. And

II. And be it further enacted by the Authority aforeſaid, That neither the Sheriff nor his Under Sheriff, in any County or City, nor the Mayor, Bailiff, Conſtable, Port-Reeve, or other Officer or Officers of any Borough, Town Corporate, Port or Place, to whom the Execution of any Writ or Precept for electing Members to ſerve in Parliament doth belong or appertain, ſhall give, pay, receive, or take any Fee, Reward, or Gratuity whatſoever, for the making out, Receipt, Delivery, Return, or Execution of any ſuch Writ or Precept.

Sheriff, &c. not to give or take any Fee for making out Receipt, &c. of any Writ, or Precept.

III. And be it further enacted by the Authority aforeſaid, That upon every Election to be made of any Knight or Knights of the Shire to ſerve in this preſent or any future Parliament, the Sheriff of the County where ſuch Election ſhall be made, ſhall hold his County Court for the ſame Election at the moſt publick and uſual Place of Election within the ſaid County, and where the ſame has moſt uſually been for forty Years laſt paſt, and ſhall there proceed to Election at the next County Court, unleſs the ſame fall out to be held within ſix Days after the Receipt of the Writ, or upon the ſame Day, and then ſhall adjourn the ſame Court to ſome convenient Day, giving ten Days Notice of the Time and Place of Election; and in caſe the ſaid Election be not determined upon the View, with the Conſent of the Freeholders there preſent, but that a Poll ſhall be required for Determination thereof, then the ſaid Sheriff, or in his Abſence his Under Sheriff, with ſuch others as ſhall be deputed by him, ſhall forthwith there proceed to take the ſaid Poll, in ſome open or publick Place or Places, by the ſame Sheriff, or his Under Sheriff, as aforeſaid, in his Abſence, or others appointed for the taking thereof, as aforeſaid; and for the more due and orderly proceeding in the ſaid Poll, the ſaid Sheriff, or in his Abſence his Under Sheriff, or ſuch as he ſhall depute, ſhall appoint ſuch Number of Clerks as to him ſhall ſeem meet and convenient for taking thereof; which Clerks ſhall all take the ſaid Poll, in the Preſence of the ſaid Sheriff or his Under Sheriff, or ſuch as he ſhall depute: And before they begin to take the ſaid Poll, every Clerk ſo appointed ſhall, by the ſaid Sheriff or his Under Sheriff, as aforeſaid, be ſworn truly and indifferently to take the ſame Poll, and to ſet down the Names of each Freeholder, and the Place of his Freehold, and for whom he ſhall poll, and to poll no Freeholder, who is not ſworn, if ſo required by the Candidates, or any of them (which Oath of the ſaid Clerks, the ſaid Sheriff or his Under Sheriff, or ſuch as he ſhall depute, are hereby impowered to adminiſter) and the Sheriff, or in his Abſence his Under Sheriff, as aforeſaid, ſhall appoint for each Candidate, ſuch one Perſon as ſhall be nominated to him by each Candidate, to be Inſpectors of every Clerk who ſhall be appointed for taking the Poll; and every Freeholder, before he is admitted to poll at the ſame Election, ſhall, if required by the Candidates, or any of them, firſt take the Oath herein after mentioned; which Oath the ſaid Sheriff, by himſelf or his Under Sheriff, or ſuch ſworn Clerks by him appointed for taking of the ſaid Poll, as aforeſaid, are hereby authorized to adminiſter *(viz.)*

County Court to be held at the uſual Place, and proceed to Election, unleſs it fall out in 6 Days after Receipt of the Writ.

Sheriff, &c. to take the Poll, if required, and to appoint a Number of Clerks, who are to be ſworn.

Name of each Freeholder to be ſet down, and for whom he polls, and a Perſon for each Candidate to inſpect the Clerks.

Freeholder to be ſworn.

The Oath.

'YOU ſhall ſwear that you are a Freeholder for the County of and have Freehold Lands or Hereditaments of the yearly Value of forty Shillings, lying at within the ſaid County of and that you have not been before polled at this Election.'

'Another Oath is appointed by 18 Geo. 2. c. 18.'

IV. And in caſe any Freeholder, or any other Perſon taking the ſaid Oath, ſhall thereby commit wilful and corrupt Perjury, and be thereof convicted, or if any Perſon do unlawfully and corruptly procure or ſuborn any Freeholder, or other Perſon, to take the ſaid Oath, in order to be polled, whereby he ſhall commit ſuch wilful and corrupt Perjury, and ſhall be thereof convicted; he and they, for every ſuch Offence, ſhall incur the like Pains and Penalties as are, in and by one Act of Parliament made in the fifth Year of the Reign of the late Queen ELIZABETH, intituled, *An Act for Puniſhment of ſuch Perſons as ſhall procure or commit any wilful Perjury*, enacted againſt all ſuch who ſhall commit wilful Perjury, or ſuborn or procure any Perſon to commit any unlawful and corrupt Perjury contrary to the ſaid Act.

Perſons convicted of Perjury, or Subornation, to incur the Penalty in 5 El. c. 9.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Sheriff, or in his Abſence his Under Sheriff, or ſuch as he ſhall depute, as aforeſaid, ſhall at the ſame Place of Election proceed to the polling all the Freeholders then and there preſent, and ſhall not adjourn the County Court then and there held, to any other Town or Place within the ſame County, without the Conſent of the Candidates, nor ſhall, by any unneceſſary Adjournment in the ſame Place of Election protract or delay the Election; but ſhall duly and orderly proceed in the taking of the ſaid Poll from Day to Day, and Time to Time, without any further or other Adjournment, without the Conſent of the Candidates, until all the Freeholders then and there preſent ſhall be polled, and no longer.

Sheriff not to adjourn the Court, unleſs the Candidates conſent.

VI. And be it further enacted, That every Sheriff, Under Sheriff, Mayor, Bailiff, and other Officer, to whom the Execution of any Writ or Precept ſhall belong for the electing Members to ſerve in Parliament, ſhall forthwith deliver to ſuch Perſon or Perſons, as ſhall deſire the ſame, a Copy of the Poll taken at ſuch Election, paying only a reaſonable Charge for writing the ſame: And every Sheriff, Under Sheriff, Mayor, Bailiff, and other Officer, to whom the Execution of any Writ or Precept for electing of Members to ſerve in Parliament doth belong, for every wilful Offence contrary to this Act ſhall forfeit to every Party ſo aggrieved the Sum of five hundred Pounds, to be recovered by him or them, his or their Executors or Adminiſtrators, together with full Coſts of Suit, and for which he or they may ſue by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege, or Imparlance, ſhall be admitted or allowed.

Copy of the Poll to be delivered, if deſired; paying for writing. Penalty on Sheriffs, &c. committing wilful Offence.

VII. And be it alſo enacted, That no Perſon or Perſons ſhall be allowed to have any Vote in Election of Members to ſerve in Parliament, for or by reaſon of any Truſt Eſtate, or Mortgage, unleſs ſuch Truſtee or Mortgagee be in actual Poſſeſſion or Receipt of the Rents and Profits of the ſame Eſtate; but that the Mortgagor, or *Ceſtui que truſt*, in Poſſeſſion, ſhall and may vote for the ſame Eſtate, notwithſtanding ſuch Mortgage or Truſt; and that all Conveyances of any Meſſuages, Lands, Tenements, or Hereditaments,

None to vote by reaſon of Truſt, &c. unleſs in actual Poſſeſſion; but Mortgager may vote. Conveyances in order to multiply Voices void. By 10 Annæ, c. 23. §. 1. all Conveyances to qualify Perſons for voting are made abſolute.

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in any County, City, Borough, Town Corporate, Port or Place, in order to multiply Voices, or to split and divide the Interest in any Houses or Lands among several Persons, to enable them to vote at Elections of Members to serve in Parliament, are hereby declared to be void and of none Effect, and that no more than one single Voice shall be admitted for one and the same House or Tenement.

But one Voice for one House.

VIII. And be it further enacted, That no Person whatsoever, being under the Age of one and twenty Years, shall at any Time hereafter be admitted to give his Voice for Election of any Member or Members to serve in this present, or any future Parliament; and that no Person hereafter shall be capable of being elected a Member to serve in this or any future Parliament, who is not of the Age of one and twenty Years; and every Election or Return of any Person under that Age is hereby declared to be null and void; and if any such Minor hereafter chosen shall presume to sit or vote in Parliament, he shall incur such Penalties and Forfeitures, as if he had presumed to sit and vote in Parliament without being chosen or returned.

None under 21 Years to vote, or to be elected Members.

Penalty.

'IX. And whereas the County Court of the County of *York* is by Custom called and held upon *Mondays*, 'which hath long been complained of to be a very inconvenient Day to all the Suitors thereunto, who at 'the Elections of Knights of the Shire, and all Services at other Times, are forced to travel upon *Sundays* 'to their Attendance there, to their very great Dissatisfaction and Grievance;' Be it therefore enacted by the Authority aforesaid, That all County Courts, after the five and twentieth Day of *March* one thousand six hundred ninety-six, held for the County of *York*, or any other County Courts, which heretofore used to be held on a *Monday*, shall be called and begun upon a *Wednesday*, and not otherwise; any Custom or Usage to the contrary notwithstanding.

County Courts for York to be held on Wednesday.

X. Provided also, and be it enacted by the Authority aforesaid, That the Sheriff of the County of *Southampton*, or his Deputy, at the Request of one or more of the Candidates for Election of a Knight or Knights for that County, shall adjourn the Poll from *Winchester*, after every Freeholder then and there present is polled, to *Newport* in the Isle of *Wight*, for the Ease of the Inhabitants of the said Island; any thing in this Act contained to the contrary notwithstanding.

Poll may be adjourned from Winchester to Newport in the Isle of Wight.

*Farther Provisions relating to Parliament*, 10 & 11 *W.* 3. *c.* 7. 11 & 12 *W.* 3. *c.* 2. 12 & 13 *W.* 3. *c.* 3 & 10. 2 & 3 *Ann. c.* 18. 6 *Ann. c.* 7 & 23. 9 *Ann. c.* 5. 10 *Ann. c.* 19 & 23. 1 *Geo.* 1. *c.* 38 & 56. 2 *Geo.* 2. *c.* 24. 6 *Geo.* 2. *c.* 23. 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. *and* 33 *Geo.* 2. *c.* 20.

## CAP. XXVI.

PR. Continued by 12 Geo. 1. c. 22. and for 21 Years from 25 Mar. 1747. by 20 Geo. 2. c. 16.

An Act for repairing the Highways between *Wymondham* and *Attleborough* in the County of *Norfolk*. To be in force 15 Years, unless the Road be amended before, and the Money borrowed be repaid.

## CAP. XXVII.

An Act for the better Security of His Majesty's Royal Person and Government.

'WHEREAS the Welfare and Safety of this Kingdom, and the Reformed Religion, do, next under God, intirely depend upon the Preservation of Your Majesty's Royal Person and Government, which by the merciful Providence of God of late have been delivered from the bloody and barbarous Attempts of Traitors and other Your Majesty's Enemies, who, there is just Reason to believe, have in great Measure been encouraged to undertake and prosecute such their wicked Designs, partly by Your Majesty's great and undeserved Clemency towards them, and partly by the Want of a sufficient Provision in the Law, for the securing Offices and Places of Trust to such as are well affected to Your Majesty's Government, and for the repressing and punishing such as are known to be disaffected to the same:' For Remedy whereof may it please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand six hundred ninety-six, all and every Person and Persons who shall refuse to take the Oaths mentioned and appointed to be taken in an Act of Parliament made in the first Year of the Reign of His present Majesty and the late Queen of Blessed Memory, intituled, *An Act for the abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, or either of them, when tendred to him or them by any Persons lawfully authorized to administer or tender the same, or shall refuse or neglect to appear when lawfully summoned, in order to have the said Oaths tendred to him or them, shall, until he or they have duly taken the said Oaths, be liable to incur, forfeit, pay and suffer all and every the Penalties, Forfeitures, Sums of Money, Disabilities and Incapacities, which by the Laws and Statutes of this Realm, now in Force, or any of them, are inflicted upon Popish Recusants duly convict of Recusancy: And for the better and more orderly levying and answering the said Penalties and Forfeitures to His Majesty, His Heirs and Successors, the Persons so tendring the said Oaths shall, upon every such Refusal or Default of Appearance as aforesaid, record and enter in Parchment the Christian and Surnames, and the Place of Abode of the Person or Persons so refusing, or not appearing as aforesaid, to take the said Oaths, or either of them, together with the Time of such Tender and Refusal, or Default of Appearance, and shall deliver and certify the said Record or Entry to the Justices of Assize, Justices of *Oyer* and *Terminer*, or Gaol Delivery, at their next Session within the same County, who shall forthwith estreat and certify the same into His Majesty's Court of *Exchequer*, to be there entred of Record, to the end that the said Court of *Exchequer* may thereupon award and issue such Process against the Lands and Goods of the said Person or Persons mentioned in such Estreat or Certificate, as may by the Laws and Statutes of this Realm be awarded and issued against the Lands or Goods of a Popish Recusant convict.

Persons refusing to take the Oaths by 1 W. & M. st. 1. c. 8. liable to the Penalties inflicted on Popish Recusants.

Names of Persons refusing to be entred on Record.

Record to be certified to the Justices of Assize.

Exchequer to issue Process against Lands and Goods.

" Perſons denying His Majeſty's Right, or affirming that of others, on Conviction to incur the Penalty of " Premunire 16 R. 2. c. 5. 1 W. & M. ſſ. 2. c. 2."

' III. And whereas for the better Preſervation of His Majeſty's Royal Perſon and Government againſt ' the aforeſaid wicked and traiterous Deſigns, upon a full Diſcovery thereof, great Numbers of His Majeſty's ' good Subjects have entred into and ſubſcribed an Aſſociation in the Words following, *viz.*

Form of the Aſſociation.

' WHEREAS *there has been a horrid and deteſtable Conſpiracy, formed and carried on by Papiſts, and other* ' *wicked and traiterous Perſons, for aſſaſſinating His Majeſty's Royal Perſon, in order to encourage an* ' *Invaſion from* France, *to ſubvert our Religion, Laws and Liberty: We whoſe Names are hereunto ſubſcribed,* ' *do heartily, ſincerely and ſolemnly profeſs, teſtify and declare, That His preſent Majeſty King* WILLIAM *is* ' *rightful and lawful King of theſe Realms. And we do mutually promiſe and engage to ſtand by and aſſiſt each* ' *other to the utmoſt of our Power, in the Support and Defence of His Majeſty's moſt ſacred Perſon and Govern-* ' *ment, againſt the late King* JAMES, *and all his Adherents. And in caſe His Majeſty come to any violent or un-* ' *timely Death (which God forbid) we do hereby further freely and unanimouſly oblige ourſelves to unite, aſſociate* ' *and ſtand by each other, in revenging the ſame upon His Enemies and their Adherents, and in ſupporting and de-* ' *fending the Succeſſion of the Crown, according to an Act made in the firſt Year of the Reign of King* WILLIAM ' *and Queen* MARY, *intituled,* An Act declaring the Rights and Liberties of the Subject, and ſettling the ' Succeſſion of the Crown.'

By 11 & 12 W. 3. c. 17. and 1 Annæ, ſtat. 1. c. 22. §. 3. ſo much of this Act as relates to this Aſſociation is repealed.

1 W. & M. ſſ. 2. c. 2.

" Aſſociation to remain good and lawful. Commiſſioners of Accounts and Officers under the King, *&c.* " within thirty Miles of *London*, ſhall in *Eaſter* Term ſubſcribe the Aſſociation, or before 1 *Auguſt*, at the " Quarter-Seſſions. Perſons admitted into Office, to ſubſcribe the ſaid Aſſociation, and the Declaration in " 25 Car. 2. c. 2. Perſons neglecting or refuſing to ſubſcribe the Aſſociation, to be incapable of their Of- " fice. Penalty on Perſons executing Office after Neglect or Refuſal. Subſcriptions to be regiſtred. Offi- " cers forfeiting by Neglect, may have a new Grant on Subſcribing. Information to be given in three " Days, and Proſecution in three Months; no Conviction but on Oath of two Witneſſes."

Quakers may ſubſcribe the Declaration of Fidelity of 1 W. & M. ſſ. 1. c. 18.

XII. Provided always, and be it enacted by the Authority aforeſaid, That ſuch of the Diſſenters from the Church of *England*, called *Quakers*, who ſcruple the taking any Oath, as ſhall make and ſubſcribe the Declaration of Fidelity, mentioned in an Act made in the firſt Year of the Reign of His preſent Majeſty and the late Queen MARY, intituled, *An Act for exempting their Majeſties Proteſtant Subjects diſſenting from the Church of* England, *from the Penalties of certain Laws*, and ſhall produce ſuch Witneſſes and Certificates as are by the ſaid Act required, proving themſelves to be of the ſaid People called *Quakers*, and ſhall alſo own King WILLIAM to be rightful and lawful King of theſe Realms, ſhall and are hereby exempted from the Penalties and Forfeitures provided by this Act for ſuch as ſhall refuſe to take the Oaths to His Majeſty.

" Servants to the Prince and Princeſs to ſubſcribe. Perſons on Board the Fleet, or in the Service beyond " Sea, may ſubſcribe in three Months after Return."

King, under his Privy Seal, may pardon Penalties for not taking the Oaths.

XV. Provided always, and be it enacted by the Authority aforeſaid, That all or any the Pains, Penalties or Diſabilities, to be incurred by any Perſon or Perſons, as Popiſh Recuſants convict, by virtue of this Act, for not taking the Oaths aforeſaid, may be pardoned, remitted or diſcharged by the King's Majeſty, His Heirs or Succeſſors, under the Privy Seal; any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

" After this Parliament Members to ſubſcribe the Aſſociation, or be diſabled; and a Writ to iſſue for a new " Election. Perſons returning from France, during the War, without Licence, to ſurrender themſelves, " and give Security to depart in twenty Days, *&c.* 1 W. & M. ſſ. 1. c. 8."

3 & 4 W. & M. c. 13.

Perſons refuſing to take the Oaths by 1 W. & M. ſſ. 1. c. 18. Or, if Quakers, to ſubſcribe the Declaration of Fidelity, to have no Vote in Election of Members of Parliament. *See* 16 *Geo.* 2. *c.* 30. *providing that Perſons in Office take the Teſt in ſix Months.*

XIX. And be it further enacted by the Authority aforeſaid, That no Perſon who ſhall refuſe to take the Oaths directed by an Act made in the firſt Year of the Reign of His preſent Majeſty, and the late Queen MARY, intituled, *An Act for abrogating of the Oaths of Supremacy and Allegiance, and appointing other Oaths*, or being *Quakers*, ſhall refuſe to ſubſcribe the Declaration of Fidelity, directed by one other Act of Parliament made in the ſaid firſt Year of the Reign of His preſent Majeſty and the late Queen, intituled, *An Act for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of* England, *from the Penalties of certain Laws* (which Oaths and Subſcription reſpectively the Sheriff or Chief Officer taking the Poll at any Election of Members to ſerve in Parliament, at the Requeſt of any one of the Candidates, are hereby impowered and required to adminiſter) ſhall be admitted to give any Vote for the Election of any Knight of the Shire, Citizen, Burgeſs, or Baron of the Cinque-ports, to ſerve in Parliament.

Perſons committed for High Treaſon, to be detained till 1 Decemb. 1696, unleſs bailed by Order of Council.

XX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to detain in Cuſtody, without Bail or Mainprize, any Perſon who is or ſhall, before the laſt Day of *Trinity* Term one thouſand ſix hundred ninety-ſix, be committed upon Information upon Oath againſt him for High Treaſon, until the firſt Day of *December* one thouſand ſix hundred ninety-ſix, unleſs ſuch Perſon ſhould be ſooner bailed by Order of Council, ſigned by ſix of his Majeſty's Privy Council; any Law or Statute to the contrary notwithſtanding.

1 W. & M. ff. 2. c. 2. Commissions to be in Force 6 Months after the King's Death, unless superseded by the Successor. Enforced by 1 Annæ, stat. 1. c. 8. *Farther Provisions relating hereto, 6 Ann. c. 7 & 14. and 8 Ann. c. 15.*

XXI. And for the better securing of the Succession of the Crown in such Manner, as in and by an Act made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*, is provided, limited and appointed: Be it further enacted by the Authority aforesaid, That no Commission, either Civil or Military, shall cease, determine or be void, by Reason of the Death or Demise of His present Majesty, or of any of His Heirs or Successors, Kings or Queens of this Realm, but that every such Commission shall be, continue and remain in full Force and Virtue, for the Space of six Months next after any such Death or Demise, unless in the mean Time superseded, determined or made void by the next and immediate Successor, to whom the Imperial Crown of this Realm, according to the Act of Settlement herein before mentioned, is limited and appointed to go, remain or descend.

"This Act not to make void any Office of Inheritance, *&c.* so as a Deputy be appointed, who will subscribe the Association, and shall be approved of by the King."

## CAP. XXVIII.

### An Act for the more effectual preventing the Exportation of Wool, and for the encouraging the Importation thereof from *Ireland*.

This Act is enforced by 9 & 10 W. 3. c. 40. §. 1.

'WHEREAS several Laws have been made to prevent the Exportation of Woolls, yet nevertheless the said Exportation is still continued, whereby daily Mischiefs and Evils do happen, and a Correspondence with *France* is maintained, to the great Prejudice of the Government, and Discouragement of the Manufacture of this Kingdom.

1 W. & M. ff. 1. c. 32.

'II. And whereas in the first Year of the Reign of King WILLIAM and Queen MARY, there passed an Act, intituled, *An Act for the better preventing the Exportation of Wooll, and encouraging the Woollen Manufactures of this Kingdom*; which Act was continued by an Act made in the fourth and fifth Years of King WILLIAM and Queen MARY, intituled, *An Act for reviving, continuing and explaining several Laws therein mentioned, which are expired, and near expiring*, and will now soon expire: And whereas for preventing the said Mischiefs, it is necessary the said Act should be continued:'

4 & 5 W. & M. c. 24.

Further continued.

I. Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and every Clause, Matter and Thing therein contained (except what is hereafter otherwise altered, explained or repealed) shall continue and remain in full Force, as if the same were herein and hereby particularly recited and mentioned.

Part of 13 & 14 Car. 2. c. 18. making the Exportation of Wooll Felony, repealed.

'IV. And whereas the Statute of the thirteenth and fourteenth of King CHARLES the Second, made against the Exportation of Wooll, among other Things in the said Act mentioned, doth enact the same to be deemed Felony; by the Severity of which Penalty the Prosecution of Offenders hath not been so effectually put in Execution;' Be it therefore enacted by the Authority aforesaid, That so much of the said Act, which relates to the making the said Offence Felony, be repealed and made void.

Ports where Wooll may be imported from Ireland.

V. And be it further enacted by the Authority aforesaid, That for the better Encouragement of the Importation of Wooll from *Ireland*, that it shall and may be lawful for any Person or Persons whatsoever, from the Place or Places in the said Act limited, to import into *England* from *Ireland* any Quantity or Quantities of Wooll, to any the Ports hereafter mentioned (that is to say) *Whitehaven* in the County of *Cumberland*, *Leverpoole*, *Chester*, *Bristol*, *Bridgewater*, *Minehead*, *Barnstaple* and *Biddiford*, and to no other; any thing in this Act to the contrary thereof in any wise notwithstanding.

An Account to be transmitted from Ireland to England once in six Months of all Wooll exported.

VI. And be it further enacted by the Authority aforesaid, That the Commissioners or Farmers of the Customs in the Kingdom of *Ireland* for the time being, shall from time to time, and at all Times hereafter, once every six Months, transmit or cause to be transmitted unto the Commissioners of His Majesty's Customs in *England*, a true Account of all such Wooll as shall be from time to time exported from any of the Places within the said Kingdom of *Ireland*, from whence the same may be exported, the Quantity and Weight thereof, and by whom, and in what Ships exported, and where consigned, and the Names of the Persons signing the Certificates of the landing the same in *England*, and the Date of the said Certificates, and where the same was landed, as also the Quantity and Weight contained in the said Certificates, in order that the same may be compared with the Account by the said Act appointed to be kept by the Commissioners of the Customs of this Kingdom.

Certificates to be writ on Paper, and not interlined.

VII. And for preventing the Mischiefs of rasing, obliterating or interlining such Certificates as aforesaid, be it further enacted, That all Certificates given for the Landing of Wooll from *Ireland*, or from one Port to another in *England*, shall be written upon Paper, and not Parchment, and that the Quantities therein expressed shall not be obliterated or interlined upon any Pretence whatsoever.

'VIII. And whereas the several Inhabitants of the several Counties and Shires of this Realm next adjoining to the Kingdom of *Scotland*, and to the Sea Coasts, do reap great Profit and Advantage by the carrying out of Wooll, Wooll-fells, Mortlings, Shorlings, Yarn made of Wooll, Wooll-flocks, Fullers Earth, and Scouring Clay, into the said Kingdom of *Scotland*, and exporting of them into *France*, and other Parts beyond the Seas, to the great Prejudice and Decay of the Woollen Manufacture of this Realm;' be it further enacted by the Authority aforesaid, That from and after the first Day of *May* in the Year of our Lord one thousand six hundred ninety-six, no Wooll, or any other of the Commodities aforesaid, shall be laid or loaden on any Horse, or other Carriage whatsoever, or shall be carried or conveyed by Land, to or from any Place or Places within the said Counties next adjoining to the said Kingdom of *Scotland*, or within five Miles of the Sea Coast, as aforesaid, but between Sun-rising and Sun-setting, under the Penalty and Forfeiture of the said Commodities, and of the said Horses, and other Cattle and Carriages employed

Wooll not to be carried by Land to or from any County adjoining to Scotland, or within 5 Miles of the Sea Coast, but, &c.

employed in carrying the ſame; and that no Ship or Veſſel ſhall export or carry the ſame into any Part beyond the Seas, under the Penalty and Forfeiture of the ſaid Commodities, Ship and Veſſel, and Treble the Value thereof, with Treble Coſts of Suit; and the Inhabitants of the reſpective Hundred, Port, or Place exempt, next adjoining to the ſaid Kingdom of *Scotland*, or to the Sea Coaſts out of or through which any Wooll, or any other of the Commodities aforeſaid, ſhall be ſo carried or exported, ſhall forfeit twenty Pounds, if the ſaid Wooll ſo carried out or exported ſhall be under the Value of ten Pounds; but if it ſhall be of greater Value, then treble the Value thereof ſo exported, or carried out of the ſaid Kingdom, as alſo treble Coſts of Suit: All which ſaid Penalties, Forfeitures, and Coſts of Suit, are to be recovered and received by him or them that ſhall ſue for the ſame, and to be proſecuted by any Action of Debt, Suit, Bill, Plaint, or Information, againſt the Inhabitants of ſuch Hundred, Port, or Place exempt, out of or through which the ſaid Wooll or other Commodities ſhall be exported, in any of His Majeſty's Courts of Record at *Weſtminſter*, where no Eſſoin, Protection, or Wager of Law, ſhall be allowed, nor any more than one Imparlance.

Penalties.

Treble Coſts.

Special Proviſion as to the Hundred of Winchelſea by 9 & 10 W. 3. c. 40. §. 11.

IX. And be it further enacted by the Authority aforeſaid, That the Execution for the Informer ſhall and may be had againſt two or more of the ſaid Inhabitants; and that after Execution had by Force of this Act, it ſhall and may be lawful (upon Complaint made by the Party or Parties ſo charged) to and for the Juſtices of the Peace of the ſame County or Place where any ſuch Execution ſhall be had, at their General Quarter-Seſſions to be held for the ſaid County or Place, to aſſeſs and tax, rateably and proportionably, according to their Diſcretions, all and every the Towns, Pariſhes, Villages, and Hamlets, in the ſaid Hundred, Port, or Place exempt, in the ſame Manner and Form as any Hundred ought to be charged in caſe of Robbery committed, for the Perſons againſt whom Execution ſhall be had for the Perſon ſo robbed, purſuant to an Act made in the ſeven and twentieth Year of Queen ELIZABETH, intituled, *An Act for the following of the Hue and Cry*; and that the Juſtices of the Peace of the ſaid County or Place, where ſuch Fact ſhall be committed, ſhall and are hereby impowered and required, at their General Quarter-Seſſions to be held for the ſaid County or Place, to levy the Penalties hereby charged, upon the ſaid Inhabitants, by an equal Aſſeſſment upon the ſaid Inhabitants, and reimburſe ſuch Perſon or Perſons Inhabitants within the ſaid Hundred, Port, or Place exempt, adjacent to the Kingdom of *Scotland*, or the Sea Coaſt, from whence the ſaid Wooll, or other the ſaid Commodities, ſhall be tranſported, in the ſame Manner, as if there had been a Judgment at Law againſt the ſaid Hundred, Port, or Place exempt.

Execution may be had againſt 2 or more Inhabitants.

Juſtices at Seſſions may aſſeſs proportionably as in caſe of Robbery committed.

27 Eliz. c. 13.

and levy the ſame on the Inhabitants.

X. And be it further enacted by the Authority aforeſaid, That all Perſons who ſhall be aiding, abetting, or aſſiſting, in carrying or exporting any of the ſaid Commodities out of this Realm, as aforeſaid (being legally convicted thereof) ſhall ſuffer three Years Impriſonment, without Bail or Mainprize, and the Owner of the ſaid Wooll, or of any other of the Commodities aforeſaid, and all and every Perſon or Perſons who ſhall be aiding, abetting, or aſſiſting, in carrying or exporting of them or any of them out of this Kingdom, ſhall anſwer and ſatisfy treble the Value of all ſuch Forfeitures and Penalties, which ſuch Inhabitants ſhall be ſo charged with and liable to, as alſo treble Coſts of Suit; which ſhall and may be recovered by Action of Debt, Suit, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, nor any more than one Imparlance, by and in the Name of the Clerk of the Peace for the time being, of or for every ſuch County or Place, without naming the Chriſtian Name or Surname of the ſaid Clerk of the Peace; which treble Value and treble Coſts of Suit ſhall be to the only Uſe and Behoof of the ſaid Inhabitants; and that notwithſtanding the Death or Removal of any ſuch Clerk of the Peace, after ſuch Action of Debt, Suit, Bill, Plaint, or Information, ſued, commenced, or preferred, the ſame ſhall be proſecuted and purſued to Judgment and Execution, in ſuch Manner and Form, to all Intents and Purpoſes, as that Clerk of the Peace might have done, which firſt commenced or preferred the ſaid Action of Debt, Suit, Bill, Plaint, or Information.

Penalty for aſſiſting in the Exportation of Wooll.

Actions to be in the Name of the Clerk of the Peace of the County,

XI. And for the better and more impartial Trials of all ſuch Actions and Informations which ſhall be commenced or proſecuted by virtue of this Act, be it enacted by the Authority aforeſaid, That ſuch Actions and Informations ſhall be tried, in any of His Majeſty's Courts of Record, by a Jury of good and lawful Freeholders to be ſummoned out of any other County than that wherein the Fact ſhall be committed: And to encourage Perſons to diſcover the ſaid Crime, the firſt three Perſons who have been aiding, abetting, or aſſiſting, in carrying out or Exportation of Wooll, or any other of the Commodities, as aforeſaid, that ſhall inform thereof any Juſtice of the Peace in either of the ſaid ſeveral Counties aforeſaid, whereby the Puniſhment and Penalties appointed by this Act may be inflicted and recovered, the Party or Parties ſo diſcovering (not being Owner or Part Owners of the ſaid Wooll, or other Commodities aforeſaid) ſhall not ſuffer any of the ſaid Penalties or Puniſhment.

and tried by a Jury of another County.

First 3 Perſons making Diſcovery, not to ſuffer the Penalties.

XII. Provided always, and be it enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought and proſecuted by any Perſon or Perſons againſt any Juſtice of Peace, or other Perſon employed by them or any of them in the Execution of this Act, for any Matter, Cauſe, or Thing, by them or either of them done, committed, or executed, by virtue or Reaſon of this Act, or any Cauſe or Article therein contained, that then, and in every ſuch Caſe, the Action ſhall be laid in the proper County where the Fact was done and committed, and not elſewhere; and the Defendant or Defendants may plead the General Iſſue, and give the ſpecial Matter in Evidence at the Trial, that the ſame was done in Purſuance, and by Authority of this Act: And if upon Examination it ſhall ſo happen to be done, the Jury ſhall find for the Defendant or Defendants; and in ſuch Caſe, or if the Plaintiff ſhall be nonſuit, or diſcontinue his Action, after the Defendant or Defendants hath or have appeared, the Defendant or Defendants ſhall have and recover their treble Coſts which he or they ſhall ſuſtain or be put unto by reaſon of his or their wrongful Vexation in Defence of the ſaid Action or Suit; and that every Action, Suit, Bill, Plaint, or Information, by virtue of this Act, ſhall be commenced and proſecuted within one Year after the Fact committed.

Actions againſt Juſtice of Peace to be levied in the County where the Fact was done.

Defendant may plead General Iſſue, &c.

Limitation of Actions.

Penalty on Perſons compounding Forfeitures.

XIII. Provided always, That if any Perſon, who is intitled to the Penalties and Forfeitures by this Act given, ſhall compound with any Hundred, Port, or Place exempt, hereby liable to pay the ſame, for any leſſer Sum than what is hereby given; that it ſhall at any Time hereafter be lawful for any other Perſon to ſue for and recover the ſame in Manner and Form as aforeſaid, as if no ſuch Compoſition had been made; and the Perſon ſo compounding ſhall for ſuch his Offence ſuffer five Years Impriſonment without Bail or Mainprize: And this Act to continue in Force for three Years, and from thence to the End of the next Seſſion of Parliament.

Act to continue for 3 Years.

Commiſſioners of the Admiralty to appoint Ships and armed Sloops to cruiſe.

XIV. And for the better preventing the Exportation of Wooll, and Correſpondence with *France*; be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *England*, or Commiſſioners for executing the Office of Lord High Admiral for the time being, ſhall from time to time direct and appoint one Ship of the fifth Rate, and two Ships of the ſixth Rate, and four armed Sloops, conſtantly to cruiſe from off the *North Foreland* to the Iſle of *Wight*, with Orders for taking and ſeizing all Ships, Veſſels, or Boats, which ſhall export any Wooll, or carry or bring any prohibited Goods or any ſuſpected Perſons.

*Farther Proviſions concerning Wooll*, 10 & 11 *W.* 3. *c.* 10. 3 *Geo.* 1. *c.* 21. 4 *Geo.* 1. *c.* 11. 5 *Geo.* 1. *c.* 11. 12 *Geo.* 1. *c.* 34. 13 *Geo.* 1. *c.* 23. 5 *Geo.* 2. *c.* 21. 12 *Geo.* 2. *c.* 21. 15 *Geo.* 2. *c.* 27. 25 *Geo.* 2. *c.* 14. 26 *Geo.* 2. *c.* 8 & 11. 29 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 12.

[Continued by 9 W. 3. c. 40.]

## CAP. XXIX.

### An Act for the better amending and repairing the Highways, and Explanation of the Laws relating thereunto.

22 Car. 2. c. 12.

'WHEREAS many evil diſpoſed Perſons aſſuming to themſelves the Names and Titles of the King's 'General or Deputy Surveyors of the Highways, and other Perſons, without any legal Authority 'for the ſame, have of late Years, by Threats, falſe Informations, and other illegal Ways, extorted and 'gotten great Sums of Money from ſeveral Owners of Waggons and Carriages of this Kingdom, under 'Colour and by Force of the wording of a certain Clauſe in a certain Act of Parliament (intituled, *An additional Act for the better repairing of Highways and Bridges*) made in the two and twentieth Year of our 'late Sovereign Lord King CHARLES the Second, containing theſe Words, *That from and after the four 'and twentieth Day of* June, therein mentioned, *no Travelling Waggon, Wain, Cart, or Carriage, wherein 'any Burthens, Goods, or Wares are or ſhall be carried (other than ſuch Carts and Carriages as are employed in 'and about Huſbandry, and manuring of Lands, and in the carrying of Hay, Straw, Corn unthreſhed, Coal, 'Chalk, Timber for Shipping, Materials for Building, Stones of all Sorts, or ſuch Ammunition or Artillery 'which ſhall be for His Majeſty's Service) ſhall at any Time travel, or be drawn, or go in any common or publick 'Highway or Road, with above five Horſe Beaſts at Length; and if any ſhall draw with a greater Number of 'Horſes or Oxen, they ſhall all draw in Pairs, that is to ſay, two a-breaſt, for ſuch a Number as they ſhall uſe,* 13 *Ed.* 1. *ſtat.* 2. *c.* 5. *'except one Horſe*, contrary to the Equity, true Intent and Meaning of the ſaid Clauſe:' For Prevention of ſuch Extortion and Oppreſſion for Time to come, and the better Explanation of the ſaid Clauſe;

Penalty on Owners of Waggons, Carts, &c. to be paid to the Surveyor of the Highways, *Burn, V.* 1. 536. 1 *Haw. P. C. Ch.* 76.

II. Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority thereof, That for the better repairing and amending of the ſaid Highways, and the better Application of the Forfeitures in and about the ſame, every Owner of any Waggon, Cart, Carriage, Horſe, Beaſt, or Oxen, offending contrary to this preſent Act, ſhall forfeit the Sum of forty Shillings, and no more, for every reſpective Offence, to the Surveyor or Surveyors of the Highways of the Pariſh, Town, Village, or Hamlet, where any the ſaid Offences ſhall be committed, to be paid to the Surveyor or Surveyors, and to no other Perſon or Perſons whatſoever; which ſaid Forfeiture and Forfeitures ſhall be levied in ſuch Manner as the Penalties in the ſaid recited Act, impoſed on every Conſtable or Surveyor of the Highways, for refuſing or neglecting to put in Execution the ſeveral Acts of Parliament for or touching the repairing, amending, or enlarging of ſuch Highways, are directed and appointed, and no otherwiſe;

who is to receive the ſame, and account to the Juſtices on Oath once in 4 Months. 3 & 4 W. & M. c. 12.

and the ſaid Pariſh Surveyor and Surveyors for the time being are hereby authorized and required to take and receive the ſaid Forfeiture and Forfeitures, and to pay in and account for the ſame reſpectively upon Oath to the Juſtices of the Peace at their Special Seſſions holden once in four Months, purſuant to an Act of Parliament in the ſecond and third Years of our ſaid Sovereign Lord King WILLIAM, and the late Queen of Gracious Memory, which ſaid Forfeiture and Forfeitures are to be employed in and about the Repairs of the Highways, in the reſpective Pariſh or Pariſhes, Town, Village, or Hamlet, where ſuch Forfeitures are or were committed, according to the Direction and Appointment of the laſt mentioned Statute, and no otherwiſe; any thing in the ſaid Act of the two and twentieth of King CHARLES the Second, or any other Law or Statute, to the contrary thereof notwithſtanding.

Forfeitures to be employed in repairing the Highways.

22 Car. 2. c. 12.

'III. And whereas by a Statute made in the two and twentieth Year of King CHARLES the Second, in-'tituled, *An Additional Act for the better repairing of Highways and Bridges*, it is enacted, That no Waggon, 'Wain, Cart, or Carriage (except as therein excepted) ſhall at any Time travel or be drawn, or go in any 'common or publick Highway or Road, with above five Horſe Beaſts at Length, and if any ſhall draw 'with a greater Number of Horſes, or Oxen, they ſhall all draw in Pairs: And whereas, to avoid the In-'tention of the ſaid Act, the Waggoners have fixed an Iron or Shaft on the Side of the Waggon, whereby 'none of the Horſes go in a Line with the Wheels, and thoſe which draw on the Side make the Rut deeper, 'and thereby the more impair the Highways:' For Remedy whereof be it enacted by the Authority afore-ſaid, That from and after the firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and ſix, no travelling Waggon, Wain, Cart or Carriage, wherein any Burthens, Goods, or Wares are or ſhall be carried or drawn for Hire (other than ſuch Waggon, Cart or Carriages as are em-

Travelling Waggons not to have above 8 Horſes, or 8 Oxen and one Horſe. Waggons, Carts, &c. excepted.

ployed

ployed in or about Huſbandry or Manuring of Lands, and in the carrying of Hay, Straw, Corn unthreſhed, Coal, Chalk, Timber, Materials for Building, Stones of all Sorts, or ſuch Ammunition or Artillery as ſhall be for His Majeſty's Service) ſhall at any one time travel or be drawn, or go in any common or publick Highway, with above eight Horſes, and not with above eight Oxen and one Horſe, or ſix Oxen and two Horſes, or two Oxen and ſix Horſes, or four Oxen and four Horſes; which ſaid Horſes, or Horſes and Oxen, ſhall draw in Pairs with a Pole between the Wheel Horſes, or in double Shafts, and the other Horſes to draw in a Line with the Wheel Horſes or Oxen, in the ſame Manner as they uſually draw in Coaches, upon Pain that every Owner of ſuch Waggon, Wain, Cart, Carriage, Horſe or Oxen, ſhall forfeit for every ſuch Offence the Sum of forty Shillings, two third Parts whereof ſhall be to the Uſe of the Highways, and the other third Part to the Informer, to be levied by Diſtreſs of any one of the ſaid Horſes or Oxen, by the Conſtable, Tythingman, Headborough, Surveyor of the Highways, or Overſeer of the Poor of the Pariſh or Place where the ſaid Offence is or ſhall be committed, or any of them; and in caſe the Penalty be not paid within three Days after ſuch Diſtreſs, that then it ſhall and may be lawful for the Perſon ſo diſtraining to ſell the ſame, reſtoring the Overplus to the Owner thereof, the Charges of diſtraining, ſelling and keeping being firſt deducted; any thing in this or any other Law to the contrary in any wiſe notwithſtanding.

Horſes or Oxen to draw in Pairs.

Penalty to be levied by Diſtreſs.

Altered by 6 Annæ, c. 29. 9 Annæ, c. 18. 1 Geo. 1. ſtat. 2. c. 11. & 5 Geo. 1. c. 12. 14 Geo. 2. c. 42. 15 Geo. 2. c. 2. 16 Geo. 2. c. 29.

IV. Provided always, and be it enacted by the Authority aforeſaid, That if any Innſhip, Liberty, Precinct, or Vill, that uſes to repair their own Highways, ſhall have levied the Rate of ſix Pence in the Pound, and employed the ſame toward the Repair of the Highways, and yet the ſaid Highways are not ſufficiently repaired, that then and in ſuch Caſes it ſhall and may be lawful for the Juſtices of the Peace, at their Special Seſſions to be held every four Months for the Conſideration of the Highways, to order the whole Pariſh to contribute to the repairing thereof.

Any Innſhip, &c. not having ſufficient to repair their Highways, the Pariſh to contribute.

V. And be it further enacted by the Authority aforeſaid, That any Perſon that ſhall have in his or her Occupation, Wood-land, or other Land, to the Value of fifty Pounds *per Annum*, ſhall be adjudged and deemed to have a Plough-land, as to all or any of the Purpoſes within any of the Statutes heretofore made of or concerning the Highways; any thing in them, or any Uſage or Cuſtom, to the contrary in any wiſe notwithſtanding.

50l. per Ann. Land, deemed equal to a Plough-land.

'VI. And whereas it hath been found neceſſary to ſecure Horſe-cauſways, or Cauſways for Horſes, and 'Foot-cauſways, to travel upon in publick Highways, by Poſts, Blocks, or great Stones fixed in the 'Ground, or by Banks of Earth caſt up, or otherwiſe, from being broken up and ſpoiled with Waggons, 'Wains or Carts: And foraſmuch as ſeveral evil diſpoſed Perſons do frequently pull up, cut down, and re-'move the ſaid Poſts, Blocks and great Stones, ſo fixed as aforeſaid, and alſo dig and caſt down the ſaid 'Banks, which are the Securities and Defences of the ſaid Cauſways, whereby the Cauſways are often 'ruined and deſtroyed:' For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the ſaid four and twentieth Day of *June*, every Perſon who ſhall pull up, cut down, or remove any Poſt, Block, great Stone, Bank of Earth or other Security, which was ſet up, placed and made, for ſecuring the ſaid Horſe and Foot Cauſways from Waggons, Wains, and Carts, ſhall (upon Complaint thereof made to any Juſtice of the Peace of the Place or Diviſion, where ſuch Offence ſhall be proved to be done by the Oath of any one credible Witneſs, which Oath ſuch Juſtice is hereby impowered to adminiſter, or upon View of the Juſtice himſelf) forfeit for every of the ſaid Offences the Sum of twenty Shillings, one Moiety thereof to the Surveyors of the Highways of the Pariſh, Town or Diviſion where any of the ſaid Offences ſhall be committed, to be employed in the Repairs of the ſaid Highways, and the other Moiety thereof to him that ſhall diſcover the ſame, to be levied in Manner as aforeſaid.

Penalty for removing Poſts, Stones, &c. ſet up for ſecuring Horſe and Foot Cauſways.

VII. And be it further enacted by the Authority aforeſaid, That in caſe any General Surveyor, or Deputy Surveyor, or Superviſor of His Majeſty's own private Roads, or other Perſon or Perſons, ſhall make any Compoſition, or demand, take or receive any Sum or Sums of Money, or other Reward whatſoever, of any Carrier, Waggoner, or other Perſon or Perſons, upon the Account of drawing with any Number of Horſes or Oxen, otherwiſe than as is appointed by this Act, or for any other Offence in Relation to the Highways, that every ſuch Perſon or Perſons ſo offending ſhall forfeit for every ſuch Offence the Sum of forty Pounds; one Moiety whereof ſhall be applied to the Repair of the ſaid Highways, and the other Moiety to the Uſe of ſuch Perſon who ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Privilege or Wager of Law ſhall be allowed, nor any more than one Imparlance; any Law, Statute or Uſage, to the contrary notwithſtanding.

Penalty on Surveyors compounding with Waggoners, &c.

*Farther Proviſions relating to Highways,* 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28. & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. *and* 31 *Geo.* 2. *c.* 34.

## CAP. XXX.

An Act for laying ſeveral Duties upon Low Wines or Spirits of the firſt Extraction, and for preventing the Frauds and Abuſes of Brewers, Diſtillers, and other Perſons chargeable with the Duties of Exciſe.

FOR the Supplying Your Majeſty's extraordinary Occaſions, and the better Support of *Your Government*; be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the five and twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-ſix, until the five and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and one, there ſhall be paid, by way of Exciſe, unto His Majeſty, His Heirs, and Succeſſors, for all Low Wines or Spirits of the firſt Extraction, drawn by any Diſtiller or other Perſon making or drawing Spirits or Strong Waters for Sale or Exportation, within this Kingdom of *England*,

12 W. 3. c. 11. §. 6. 3 & 4 Ann. c. 4. *Burn, V.* 1. 336, & 396. 12 *Car.* 2. *c.* 23. Exciſe on Low Wines.

'These Duties are expired.'

*England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, the Rates and Duties following (that is to ſay)

Low Wines, &c. drawn from foreign Materials, 8 d. per. Gallon.

II. For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn from any foreign or imported Materials, or any Mixture with foreign Materials, eight Pence.

From Waſh, 12 d per Gallon.

III. For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn from Brewers Waſh or Tilts, twelve Pence.

From Drink brewed, 1 d. per Gallon.

IV. For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn only from Drink brewed and made of any Sort of malted Corn, one Peny.

From other Engliſh Materials 3 d. per Gallon.

V. For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn from any other Sort or Kind of *Engliſh* Materials, three Pence.

Sweets, 12 s. per Barrel.

VI. For every Barrel of mixed Liquors, commonly called or known by the Name of *Sweets*, made from foreign or *Engliſh* Materials, twelve Shillings.

Low Wines, &c. to be drawn from Drink not mixed with Moloſſes, &c.

VII. And be it further enacted by the Authority aforeſaid, That all Diſtillers and others, who ſhall draw or make any Low Wines, Spirits or Brandy, from Corn, ſhall brew, or cauſe their Corn to be brewed, and from ſuch Drink ſo made and prepared (without any Mixture with any Moloſſes, Waſh or Tilts, or other Materials whatſoever) ſhall draw their Low Wines or Spirits of the firſt Extraction: And that it ſhall and may be lawful for the Gauger and Gaugers of Exciſe, from time to time, to gauge and keep an Account of the Liquors, Worts and Drink, made and drawn by ſuch Diſtillers or others, for the making ſuch Low Wines, Spirits or Brandies, and to ſee that the ſame be drawn and made from Drink made of malted Corn intirely, without any Mixture as aforeſaid; and in caſe any Diſtillers or others, ſhall therewith mix any other Materials, either in the Brewing, or after the ſame is made into Drink, and before the ſame be diſtilled into Low Wines, the ſaid Gaugers ſhall charge the Low Wines, drawn from the Drink ſo mixed, with the Duty of twelve Pence for every Gallon; which ſaid Duty ſhall be anſwered and paid to His Majeſty and Succeſſors.

Gauger to keep Account of Liquors made by Diſtillers, &c.

Low Wines, &c. from mix Drink, 12 d. per Gallon.

3 & 4 Annæ, c. 4.

See 12 Car. 2. c. 23. 15 Car. 2. c. 11. 3 & 4 W. & M. c. 15. *And* for the Increaſe and Continuance of theſe Duties, &c. 12 & 13 W. 3. c. 11. 4 Annæ, c. 12. 5 Annæ, c. 19. 1 Geo. 1. ſtat. 2. c. 12. §. 8. 1 Geo. 2. ſtat. 2. c. 16.

Penalty on Diſtiller preparing Waſh from Moloſſes, &c. until the Liquors be drawn off.

VIII. And be it further enacted, That no Diſtillers or others, drawing Low Wines or Spirits from Corn, prepared as aforeſaid, ſhall prepare any Waſh from Moloſſes, or other Materials, or receive any Waſh of Moloſſes, or other Materials, from any other Perſon whatſoever, until he has drawn off and diſtilled all the Liquors made or prepared from Corn as aforeſaid, on Pain of Forfeiture for every Barrel of ſuch Liquors made of Corn as aforeſaid, found undiſtilled or drawn into Low Wines, the Sum of five Pounds.

Penalty on Gauger making falſe Charge.

IX. And be it further enacted by the Authority aforeſaid, That if any Gauger, or other Officer of Exciſe, ſhall wittingly and willingly make a falſe Charge, by returning to the Commiſſioners any Quantity of Low Wines or Spirits of the firſt Extraction, not made from malted Corn, as made and drawn from malted Corn, ſuch Gauger or Officer ſhall forfeit his Office or Employment, and alſo ſhall forfeit for every Gallon of Low Wines ſo falſly charged or returned, the Sum of ten Shillings.

Diſtillers may export Brandies, &c. drawn from Drink,

X. And for the further Encouragement of Diſtillers and others to draw and make Spirits or Brandies from malted Corn brewed into Drink as aforeſaid, and to export the ſame as Merchandize into Parts beyond the Seas; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to or for any Diſtillers, or others, upon Oath made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any Brandy or Strong Waters is or are intended to be exported, that the ſame were or was made and drawn from Drink brewed from malted Corn, without any Mixture with any other Materials, and that the ſame is not mixed with any Low Wines not drawn a ſecond Time, nor with any other Spirits or Brandy made from any other Materials, either Native or Foreign, and that the Duties of the ſame are duly entred or paid, and that the ſame are exported for Merchandize, to be ſpent beyond the Seas, to export ſuch Spirits or Brandies made from Corn prepared as aforeſaid; and upon a Certificate under the Hands of the Officers of Exciſe for the Port or Place where ſuch Spirits or Brandies were ſhipped off, of the Quantity ſo ſhipped, and that the ſame was ſhipped in the Preſence of ſuch Officers, that ſuch Diſtiller or others ſo exporting ſhall be allowed or paid back, by the Commiſſioners, or their Collector for the Port or Place where ſuch Spirits or Brandy ſhall be ſhipped off, the Sum of three Pence for every ſuch Gallon of Brandy or Spirits ſo ſhipped off.

and not mixed, paying the Duties.

Drawback allowed of 3 d. per Gallon on all Spirits exported.

Duties, &c. how to be levied and paid.

12 Car. 2. c. 24.

XI. And be it further enacted by the Authority aforeſaid, That the ſeveral Rates and Duties hereby impoſed on the Liquors aforeſaid, ſhall be raiſed, levied, collected, recovered, and paid unto His Majeſty, His Heirs and Succeſſors, during the Time before mentioned, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned, expreſſed and directed, in and by one Act of Parliament made in the twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in capite, *by Knights Service, and Purveyance, and for ſettling a Revenue upon His Majeſty in lieu thereof*, or by any other Law now in Force relating to the Revenue of Exciſe.

Decayed Wines, Cyder, &c found in any Diſtilling-houſe prepared for Diſtillation, &c.

XII. And for preventing the making or drawing of Low Wines or Spirits of a firſt or ſecond Extraction, by any compound Diſtiller or rectifying Diſtiller, or any other common Diſtiller, whereby to defraud His Majeſty of any of the Duties by this Act impoſed; be it further enacted by the Authority aforeſaid, That if any Gauger or Officer of Exciſe ſhall, from and after the ſaid five and twentieth Day of *March* find in the Diſtilling-houſe, or other Houſe or Warehouſe, of any compound Diſtiller, or rectifying Diſtiller, or any other common Diſtiller, any Quantity of decayed Wines, Cyder, or other Materials fit for or preparing for Diſtillation, whereby he may be induced to believe that ſuch compound or rectifying Diſtiller, or other common Diſtiller, doth or may draw or extract Low Wines or Spirits from ſuch Materials, and ſuch

Gauger or Officer ſhall find any Still or Stills of ſuch Diſtiller's charged or prepared to work, that it ſhall and may be lawful to and for ſuch Gauger or Officer to take off the Head of ſuch Still or Stills, and to examine what Materials are therein, if not at work; and in caſe ſuch Still or Stills ſhall be at work, that then it ſhall and may be lawful to and for ſuch Gauger or Officer to ſtay and continue in ſuch Diſtiller's Diſtilling-houſe, until ſuch Still or Stills ſhall be wrought off, and then to examine what Materials were wrought therein; and in Caſe any ſuch Diſtiller ſhall refuſe to permit ſuch Gauger to continue in his Diſtilling-houſe, until ſuch Still or Stills ſhall be wrought off, and examined, as aforeſaid, in every ſuch Caſe ſuch Diſtiller ſhall forfeit for every ſuch Offence the Sum of twenty Pounds.

Gauger may take off the Head, or ſtay till the Still be wrought off, and examine the Materials.

Penalty on Diſtiller refuſing.

XIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid five and twentieth Day of *March*, all and every the Stills, Worms, Still-heads, and all other Veſſels and Utenſils for diſtilling, uſed by any ſuch Diſtiller, or other Perſon, for making of Low Wines or Spirits for Sale or Exportation, into whoſe Hands ſoever the ſame ſhall come, and by what Conveyance or Title ſoever the ſame be claimed, ſhall be liable and ſubject unto, and are hereby charged with, all and ſingular the Debts and Duties of Exciſe that now are, or hereafter ſhall be, in Arrear and owing by any ſuch Diſtiller, or other Perſon or Perſons, for any Strong Waters, Spirits, or Low Wines, ſo made or drawn, as aforeſaid; and that it ſhall be lawful in all Caſes to levy Debts and Penalties, and uſe ſuch Proceedings, againſt the Stills, Worms, Veſſels, and Utenſils, therein contained, as it may be lawful to do in caſe the Debtor or Offender, uſing the ſaid Utenſils, had been truly and really Owner and Proprietor of the ſame.

Stills, &c. to be charged with Debts for Exciſe, &c.

XIV. And be it further enacted, by the Authority aforeſaid, That the Gauger and Gaugers of Exciſe ſhall, from time to time, gauge and take Account of all Waſh and other Materials prepared or preparing for the making of Low Wines, and alſo of all Low Wines, Spirits, or Strong Waters, found in the Houſes, Cellars, or Ware-houſes, or in any Waſh Back, Caſk, or other Veſſel or Veſſels uſed by any Diſtiller or Maker of Low Wines or Spirits; and in caſe he ſhall miſs any Quantity or Quantities of Liquor or Drink brewed or made from Corn, or any Waſh or other Materials prepared for making of Low Wines, which he found or gauged the laſt Time ſuch Gauger was at ſuch Diſtiller's, not exceeding twenty-four Hours before, and ſhall not, on Demand, receive Satisfaction what is become of ſuch Drink or Waſh or other ſuch like Materials, that in every ſuch caſe it ſhall be lawful for ſuch Gauger to charge ſuch Diſtiller with ſo much Low Wines, as ſuch Liquor, Drink, Waſh, or other Materials ſo miſſing, in his Judgment would reaſonably have made.

Gaugers to gauge the Waſh, &c. found in Diſtiller's Houſe, &c.

Gauger miſſing Liquor found at his laſt Gauge, &c. may charge the Diſtiller with ſo much as is miſſing.

XV. And to the Intent that the Duties payable to His Majeſty for all Low Wines, Spirits, *Aqua Vitæ*, and Strong Waters, may be the better aſcertained, collected, and levied; be it enacted by the Authority aforeſaid, That from and after the ſaid five and twentieth Day of *March*, no Diſtiller or Maker of Low Wines, Spirits, *Aqua Vitæ*, or Strong Waters ſhall diſtil or ſet their Stills at work for the drawing or making any the Liquors above mentioned, or ſhall deliver or carry out any Low Wines, Spirits, or *Aqua Vitæ*, to any of their Cuſtomers, in Caſk, or by the Gallon, without Notice thereof firſt given to the Officer of Exciſe for the Place or Diviſion where ſuch Diſtiller or Maker ſhall live, to the Intent that ſuch Officer may be preſent to ſee and gauge the ſame; unleſs at ſuch Times as herein after are mentioned (that is to ſay) From the nine and twentieth Day of *September* to the five and twentieth Day of *March* yearly, between the Hours of five in the Morning and eight in the Evening, and from the five and twentieth Day of *March* to the nine and twentieth Day of *September* yearly, between the Hours of three in the Morning and nine in the Evening; upon Pain that every Diſtiller and Maker of the Liquors aforeſaid, doing contrary hereunto, ſhall forfeit for every ſuch Offence the Sum of ten Pounds.

No Diſtiller, &c. to diſtil or deliver out any Low Wines, Spirits, &c. without Notice to the Officer of Exciſe, &c.

Penalty on Diſtiller.

XVI. And be it further enacted by the Authority aforeſaid, That if any Maker of Vinegar, Cyder, Metheglin, Mead, or Sweets for Sale, ſhall at any Time hereafter hide, conceal, or convey away any Vinegar, or Liquor prepared for Vinegar, or any Cyder, Metheglin, Mead, or Sweets from the Sight and View of the Gauger or Gaugers appointed to take Account of the ſame, whereby His Majeſty ſhall or may be defrauded of any of the Duties due for the ſame; that every ſuch Maker of ſuch Vinegar, Cyder, Metheglin, Mead, or Sweets, for every Barrel of Vinegar, or Liquor prepared for Vinegar, or Sweets, ſo hid, concealed, or conveyed away, as aforeſaid, ſhall forfeit the Sum of forty Shillings, and ſo in Proportion for any greater or leſſer Quantity; and for every Hogſhead of Cyder ſo hid, concealed, or conveyed away, the Sum of forty Shillings, and ſo in Proportion for any greater or leſſer Quantity; and for every Gallon of Metheglin or Mead ſo hid, concealed, or carried away, as aforeſaid, ſhall forfeit the Sum of five Shillings.

Penalty for concealing Vinegar, &c. from Gauger,

XVII. And be it enacted by the Authority aforeſaid, That from henceforth, in caſe any Maker or Retailer of Vinegar, or of any of the Commodities aforeſaid, ſhall, upon due Requeſt or Demand made by the Gauger or Officer in the Day-time, or if by Night, then in the Preſence of a Conſtable, refuſe to permit ſuch Gauger or Officer to enter and come into his or their Houſe, Store-houſe, or other Place belonging to or uſed by ſuch Maker or Retailer of Vinegar, or of any other the Liquors or Commodities aforeſaid, and to take Account of any of the Liquors or Commodities aforeſaid; in every ſuch Caſe ſuch Maker of Vinegar, or any other of the Liquors or Commodities aforeſaid, ſhall forfeit for every ſuch Offence the Sum of fifteen Pounds.

for refuſing Gauger to take Account, &c.

XVIII. And be it enacted by the Authority aforeſaid, That from henceforth no Maker of Vinegar or Sweets ſhall ſell, deliver, or carry out, any Vinegar or Sweets to any of his Cuſtomers, either in whole Caſk, or by the Gallon, without Notice thereof firſt given to the Gauger or Officer of Exciſe for the Place or Diviſion where ſuch Maker of Vinegar or Sweets ſhall live, to the Intent that ſuch Officer may be preſent to ſee, gauge, and take an Account of the ſame, unleſs at ſuch Times as are herein after mentioned (that is to ſay) From the nine and twentieth Day of *September* to the five and twentieth Day of *March* yearly, between the Hours of five in the Morning and eight in the Evening, and from the five and twentieth Day of *March* to the nine and twentieth Day of *September* yearly, between the Hours of three in the Morning and nine in the Evening; upon Pain that every ſuch Maker of Vinegar or Sweets, doing contrary

and for carrying out Vinegar, &c. without Notice given to Officer.

contrary hereunto, ſhall for every ſuch Offence forfeit and loſe the Sum of forty Shillings, for every Barrel of Vinegar or Sweets that ſhall be ſo carried out, contrary to the true Meaning of this Act.

Clauſe in the Act 2 W. & M. ſſ. 2. c. 9. §. 12. continued.

XIX. And be it further enacted by the Authority aforeſaid, That a certain Clauſe in an Act made in the ſecond Year of the Reign of His Majeſty and the late Queen MARY of Bleſſed Memory, intituled, *An Act for the encouraging the diſtilling of Brandy and Spirits from Corn, and for laying ſeveral Duties on Low Wines, or Spirits of the firſt Extraction*, relating to Strong Waters, Brandy, *Aqua Vitæ*, and other exciſeable Liquors brought from the Iſlands of *Guernſey*, *Jerſey*, *Sark*, or *Alderney*, and all the Charges, Duties, and Penalties, and every Article and Thing therein contained, ſhall continue and be of Force and Virtue, during the Continuance of this Act, in as full and ample Manner, to all Intents and Purpoſes, as if the ſaid Clauſe were herein Word for Word repeated and enacted.

'XX. And foraſmuch as it is found by Experience, that the Payment of His Majeſty's Duties on Beer, 'Ale, and other exciſeable Liquors, is much avoided and defrauded by the Brewers and Makers thereof, 'by their making Drink of an extraordinary Strength, and mixing of Small Beer or Worts with the ſame, 'after an Account hath been taken by the Gaugers, and by their carrying away, or laying off Part of their 'Worts, after the ſame hath been gauged, and making them up by Part of another Wort, before the 'Gauger can take an Account of the ſame, by making uſe of private Pipes, and other Conveyances under 'Ground: And by reaſon the Gaugers and Officers are not duly admitted and permitted to enter and come 'into the Houſes, Brew-houſes, Diſtilling-houſes, Store-houſes, and other Places belonging to or uſed by 'ſuch Brewers, Diſtillers, or Makers of the Liquors aforeſaid, or being lawfully entred, are not quietly 'permitted to continue in ſuch Brew-houſe, where the ſaid Liquors are brewing and making, to gauge 'and take an Account of the Quantity and Quality of the ſeveral Worts, as they are brewed off, and to ſee 'their Strong and Small Drink cleanſed and carried out without Mixture, and to prevent the committing 'any other Frauds:' Be it therefore enacted by the Authority aforeſaid, That all common Brewers, Innkeepers or Victuallers, who after the ſaid five and twentieth Day of *March* ſhall brew or make a Party Guile, ſhall declare to the Gauger or Gaugers appointed to gauge and take an Account of the ſame, how much of ſuch Guile he or they intend to make into Strong Beer or Ale, and how much into Small, before any Part of ſuch Guile is cleanſed, and ſhall continue all the ſaid Strong Beer in their Tuns, until the ſaid Small Beer ſhall be carried out and delivered; and in caſe ſuch Brewers, Innkeepers, or Victuallers, or their reſpective Servants, brewing or making ſuch Guile of Beer or Ale, ſhall refuſe to declare to ſuch Gauger or Officers, how much of their Guile or Brewing they intend to make into Strong Beer or Strong Ale, and how much into Small, before any Part of ſuch Guile is cleanſed, or ſhall permit the ſaid Strong Beer to be carried out of their Tuns, until the ſaid Small Beer ſhall be carried out and delivered; ſuch Gauger or Gaugers ſhall charge and return the whole of ſuch Guile to be Strong, and ſuch Brewer, Innkeeper, or Victualler, ſhall pay the Duties thereof accordingly: And in caſe ſuch Brewer, Innkeeper, or Victualler, or their reſpective Servants, after ſuch Declaration made, ſhall make any Increaſe of their Strong Beer or Strong Ale ſo declared as aforeſaid, by any Ways or Means whatſoever, ſuch Increaſe ſhall be deemed and taken to be and proceed from mixing Small Beer with ſuch Strong Beer, or Strong Ale; and ſuch Brewer, Innkeeper, or Victualler, ſhall forfeit and loſe, for every Barrel ſo increaſed, the Sum of forty Shillings, and ſo in Proportion for a greater or leſſer Quantity, over and above the Penalties already impoſed for mixing Small Beer with Strong; and in caſe, upon any Information brought againſt ſuch Brewer, Innkeeper, or Victualler, for the Penalties aforeſaid, it ſhall appear by the Evidence given in Behalf of ſuch Brewer, Innkeeper, or Victualler, that the Strong Beer, or Strong Ale, ſo declared as aforeſaid, was increaſed, by adding to or mixing with the ſame any Strong Beer or Strong Ale, that remained or was left, or returned of a former Guile of his or her brewing, ſuch Brewer, Innkeeper, or Victualler, ſhall incur all the Penalties aforeſaid, except it be alſo proved by the Oath of one or more credible Witneſſes, that ſuch Strong Beer, or Strong Ale, ſo added to ſuch Guile, was added to ſuch Guile in the Sight and View of the Gauger, the ſaid Evidence or any other thing to the contrary in any wiſe notwithſtanding.

Brewers, &c. brewing a Party Guile, to declare to Gauger how much Strong Beer and how much Small, &c. In caſe of Refuſal, Gauger to return the whole as Strong Beer. 'This Clauſe repealed by 8 & 9 W. 3. c. 19. §. 1.'

Penalty for increaſing Strong Beer after ſuch Declaration,

for carrying out any Part of a Guile before Gauger hath taken an Account,

XXI. And it is hereby further enacted by the Authority aforeſaid, That if from and after the ſaid five and twentieth Day of *March*, any common Brewer, Innkeeper, or Victualler, ſhall cleanſe, carry out, remove, or convey out of his Brew-houſe, or Place of brewing, any Part of his Guile or Brewing of Beer, Ale, or Worts, before the whole of ſuch Guile is brewed off, and be in his Tuns, Backs, or Coolers, and until the Gauger or Gaugers ſhall or might have taken an Account of the ſame, and of the diſtinct Quantities thereof in his reſpective Veſſels, without firſt giving Notice to the Surviſor or Gauger appointed for the Place or Diviſion where ſuch Brewer, Innkeeper, or Victualler, doth or ſhall inhabit, at what Time, and how much of ſuch Guile or Brewing he intends to cleanſe, carry out, or remove, and where he intends to lay or diſpoſe of the ſame, ſuch Brewer, Innkeeper or Victualler, for every Barrel of Beer, Ale or Worts, ſo cleanſed, carried out, removed, or conveyed out of his Brew-houſe, or Place of brewing, without giving ſuch Notice as aforeſaid, ſhall forfeit and loſe the Sum of forty Shillings.

and for refuſing to permit Gauger to come into his Brew-houſe, &c.

XXII. And it is further enacted by the Authority aforeſaid, That if any common Brewer, Innkeeper or Victualler, after the ſaid five and twentieth Day of *March*, ſhall, upon due Requeſt or Demand made by the Gauger or other Officer in the Day-time, or in the Night in the Preſence of a Conſtable, refuſe to permit ſuch Gauger or other Officer to enter and come into his Houſe, Brew-houſe, Store-houſes, or other Places belonging to or uſed by ſuch Brewer, Innkeeper, or Victualler; or being lawfully entred, ſhall refuſe ſuch Gauger or Officer to ſtay and continue in his Brew-houſe, or Place of Brewing, whilſt his Guile is brewing, and quietly gauge and take an Account of the ſeveral Worts as they are brewed off and let into his Backs and Tuns, and to ſee their Strong and Small Drink cleanſed and carried out without Mixture, and to gauge and take an Account of the Goods in the Meſh Tun, or of the Quantity of Malt from which ſuch Worts are drawn or made, ſuch Brewer, Innkeeper, or Victualler, for every ſuch Offence, ſhall forfeit and loſe the Sum of twenty Pounds, and the Informer or Proſecutor ſhall not be obliged to prove that ſuch Brewer, Innkeeper or Victualler, did carry or deliver out any Part of ſuch Guile of Beer or Ale before he paid

paid and cleared the Duties due for the ſame; any thing in the former Acts of Exciſe, or any other Act or Statute to the contrary notwithſtanding.

Penalty on Brewer, &c. mixing Small Beer with Strong after carried out.

XXIII. And for the preventing and diſcovering of all Frauds made by Mixtures or otherwiſe, Be it enacted by the Authority aforeſaid, That if any common Brewer or Innkeeper, after the ſaid five and twentieth Day of *March*, ſhall upon carrying out his Drink, or after the ſame is carried out, ſtart or mix any Small Beer or Small Worts with or amongſt any Strong Beer or Strong Ale, upon his Dray, or in any Victualler's Cellar, or other Place, ſuch Brewer or Innkeeper ſo doing, ſhall forfeit and loſe for every ſuch Offence the Sum of five Pounds; and further, that it ſhall and may be lawful to and for the Gauger or Gaugers of the Exciſe to taſte the Drink upon any ſuch Brewer's Dray or Drays, where and whenſoever he or they ſhall find and meet the ſame; and alſo, upon Requeſt, to enter into the Cellar or Cellars, or other Rooms in the Poſſeſſion of any Innkeeper or Victualler that do or ſhall take or receive any Drink of or from any common Brewer, and to taſte the Drink in the ſame; and if any Innkeeper or Victualler, after the ſaid five and twentieth Day of *March*, ſhall refuſe ſuch Gauger or Gaugers to enter and come into their Cellar or Cellars, or other Rooms, or being entred, ſhall refuſe ſuch Gauger or Gaugers to taſte the Drink in the ſame, ſuch Innkeeper or Victualler, for every ſuch Offence, ſhall forfeit and loſe the Sum of five Pounds.

Gauger may taſte Drink on the Dray, or in the Victualler's Cellar.

Penalty on Victualler refuſing.

Commiſſioners of Exciſe, &c. may ſummon Witneſſes.

XXIV. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners of Exciſe, and Juſtices of the Peace reſpectively, upon any Information exhibited before them, for any Offence committed againſt the Laws of Exciſe, to ſummon any Perſon or Perſons (other than the Party accuſed) to appear before them at a certain Day, Time and Place, to be inſerted in ſuch Summons, and to give Evidence for the Diſcovery of the Truth of the Matter in Controverſy before them; and in caſe of Neglect or Refuſal to appear, or if upon Appearance ſuch Perſon or Perſons ſhall refuſe to give Evidence, when he ſhall be thereunto required, every ſuch Perſon ſo making Default, ſhall forfeit and loſe the Sum of ten Pounds, to be impoſed, recovered, levied and diſpoſed in Manner as herein is directed.

Penalty for not appearing.

'XXV. And whereas in and by one Act of Parliament, made in the fifth and ſixth Years of the Reign 'of His Majeſty and the late Queen MARY of bleſſed Memory, intituled, *An Act for granting to their 'Majeſties ſeveral Rates and Duties upon Tunnage of Ships and Veſſels, and upon Beer, Ale, and other Li-'quors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall vo-'luntarily advance the Sum of fifteen hundred thouſand Pounds, towards the carrying on the War againſt* France, 'it is amongſt other Things enacted in the Words or to the Effect following (viz.) *That true Notes in 'Writing of the laſt Gauges, made or taken by the Gaugers, ſhall be left by them with all Brewers, Makers or 'Retailers of Beer, Ale, or other Exciſeable Liquors reſpectively, or ſome of their Servants, at the Times of 'their taking their Gauges, containing the Quantity and Quality of the Liquors ſo gauged, upon certain Penalties 'in the ſaid Acts mentioned:* And whereas it is neceſſary for the ſecuring His Majeſty's Duties upon the 'Liquors aforeſaid, that ſeveral Gauges be taken by one or more Officers of every Wort of one and the 'ſame Guile or Brewing, by Reaſon whereof the ſaid Notes left by ſuch Gaugers do not ſufficiently in-'form ſuch Brewer or Retailer how much he is charged in ſuch reſpective Guile or Brewing:' Be it there-fore enacted by the Authority aforeſaid, That from and after the ſaid five and twentieth Day of *March*, every Gauger ſhall, within three Days after the End of every Week, deliver to or leave with ſuch Brewer or Retailer, or their reſpective Servants, a true Copy, under his Hand, of each reſpective Charge by him made upon ſuch Brewer or Retailer, containing the Quantity and Quality of the Liquors by him charged in ſuch Week reſpectively; and if any ſuch Gauger or Gaugers ſhall refuſe or neglect to leave with ſuch Brewer or Retailer, or their reſective Servants, ſuch Copy of his or their Charges as aforeſaid, or ſhall charge ſuch Brewer or Retailer more than ſuch Copy contains; ſuch Gauger or Gaugers ſhall forfeit and loſe, for every ſuch Offence and Neglect, the Sum of ten Pounds, to be recovered by any Perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Privilege or Wager of Law, nor more than one Imparlance ſhall be allowed.

5 & 6 W. & M. c. 20.

Gauger to leave with Brewer, &c. a Copy of each Charge by him made.

Penalty on Gauger neglecting, &c. 12 Geo. 1. c. 28. §. 30.

Gaugers leaving Copy of ſuch Charges not liable to the Penalties, &c.

XXVI. And it is hereby provided and declared, That no Gauger or Gaugers, who do or ſhall leave ſuch Copy of his Charges, as above directed and required, ſhall from henceforth be liable to any of the Penalties by the former Acts impoſed, for not leaving Notes of the laſt Gauges at the Times of their taking ſuch Gauges; the ſaid Act, or any other Act or Statute to the contrary notwithſtanding.

Officers ſuſpecting any private Back, Tun, &c. may break open Brew-houſe Door, &c. and ſearch.

XXVII. And for the better preventing and diſcovering of all private Backs, Tuns, and other private and concealed Veſſels or other Receptacles, and of all Drains, Pipes, or other Conveyances to or for the ſame, uſed by any Brewer, Diſtiller, or other Maker or Retailer of Exciſeable Liquors, to defraud His Majeſty of any of the Duties payable by them or any of them reſpectively; Be it enacted by the Authority aforeſaid, That from and after the ſaid five and twentieth Day of *March*, that it ſhall and may be lawful to and for the Officer and Officers of Exciſe, or any of them, in their reſpective Diviſions, in the Day-time, and in the Preſence of a Conſtable or other lawful Officer for the Peace (who are hereby reſpectively required to be aiding and aſſiſting therein) where they ſhall have a juſt Suſpicion that any ſuch private Backs, Tuns or other Veſſels aforeſaid, are uſed by any ſuch Brewers, Diſtillers or Makers aforeſaid, on Requeſt firſt made, and Cauſe declared, to break open the Door, or any Part of ſuch Brew-houſe, Diſtilling-houſe, Store-houſe, Ware-houſe, or other Room in their reſpective Poſſeſſions, and to enter into the ſame, and alſo break up the Ground in any ſuch Brew-houſe, Diſtilling-houſe, Store-houſe, Ware-houſe, or other Room, or the Ground near adjoining, in their reſpective Poſſeſſions, to ſearch after ſuch Back, Tun or other Veſſel aforeſaid, or any Pipe or other Conveyance leading thereto; and in caſe where they ſhall find any private Pipe or other Conveyance, to ſearch after and follow the ſame; and in caſe the ſame ſhall lead into any Ground, Houſe, Outhouſe or Place, in the Poſſeſſion of any other Perſon or Perſons, on like Requeſt, and with a Conſtable, to enter into the ſame, and break open the Ground, or any Part of the Houſe or Houſes, if Occaſion ſhall be, to follow ſuch private Pipe, in order to find out and diſcover ſuch private

and concealed Back, Tun or other Veſſel, into which ſuch Pipe or other Conveyance ſhall lead, making good the Ground or Houſe ſo broken up, or giving reaſonable Satisfaction for the ſame to the Owner or Owners thereof; and in caſe any ſuch Brewer, Diſtiller, or any other Perſon or Perſons, ſhall oppoſe or hinder ſuch Officer or Officers in the due Execution of the Powers and Authorities hereby given or granted, every ſuch Brewer, Diſtiller, or other Perſon ſo doing, ſhall forfeit and loſe for every ſuch Offence the Sum of twenty Pounds.

Penalty on Brewer, &c. oppoſing Officer.

Verjuice to pay Duty as Cyder and Perry.

XXVIII. And it is hereby further declared, That all Perſons who ſhall buy or make Verjuice for Sale, ſhall be chargeable with, and pay the ſame Duties as in caſe of Cyder and Perry.

Fines, Penalties, &c. how to be recovered.

XXIX. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties and Forfeitures by this Act impoſed, ſhall be ſued for, recovered and levied by ſuch Ways, Means and Methods, as any Fine, Penalty and Forfeiture, is or may be recovered by any Law or Laws of Exciſe, or by any Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, and that one Moiety of every ſuch Fine, Penalty or Forfeiture ſhall be to His Majeſty, or His Heirs and Succeſſors, and the other Moiety to him or them that ſhall diſcover, inform or ſue for the ſame.

' XXX. And whereas His Majeſty's inferior Officers, whether they be Sub-Commiſſioners, Collectors, ' Surviſors, Gaugers, or others employed in levying the Rates, Impoſitions and Duties upon Beer, Ale, ' and other Exciſeable Liquors, and upon Salt, are by virtue of His Majeſty's Commiſſion appointed, au- ' thorized and conſtituted, by the Chief Commiſſioners and Governors of and for the Receipt of Exciſe, ' and Rates and Duties upon Salt, or any five of them: And whereas if by the Death of any one of the ' ſaid Chief Commiſſioners, who joined in the appointing, authorizing and conſtituting any ſuch inferior ' Officer, or by the Alteration or other Determination of the Commiſſion to the ſaid Chief Commiſſioners, ' the Authority given to ſuch inferior Officer or Officers ſhould be determined, it would prove very preju- ' dicial to His Majeſty, and render it impoſſible on ſuch Occaſions to collect and levy the ſaid Rates and ' Duties juſtly and duly, as the ſame ought to be collected and levied:' For Prevention whereof, and of all Doubts and Queſtions which have been or may ariſe thereupon, be it declared and enacted by the Authority aforeſaid, That all ſuch inferior Officers, who are, have been, or ſhall be duly and legally authorized and conſtituted in Purſuance of any Commiſſion under the Great Seal of *England*, ſince His Majeſty's happy Acceſſion to the Crown, or any ſuch Commiſſion which ſhall hereafter be granted to the Chief Commiſſioners and Governors of and for the Receipt of Exciſe, and Rates and Duties upon Salt, do and ſhall remain and continue in their reſpective Offices and Employments, notwithſtanding the Death or Removal of any Chief Commiſſioner or Commiſſioners, by whom they were ſo authorized and conſtituted, or any Alteration, Change or other Determination of the Commiſſion of ſuch Chief Commiſſioners and Governors, until the Authority and Conſtitution of ſuch inferior Officers reſpectively be, by the Chief Commiſſioners and Governors of and for the Receipt of the Exciſe, and Rates and Duties upon Salt for the time being, revoked or annulled.

Inferior Officers of Exciſe, &c. to continue in their Offices, notwithſtanding the Death or Removal of any of the Commiſſioners, &c.

XXXI. And to the end as well the whole Rates and Duties upon Low Wines, or Spirits of the firſt Extraction and Sweets hereby granted, as alſo the weekly Sum herein after mentioned to be taken and applied out of the Hereditary Branch of His Majeſty's Revenues of Exciſe upon Beer, Ale, and other Liquors, and out of that Part of His Majeſty's Revenues of Exciſe upon Beer, Ale and other Liquors, which is granted to His Majeſty during His Life (which God preſerve) and likewiſe another weekly Sum herein after mentioned to be taken and applied out of His Majeſty's Revenue ariſing within the General Letter Office or Poſt Office, or the Office of His Majeſty's Poſt Maſter General, may be made Funds or Securities for raiſing any Sum or Sums of Money, not exceeding in the whole five hundred and fifteen thouſand Pounds (that is to ſay) any Sum or Sums, not exceeding five hundred thouſand Pounds, for defraying the Expences of His Majeſty's Houſhold and Family, and other His Majeſty's neceſſary Occaſions; and any Sum, not exceeding fifteen thouſand Pounds, for the Relief of the poor *French* Proteſtants; by borrowing Monies upon the ſame Rates, Duties, or Branches reſpectively, in ſuch Proportions, Manner and Form, as are herein after expreſſed: Be it further enacted, *&c.* E X P.

500,000l. for Expences of the King's Houſehold.

15,000l. for Relief of the French Proteſtants.

" King may borrow 70,000l. on Credit of the Duties hereby granted. Money lent to be Tax free. Duties " to be paid weekly into the *Exchequer*, and entred apart. Penalty on Commiſſioners neglecting or miſap- " plying the Monies. Comptroller of Exciſe to keep a diſtinct Account of the Duties. On making ſuch " Loans Tallies to be ſtruck, and Orders for Repayment, with Intereſt every three Months. Orders aſ- " ſignable, and to be regiſtred, and paid in Courſe. 6,000l. a Week to be ſeparated from the Branches of " Exciſe, *&c.* for Payment of Tallies and Intereſt; and after applied for Payment of 400,000l. borrowed " on this Act. Intereſt to be paid every three Months. Explained as to Tallies by 8 W. 3. c. 3. §. 3. De- " ficiency of weekly Payments to be made good out of the whole Receipt. Tallies to be aſſignable, and " Monies lent not to be taxed. Commiſſioners of Exciſe to keep a Regiſter of Tallies, *&c.* to which all " Perſons may have free Acceſs without Fee. 600l. a Week to be paid out of the Poſt Office for ſatisfy- " ing Tallies; and after Satisfaction thereof, to be applied to the Payment of the Loans on this Act. Tal- " lies to be paid in Courſe, and Intereſt every three Months. This Act not to hinder the Payment of " the yearly Sums granted to the Prince and Princeſs of *Denmark:* Nor the Annuity to the Dutcheſs of " *Cleveland*, *&c.*

12 Geo. 1. c. 28. §. 30.

Penalty on Gaugers neglecting to leave

XLVI. Provided nevertheleſs, and be it enacted, That true Notes in Writing of every Gauge made or taken, ſigned by the Gaugers, containing the Inches and Tenths, of the Backs, and Wants of the Tuns, and the Qualities of the ſaid Liquors reſpectively, ſhall be left by them with all common Brewers of Beer or Ale, or ſome one of their Servants (if demanded) at the Time of their taking the ſaid Gauges, on Pain to forfeit for every Neglect or Refuſal the Sum of forty Shillings, with Coſts of Suit, to be recovered in

any

any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information; wherein no Privilege or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Notes of every Gauge, &c. with Brewers, &c. 12 Geo. 1. c. 28. §. 30. 7 W. 3. c. 1.

' XLVII. And whereas by an Act of Parliament paſſed this preſent Seſſions, intituled, *An Act for remedying the ill State of the Coin of the Kingdom*, it is (amongſt other Things) enacted, *That in regard the ſmall Pieces of the New Monies to be coined will be moſt uſeful in Commerce, that from and after the fourth Day of* February *one thouſand ſix hundred ninety-five, the Maſter and Worker of His Majeſty's Mint for the time being ſhall, upon every hundred Pound Weight* Troy *of Sterling Silver to be coined from the clipt Money, purſuant to the Direction of that Act, from time to time cauſe at leaſt forty Pounds Weight* Troy *to be coined into Shillings, and ten Pounds Weight* Troy *to be coined into Sixpences, beſides the other Coins which he is to make out of the ſame, purſuant to the Indenture of the Mint; and that in caſe the Maſter and Worker of the Mint ſhall omit ſo to do, he ſhall forfeit for every ſuch Offence twenty Pounds, the one Moiety thereof to His Majeſty, the other Moiety thereof to the Informer, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Wager of Law, Protection, Privilege, Imparlance, or Eſſoin, ſhall be allowed:* And foraſmuch as the Penalty for not making the ſeveral Species of Money in Quantity in the ſaid Act directed, is wholly and only laid on the Maſter and Worker of the Mint, whoſe Part is only to deliver clean Silver Plates to the Corporation of Moneyers, from which the ſaid Corporation are to make and mark the ſaid Monies, for which they, by Indenture of the ſaid Mint, are to have Nine-pence half-peny *per* Pound Weight *Troy* for all ſuch Silver made into Monies, and one Peny *per* Pound Weight *Troy* more for the better and more exact ſizeing and making the Money:' Now for the more ſpeedy and effectual coining of the ſaid Money into the ſeveral Species, purſuant to the ſaid Act of Parliament, be it enacted, *&c.* EXP.

" Moneyers refuſing to mark the Silver Plate and keep the ſaid Mills at work, Maſter and Worker of the " Mint may employ other Perſons, *&c.*

## CAP. XXXI.

An Act for continuing to His Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War againſt *France*, and for eſtabliſhing a national Land Bank, and for taking off the Duties upon Tunnage of Ships and upon Coals.

5 & 6 W. & M. c. 7.

' WHEREAS by an Act made at the Parliament held in the fifth and ſixth Years of the Reign of His preſent Majeſty, and the late Queen MARY of Bleſſed Memory, intituled, *An Act for granting to their Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds towards carrying on the War againſt* France, it was enacted, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety-four, there ſhould be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto their Majeſties, their Heirs and Succeſſors, until the ſeventeenth Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſeven, and no longer, for Salt, the ſeveral Rates and Duties therein mentioned:' We Your Majeſty's moſt loyal and dutiful Subjects, the Commons in Parliament aſſembled, being ſenſible of the great and neceſſary Expence in which Your Majeſty is engaged for carrying on the preſent War againſt the *French* King, and being deſirous to ſupply the ſame in ſuch Manner as may be leaſt grievous to Your Majeſty's Subjects; therefore, for the Encouragement of ſuch Perſons who ſhall voluntarily contribute to the advancing and paying into Your Majeſty's *Exchequer*, towards carrying on the ſaid War, any Sum or Sums of Money, not exceeding the Sum of five and twenty hundred and ſixty-four thouſand Pounds, upon the reſpective Terms and Recompences herein after mentioned, we Your Majeſty's ſaid loyal and dutiful Subjects, the Commons in Parliament aſſembled, have given and granted, and do hereby give and grant unto Your Majeſty, Your Heirs and Succeſſors, Kings and Queens of *England*, the ſeveral Rates and Duties herein after mentioned.

Duties on Salt granted for ever, as directed by 5 & 6 W. & M. c. 7. ' Rep. 3. Geo. 2. c. 20. and revived for other Uſes by 5 Geo. 2. c. 6. and continued by 18 Geo. 2. c. 5.' *Farther Proviſions concerning Salt*, 9 & 10 *W.* 3. *c.* 6. 10 & 11 *W.* 3. *c.* 22. 1 *Ann. ſtat.* 1. *c.* 21. 2 & 3 *Ann. c.* 14. 4 *Ann. c.* 12. 5 *Ann. c.* 29. 6 *Ann. c.* 12. 9 *Ann. c.* 23. 12 *Ann. ſtat.* 2. *c.* 2. 5 *Geo.* 1. *c.* 18. 8 *Geo.* 1. *c.* 4 & 16. 11 *Geo.* 1. *c.* 30. 3 *Geo.* 2. *c.* 20. 5 *Geo.* 2. *c.* 6. 8 *Geo.* 2. *c.* 12. 14 *Geo.* 2. *c.* 22. 26 *Geo.* 2. *c.* 3. & 32.

II. And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in Parliament aſſembled, and by the Authority of the ſame, That all and every the Rates and Duties upon Salt granted by the ſaid recited Act, ſhall be raiſed, levied, collected, anſwered, and paid unto Your Majeſty, Your Heirs and Succeſſors, Kings and Queens of *England*, for ever, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned in the ſaid Act for raiſing, levying, collecting, anſwering, and paying the ſame, for the Term granted in the ſaid Act; and that the ſaid recited Act, and every Article, Rule, and Clauſe therein mentioned, as for and concerning the Rates, Duties, and Impoſitions upon Salt, ſhall continue and be in full Force for ever, as fully and amply, to all Intents and Purpoſes, as if the ſame were particularly recited, expreſſed, and enacted in the Body of this Act.

" Commiſſioners of Exciſe to keep apart the Monies ariſing by the Duties hereby granted, and pay the " ſame weekly into the *Exchequer*. A diſtinct Book to be kept in the *Exchequer*, for entring the ſaid Mo- " nies. Penalty on Commiſſioners neglecting, or miſapplying the Monies. Weekly Sums to be a Fund " for Loans. Salaries, *&c.* to be paid out of the Duties. Comptroller of the Exciſe to keep Account of " the Duties according to 5 & 6 W. & M. c. 7. 179,480l. to be the yearly Fund, and paid as herein after EXP.

" directed. Subscriptions for 2,564,000 l. Bank of *England* excepted. Subscriptions of Land. The yearly " Sum of 179,480 l. to be applied to the Use of the Subscribers. Commissioners of the Treasury to direct " the Payment, and Officers of *Exchequer* to issue the Monies without Fee. Contributors to be incorpo- " rated by the Name of *The Governor and Company of the National Land Bank*. If the whole Sum be not " paid by 1 *Jan.* 1696. Subscribers to receive only 7 l. *per Cent. per Ann.* After Incorporation, the said " yearly Sum to be paid to the *Bank*, in Trust for Payment of Bills. Interests and Stocks to go to Exe- " cutors: If the whole Sum, or one Moiety thereof, be not contributed in the Time limited, Corporation " to cease. A fourth Part to be paid down, or in default Subscription to be void. Residue to be paid before " 1 *Jan.* 1696. Person having Stock or Place in the Bank, to have no Interest or Place in this Corporation. " Penalty on the Corporation advancing Money on any other Fund than by Credit given by Parliament. " Corporation not to trade by themselves or others with the Stock: But may sell Goods of the Produce " of Lands purchased by them. Fines, *&c.* against the Corporation not to be pardoned. Yearly Sum not " to stand charged with more than the Monies paid into the *Exchequer*. Money payable by this Act not " to be taxed. In a Year's Notice after 1707. on Repayment of 2,564,000 l. and Arrears of the yearly Sum, " by Parliament, the Corporation to determine. Redemption of the Fund, *&c.* not to extend to Forfei- " ture of Lands, but be subject to all lawful Uses for which conveyed. Duties granted by 5 & 6 W. & M. " c. 20. further continued for five Years. 560,000 l. to be applied for paying the Remainder of 564,700 l.
6 & 7 W. 3. c. 18. " and Interest advanced on Security of the aforesaid Act, 140,000 l. for making good the Rates of Tun- " nage of Ships. A like Sum for making good the Duties on Salt. Rules appointed by 1 W. & M. st. 2. " c. 1. to be in Force for distributing the Sums hereby appropriated. 500,000 l. to be lent at 3 l. 10 s. *per* " *Cent. per Ann.* to the Members of the Corporation, to be paid quarterly, or 4 l. *per Cent.* payable half- " yearly. Assignments of Lands to be entred in Books kept by the Corporation. Lands so entred may be " assigned. Governor, *&c.* taking Conveyance of Lands, *&c.* to charge the same by Bills in the Form " prescribed, and the Corporation liable to Action of Debt for the Money. Owners of Lands paying off " Monies, and the Companies Bills not ready to be delivered, to cancel so many Bills charged on other " Lands. A Transfer of the Bills standing out, to be entred in the Counterpart, and to be indorsed on the " Bill, and entred. Penalty for charging Lands with more than the Sum lent. Bills under Seal of the " Corporation intitle the Bearers to an Action of Debt against them. Counterfeiting Seal or Bills, Felony. " Interest on Land Security not being paid in Time, Lands may be sold, detaining the Monies due, and " Charges, and returning the Overplus. Owner to be foreclosed, except Infants. Member of Parliament " may be of the Corporation. Guardian may advance Money for Benefit of Infant. Trustees, *&c.* to " take the Oaths 1 W. & M. st. 1. c. 8. Corporation may transcribe Dockets, *&c.* paying the Fees. No " Member to be adjudged a Bankrupt in respect of his Stock therein, nor Stock liable to foreign At- " tachment."

5 & 6 W. & M. c. 7. ' XLIII. And whereas in and by an Act of Parliament made in the fifth and sixth Years of the Reign of ' His Majesty and the late Queen MARY of blessed Memory, intitled, *An Act for granting to their Ma- ' jesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recom- ' pences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten ' hundred thousand Pounds towards carrying on the War against* France, it is provided and enacted, That there ' should be raised, levied, collected, and paid to their Majesties, their Heirs, and Successors, until the Se- ' venteenth of *May* one thousand six hundred ninety and seven, for every Gallon of Salt and Rock Salt ' made at the Salt-works, or taken out of any Pits within the Kingdom of *England*, Dominion of *Wales*, ' or Town of *Berwick* upon *Tweed*, one Peny Half-peny, and after that Rate for a greater or lesser Quan- ' tity: And whereas some Dispute hath since arisen, whether Salt refined, or Salt made from Salt, either ' imported or made in *England*, and hath paid the Duties by the said Act imposed, and is since melted ' down, either in Sea Water or other Water, and made into Salt again, shall be charged with the Duty ' of one Peny Half-peny:' For the settling whereof, it is hereby declared and enacted by the Authority aforesaid, That all Salt made from Rock Salt (allowing the Drawback for the same, as in the said Act is mentioned) and all refined Salt, or Salt made from Salt, either imported or made in *England*, was and is intended to be charged and chargeable with the said Duty of one Peny Half-peny *per* Gallon; any thing in the said Act to the contrary notwithstanding.

Salt made from Rock Salt, and refined Salt, to pay one Peny Half-peny per Gallon.

All Salt, except Rock Salt, to be ascertained at 56 lb. to the Bushel, By 9 & 10 W. 3. c. 6. §. 1. Salt is to be retailed at 56 lb. per Bushel. Altered by 10 & 11 W. 3. c. 22. §. 2.

' XLIV. And whereas the Measures for making the *Winchester* Bushel at eight Gallons to the Bushel ap- ' pointed by the said Act for measuring of Salt, for Payment of the said Duties, are various and unequal, ' and have proved inconvenient, not only to the Duties, but to the Makers and Traders in Salt in general:' For the Prevention whereof, and the Payment of the said Duties more equally, it is hereby declared and enacted by the Authority aforesaid, That all Salt at all Salt-works and Salt-pits (Rock Salt excepted) shall be ascertained as to the Payment of the said Duties, at the Rate of fifty-six Pounds Weight to the Bushel, and no more; any thing in the said Act to the contrary thereof in any wise notwithstanding.

Salt brought from Scotland, or imported and landed before Duty paid to be forfeited.

XLV. And be it further enacted and declared by the Authority aforesaid, That all Salt, whether brought from *Scotland* by Land, and also all imported Salt, whether the same be of the Product or Manufacture of this Kingdom, or of the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, brought in, landed, or put on Shore, before due Entry made with the Officer appointed to receive the same, and Payment of Duties by the said Act imposed, shall be forfeited, one Moiety to His Majesty, His Heirs and Successors, and the other Moiety thereof to him or them that shall or will seize, inform, or sue for the same; any thing in the said Act to the contrary in any wise notwithstanding.

XLVI. And for the better ascertaining the said Duties on Salt, according to the Bushel of fifty-six Pounds Weight herein before declared, in all Parts and Places where any Salt-work or Salt-pit is or shall be; Be it enacted by the Authority aforesaid, That every Collector or Officer, appointed to receive and collect

collect the ſaid Duties, ſhall from and after the ſaid ſeventeenth Day of *May* one thouſand ſix hundred ninety and ſix, provide at every ſuch Salt-work or Salt-pit a ſufficient Beam, Scale, and Weights, or Stilyard, and ſhall have Liberty to fix the ſame in ſome convenient Place in or about ſuch Salt-work or Salt-pit, for the weighing all Salt that ſhall be delivered from ſuch Salt-work or Salt-pit; and that one or more Perſon or Perſons (as Occaſion ſhall require) living on or near ſuch Salt-work or Salt-pit, ſhall be admitted and ſworn to the due and true weighing all Salt from thence to be delivered, before one or more Juſtice or Juſtices of the Peace near adjoining (which Oath he or they are hereby impowered to adminiſter) without Fee or Reward; and ſuch Weigher and Weighers ſhall be ſatisfied and paid for their Pains for weighing ſuch Salt, by the ſaid Collector or Officer for the ſaid Duties; any thing herein, or in the ſaid former Act, to the contrary hereof notwithſtanding.

Collectors at every Salt-pit to provide a Beam, &c. for weighing of Salt. Weighers to be ſworn, and paid by the Collectors.

' XLVII. And whereas the Carriers of Salt do frequently load ſeveral Horſes with Salt at one Salt-work, ' and at one Time, for which they have had but one Warrant or Permit, and are often obliged, for conve- ' nient Carriage of the ſaid Salt to ſeveral Places, to ſeparate the ſaid Horſes, and to drive them ſeveral ' Roads, by which Means ſome of the ſaid Salt has been liable to Seizure:' For Prevention therefore of ſuch Inconveniencies to the ſaid Carriers, it is hereby enacted, and the ſaid Officers are hereby ſtrictly charged and required to deliver *gratis*, and without Delay, ſuch and ſo many ſeveral Warrants or Permits to each Carrier of Salt, as he ſhall demand, for ſuch ſeveral Horſe-loads of Salt as he ſhall load at one Time, and at one Salt-work; any thing heretofore to the contrary notwithſtanding.

Carriers of Salt to have Permits gratis for ſo many Loads as are loaded at one Time.

XLVIII. Provided always, and be it enacted by the Authority aforeſaid, That all and every the Rates and Sums of Money directed to be paid by an Act made in the fifth and ſixth Years of the Reign of His Majeſty and the late Queen MARY, and herein firſt recited, for the ſeveral Sorts of Fiſh (except Conger) therein mentioned, to be exported, ſhall be allowed and paid, during the Continuance of this Act, in ſuch Manner as by the ſaid firſt recited Act is directed and appointed; any thing herein to the contrary notwithſtanding.

Rates paid by 5 & 6 W. & M. c. 7. for Fiſh (except Conger) exported, to be paid during this Act.

XLIX. And be it enacted by the Authority aforeſaid, That all Perſons ſelling Salt (except foreign Salt) made for Uſe, ſhall, from and after the ſeventeenth Day of *May* one thouſand ſix hundred ninety and ſix, ſell the ſame after the Rate of fifty-ſix Pounds Weight to the Buſhel, and not otherwiſe, and ſo in Proportion for a greater or leſſer Quantity; and that every Perſon offending therein ſhall for every ſuch Offence forfeit the Sum of five Pounds to the Informer, to be ſued for and recovered in ſuch Manner as other Forfeitures by this Act are to be ſued for and recovered.

Salt (except foreign to be ſold) at 56 lb. to the Buſhel, and not otherwiſe. Penalty. Explained by 9 & 10 W. 3. c. 6.

L. And to the end the yearly Fund, intended to be ſettled and payable by this Act for ever, ſubject nevertheleſs to the Proviſo of Redemption aforeſaid, may be the more certainly and effectually raiſed, and for the better Security and Encouragement of all and every ſuch Perſon and Perſons who ſhall ſubſcribe and advance their Money for the Ends and Purpoſes before mentioned: We Your Majeſty's ſaid dutiful and loyal Subjects, the Commons of *England* in Parliament aſſembled, have given and granted, and do hereby give and grant to Your Majeſty, Your Heirs and Succeſſors, Kings and Queens of *England*, the further Impoſitions, Rates, and Duties herein after ſpecified.

LI. And be it further enacted by the Authority aforeſaid, That all and every the Impoſitions, Rates, and Duties, upon Glaſs, or Glaſs Wares, Stone Bottles and Earthen Bottles, and every of them, granted by the above mentioned Act, intituled, *An Act for granting to His Majeſty certain Duties upon Glaſs Wares, Stone and Earthen Bottles, Coals, and Culm, for carrying on the War againſt* France, ſhall be raiſed, levied, collected, anſwered, and paid unto Your Majeſty, Your Heirs and Succeſſors, Kings and Queens of *England*, for ever, &c.

[The Sections between LI. and LXXIV. are omitted, becauſe they relate wholly to Duties on Glaſs Wares, Stone Bottles, and Tobacco Pipes, which Duties are determined by 9 & 10 W. 3. Cap. 45. and by 10 & 11 W. 3. Cap. 18. and the reſt of the Act, here omitted, is expired.]

" Clauſe of Loan on Orders regiſtred, at 7 l. *per Cent.* or on Bills at 3 d. *per Cent. per Diem* for 2,564,000l. 7 W. 3. c. 5.
" King to appoint how much of the ſaid Sum ſhall be lent on Credit of Orders, or advanced on Bills.
" Monies lent to be taxed. Monies to be paid in courſe, Intereſt every three Months. Penalty for undue
" Preference. Orders aſſignable. Bills payable on Demand with Intereſt at 3 d. *per Cent. per Diem*, to be
" ſatisfied out of the current Monies in the *Exchequer*. Auditor to make Bills of Credit of 10, 20, 30,
" 50, or 100l. each. Counterpart to remain in Books. Bills to be delivered to the Tellers, and by them
" to ſuch who advance Monies, and to paſs in Payment. Tellers on Demand to pay Principal and In-
" tereſt, without further Warrant. Penalty on Teller refuſing ſo to do. Auditor and Tellers to keep
" true Accounts, to which free Acceſs ſhall be had. Bills paid off to be cancelled, and Accounts to be
" diſcharged thereof. Old Bills to be iſſued again, or new ones made. Penalty on Offices iſſuing out
" Bills for more than the Sum limited. Forging or counterfeiting Bills of Credit, Felony. Charge of
" making Bills, *&c.* to be defrayed out of Monies lent. Caſh to be reſerved for circulating Bills. Bills
" of Credit may be exchanged for a perpetual yearly Rent at 7 *per Cent.* Intereſt payable out of the Salt
" Duties, *&c.* every half Year. Orders to be ſigned for Payment without Fee. On Payment of Princi-
" pal and Intereſt the yearly Rents and Payments to ceaſe and determine. Subſcribers intitled to the Fund of
" 179,483 l. *per Annum.* Monies ſubſcribed towards a National Land Bank, *&c.* to be iſſued for paying off
" Orders of Loan, Bills of Credit, and Annuities. Treaſury to diſcharge the Orders, Bills, *&c.* as Mo-
" ney comes in. On paying off the ſame, Duties and Fund totally diſcharged of ſuch Orders, *&c.* Or-
" ders to remain afterwards in the *Exchequer* as Vouchers. Bills paid off to be cancelled, if not iſſued
" again, or renewed. Corporation to enjoy the yearly Fund. Subſcribers may mortgage Lands for ſecu-
" ring one fourth Part of their Subſcription. Lands mortaged may at any Time be diſcharged. On
" Judgment obtained againſt the Corportion for Debt charged on the Fund, Officers of *Exchequer* may pay

" the Money. National Land Bank may discharge the Fund from Tallies, Bills, &c. Corporation not " to lend Money at Interest, unless to the King or His Subjects. If Duties not sufficient to satisfy the " yearly Payments, Treasury may make the same good out of the Monies unappropriated. 140,000 l. for " making good the Duties of Tunnage. 100,000 l. to be paid weekly to the Governor and Company. " 40,000 l. to the Purchasers of Annuities by Quarterly Payments. 1,816,972 l. appropriated for the Ser-
7 W. 3. c. 2. & c. 10. " vice of the Navy, and the Remainder to the Land Forces. The Sums hereby appropriated, to be distri-" buted according to the Act 1 W. & M. sess. 2. c. 1."

Lord Mayor and Aldermen of London, and Justices at their General Sessions, to settle the Price of Salt.

XCII. And for the preventing of Exactions upon Sale of Salt into the Kingdom, and to have the Rates and Prices thereof ascertained; Be it further enacted and declared by the Authority aforesaid, That the Lord Mayor and Court of Aldermen of the City of *London* shall and may, and are hereby required, in the Court of Aldermen within the City of *London*, upon or before the first Day of *May* in the Year of our Lord one thousand six hundred ninety and six, to set, ascertain and publish, in Writing, certain reasonable Rates and Prices upon all Salt to be sold, or exposed to Sale, after the said first Day of *May*, in the City of *London* and Precincts thereof, and the Bills of Mortality; and that the respective Justices of Peace for the respective Counties, Cities, and Places, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, shall and may, and are hereby required, upon or before the first Day of *August* in the Year of our Lord one thousand six hundred ninety-six, at the several and respective General Sessions of the Peace for the said several and respective Counties, Cities, and Places, wherein they are or shall be Justices of the Peace, set, ascertain, and duly publish in Writing, certain reasonable Rates and Prices upon all Salt to be sold or exposed to Sale, after the said first Day of *August*, within the said several and respective Counties, Cities, and Places, wherein they are or shall be Justices of the Peace; and that the Lord Mayor of *London*, and the said Court of Aldermen, in the Court of Aldermen, and that the said respective Justices of the Peace, of the several and respective Counties, Cities, and Places aforesaid, as aforesaid, at the several and respective General Sessions of the Peace for the said several and respective Counties, Cities, and Places, wherein they are or shall be Justices of the Peace, shall and may, and are hereby required from time to time (if necessary) at the several and respective General Sessions of the Peace for the said several and respective Counties, Cities, and Places, from and after the said first Day of *August*, by Writing duly made and published, alter and correct the Rates and Prices of all Salt to be sold and exposed to Sale in the said several and respective Places; which Rates and Prices which shall be so set, ascertained, altered, and corrected, are hereby enacted and required to be observed, accepted, received, and taken by all and every Person and Persons selling or exposing to Sale any Salt within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*: And if any Person or Persons shall sell any Salt at any higher Price or Rate, or refuse to sell any Salt at the Prices and Rates aforesaid, such Person and Persons so offending, shall for every such Offence forfeit and pay the Sum of five Pounds, to be levied out of the Goods and Chattels of such Offender or Offenders, by Distress and Sale thereof, by Warrant under the Hand and Seal of the Lord Mayor of the City of *London*, or of any Justice or Justices of the Peace for the Place or Places wherein such Offence shall be committed, or Distress shall be to be made; and in Default of sufficient Distress for the same, it shall and may be lawful by Warrant under Hand and Seal from the Lord Mayor of the City of *London*, or from any such Justice of the Peace as aforesaid, to imprison the said Offender or Offenders, until such Offender or Offenders shall pay the said Sum of five Pounds; one Moiety of which Sum of five Pounds is hereby enacted to be paid to the Use of our Sovereign Lord the King, and the other Moiety thereof to be paid to such Person or Persons as shall inform and prosecute for the same, before the said Lord Mayor of *London*, or the said respective Justices of the Peace as aforesaid.

Penalty for selling at a higher Rate.

Distress for Non-payment.

This Act not to affect Judgments in Westminster Hall, &c.

XCIII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall be taken or construed to the Prejudice of any Judgment given in any of His Majesty's Courts at *Westminster*, or any Suit now depending there, in Relation to the melting or refining of Salt.

## CAP. XXXII.

### An Act for the Ease of Jurors, and better regulating of Juries.

3 Geo. 2. c. 25.

' WHEREAS for Trials of Causes upon Writs of *Nisi prius*, and other Causes at Assizes, the ' Sheriffs do return a competent Number of Jurors for such Services; but it often happens, that ' many of the Causes, which are brought down for Trial, do not go on to be tried at the first Assizes, but are ' brought down again to be tried at some other subsequent Assizes, whereby the Jurors returned to try such ' Causes are compelled to attend at several Assizes for Trial of one and the same Cause, to their very great ' Expence and Trouble; and forasmuch as by Partiality and Favour of Sheriffs, the Corruption of Of-' ficers, and many other evil Practices, the Service of Jurors has been found to be very burdensome and ' grievous:' For Remedy whereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if at any Time hereafter any Plaintiff or Demandant, in any Cause depending in any of the Courts at *Westminster*, which shall be at Issue, shall sue forth, or bring to any Sheriff, any Writ of *Venire facias*, upon which any Writ of *Habeas Corpora*, or *Distringas*, with a *Nisi prius*, shall issue, in order to the Trial of such Issue at the Assizes, and that such Plaintiff or Demandant shall not proceed to the Trial of the said Issue at the said first Assizes after the *Teste* of every such Writ of *Habeas Corpora*, or *Distringas*, with a *Nisi prius*, that then and in all such Cases (other than where Views by Jurors shall be directed) the Plaintiff or Demandant, whensoever he shall think fit to try the

13 *Ed.* 1. c. 38. 21 *Ed.* 1 *stat.* 1. If Plaintiff sue forth a Ven' fac' &c. in order to Trial, and proceed not, the Issue may be tried at any other Assize.

the ſaid Iſſue at any other Aſſizes, ſhall ſue forth and proſecute a new Writ of *Venire facias* directed to the Sheriff in this Form:

'Quod de novo venire facias coram, &c. duodecim liberos & legales homines de vicineto de A. quorum 'quilibet habeat decem librat' terræ tenementor' vel reddituum per annum ad minus, per quos, &c. 'Et qui nec, &c.' Form of the Writ.

And the Reſidue of the ſaid Writ ſhall be after the ancient Manner; which Writ being duly returned and filed, a Writ of *Habeas Corpora*, or *Diſtringas*, with a *Niſi prius*, ſhall iſſue thereupon (for which the ancient and accuſtomed Fees ſhall be taken, and no more, as in the Caſe of the *Pluries habeas Corpora*, or *Diſtringas*, with a *Niſi prius*) upon which the Plaintiff or Demandant ſhall and may proceed to Trial, as if no former Writ of *Venire facias* had been proſecuted or filed in that Cauſe, and ſo *toties quoties* as the Caſe ſhall require: And if any Defendant or Tenant, in any Action depending in any of the ſaid Courts, ſhall be minded to bring to Trial any Iſſue joined againſt him, when by the Courſe in any of the ſaid Courts he may lawfully do the ſame by *Proviſo*, ſuch Defendant or Tenant ſhall or may, of the iſſuable Term next preceding ſuch intended Trial, to be had at the next Aſſizes, ſue out a new *Venire facias* to the Sheriff, in Form aforeſaid, by *Proviſo*, and proſecute the ſame by Writ of *Habeas Corpora*, or *Diſtringas*, with a *Niſi prius*, as though there had not been any former *Venire facias* ſued out or returned in that Cauſe, and ſo *toties quoties* as the Matter ſhall require. Defendant trying any Iſſue joined againſt him, may ſue a new Ven' fac' and proſecute the ſame by Hab' corp' or Diſtringas.

II. And be it alſo enacted and declared by the Authority aforeſaid, That every Writ of *Venire facias*, and every Writ of *Habeas Corpora*, or *Diſtringas*, with a *Niſi prius*, ſued out and proſecuted, according to the Purport and Direction of this Act, and all Trials, Entries, and Proceedings thereupon, ſhall be good and warrantable by Law, and not be erroneous, or be aſſigned or aſſignable for Error; any former Law or Uſage to the contrary thereof in any wiſe notwithſtanding. Writs of Ven' fac' &c. with a Niſi prius, ſo ſued out and proſecuted, to be good in Law.

'III. And foraſmuch as very frequently unfit Perſons are named by Sheriffs or their Under Sheriffs to 'ſerve as Jurors upon the *Tales*, where a *Tales* may be prayed or demanded, by Virtue of the Statute in 'that Caſe provided:' Be it further enacted by the Authority aforeſaid, That in every Writ of *Habeas Corpora*, or *Diſtringas*, with a *Niſi prius*, where a full Jury ſhall not appear before the Juſtices of Aſſize or *Niſi prius*, or elſe after Appearance, where by Challenge of either of the Parties the Jury is like to remain untaken for Default of Jurors, the Sheriff or other Miniſter or Miniſters, to whom it ſhall appertain to return the Tales-men, ſhall, upon the awarding the *Tales*, at the Command of ſuch Juſtice or Judge of Aſſize, return Freeholders or Copyholders of the County where the Cauſe is to be tried, who ſhall be returned upon ſome other Panel to ſerve at the ſame Aſſizes, and ſhall be then attending the Court where ſuch Trial is to be had, to ſerve upon ſuch *Tales*, and not any others, if ſo many out of the other Panels be preſent in Court, or can there be found; and that either of the Parties, Plaintiff or Defendant, Demandant or Tenant, ſhall and may have his Challenge to the Jurors ſo named, added, and annexed to the ſaid former Panel, by the Sheriff or other Miniſter or Miniſters aforeſaid, in ſuch wiſe, as if they had been impanelled upon the *Venire facias* awarded to try the Iſſue; and that the ſaid Juſtices and Judge of Aſſize ſhall and may proceed to the Trial of every ſuch Iſſue, with thoſe Perſons who were before impanelled and returned, with theſe Tales-men ſo newly added and annexed to the ſaid former Panel by virtue of this Act, in ſuch caſe as he or they might and ought to have done, if all the ſaid Jurors returned upon the Writ of *Venire facias* awarded to try the ſaid Iſſue had appeared to try the ſame; and that all and every ſuch Trial had, after the four and twentieth Day of *June* one thouſand ſix hundred ninety-ſix, ſhall be good and effectual in the Law, to all Intents, Conſtructions, and Purpoſes whatſoever: And in caſe any ſuch Freeholder, or Copyholder, as the ſaid Sheriff, or Miniſter or Miniſters ſhall return upon the *Tales*, as is aforeſaid, being preſent at ſuch Return made, ſhall be called, and not appear, or after his or their Appearance, ſhall wilfully withdraw himſelf from the ſaid Service, then in ſuch Caſe the Juſtices or Judge of Aſſize, who ſhall award ſuch *Tales*, ſhall and may ſet a Fine upon every ſuch Perſon making Default, or wilfully withdrawing himſelf. On Writs of Hab' corp' &c. on Default of a ſufficient Number of Jurors, others to be returned, 35 H. 8. c. 6. Plaintiff or Defendant may challenge ſuch Jurors, as if impanelled on the Ven' fac' Judge may proceed to Trial. Freeholder, &c. not appearing, to be fined.

IV. And that all Sheriffs of Counties may be the better informed of Perſons qualified, who are to be returned for Trials of Iſſues joined in the Courts of *Chancery*, *King's Bench*, *Common Pleas*, or *Exchequer*, or to ſerve upon Juries at Aſſizes, Seſſions of *Oyer* and *Terminer*, General Gaol Delivery, and Seſſions of the Peace: Be it further enacted by the Authority aforeſaid, That all Conſtables, Tythingmen, and Headboroughs of Towns in each County, or their Deputies, or ſome or one of them, ſhall yearly, at the General Quarter-Seſſions of the Peace to be holden for each County, Riding, or Diviſion, or any Part thereof, in the Week after the Feaſt of Saint *Michael* the Archangel, upon the firſt Day of the ſaid Seſſions, or upon the firſt Day that the ſaid Seſſion ſhall be held by Adjournment at any other particular Diviſion or Place, return and give a true Liſt in Writing of the Names and Places of Abode of all Perſons within the reſpective Places, for which they ſerve, qualified to ſerve upon ſuch Juries, with their Titles and Additions, between the Age of one and twenty Years and the Age of ſeventy Years, to the Juſtices of the Peace in open Court; which ſaid Juſtices, or any two of them, at the ſaid Seſſions, in the reſpective Counties, Ridings, or Diviſions, ſhall cauſe to be delivered a Duplicate of the aforeſaid returned Liſt, by the Clerks of the Peace of every County or Riding, to the Sheriffs or their Deputies, on or before the firſt Day of *January* next following, and cauſe the ſaid Liſts to be fairly entred into a Book, by the Clerk of the Peace, to be by him provided and kept for that Purpoſe amongſt the Records of the ſaid Court of Seſſions; and no Sheriff ſhall impanel or return any Perſon or Perſons to try any of the Iſſues joined in any of the ſaid Courts, or to be or ſerve in any Jury at the Aſſizes, Seſſions of *Oyer* and *Terminer*, Gaol Delivery, or Seſſions of the Peace, that ſhall not be named or mentioned in the ſaid Liſt; and any Conſtable, Tythingman, or Headborough, failing at any Time to make the Return aforeſaid, ſhall forfeit and Conſtables, &c. to give in a Liſt of Perſons fit to ſerve on Juries, with their Places of Abode, and Titles. Duplicate to be delivered to the Sheriffs and entred by the Clerk of the Peace. No Sheriff to impanel Perſons named in the ſaid Liſts. Penalty on Conſtables neglecting. Explained and enforced by 8 & 9 W. 3. c. 10. Farther Proviſions relating hereto, 3 & 4 Annæ, c. 18. §. 5.

Constables subscribing such Lists in the Presence of one Justice, &c. is sufficient by 3 Geo. 2. c. 25. §. 6.

and incur the Penalty of five Pounds to His Majesty and Successors, to be recovered by Bill, Plaint or Information.

Summons to be made by the Sheriff under Seal 6 Days before the Juror is to serve.

'V. And that the Summons of Persons qualified for the Services aforesaid may not be so uncertain, as 'hath been practised by Officers therein, to the great Injury and Grievance of Persons liable to the afore- 'said Services;' Be it further enacted by the Authority aforesaid, That every Summons of any Person qualified to any of the aforesaid Services shall be made by the Sheriff, his Officer or lawful Deputy, six Days before at the least, shewing to every Person so summoned the Warrant under the Seal of the Office wherein they are nominated and appointed to serve; and in case any Juror so to be summoned, be absent from the usual Place of his Habitation at the Time of such Summons, in such Case Notice of such Summons shall be given by leaving a Note in Writing, under the Hand of such Officer, containing the Contents thereof, at the Dwelling-house of such Juror, with some Person there inhabiting in the same.

In case of Absence, Notice to be left under the Officer's Hand.

Return to the Justices a good Excuse for the Sheriff; who may plead the General Issue in case of Action brought.

Treble Costs to the Defendant.

Penalty on Sheriff neglecting, or making undue Return.

VI. And to the end that Sheriffs may not incur any Penalty, to suffer any Damage, by summoning or returning any Person named in the Lists or Books of Jurors transmitted to them from the respective Quarter-Sessions as aforesaid, for not having such Estates as qualifie such Persons to be Jurors; Be it enacted by the Authority aforesaid, That the said Return to the said Justices shall be a good Excuse and Bar in Law for the said Sheriff, for such Summons and Returns; and if any Action or Information shall be brought or prosecuted against any Sheriff for such Return, the said Sheriff may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuited, discontinue his Action, or if a Verdict be given for the Defendant, or a *Noli prosequi* be entred in any Information, or a Verdict pass for the Defendant thereupon, the Plaintiff or Informer shall pay treble Costs, to be awarded by the Court, in which such Action or Information was prosecuted, and levied by usual Process: And if the said Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, shall summon and return any Freeholder or Copyholder, to any of the aforesaid Services, otherwise than as aforesaid, or in any Ways neglect his or their Duty or Duties in the Service or Services of them required respectively by this Act, or excuse any Person or Persons for Favour or Reward, or allow of any Writ of *Non ponendis in Assizis & Juratis*, or other Writ, to excuse or exempt any Person or Persons from the Service of any Jury or Juries, under the Age of seventy Years; such Sheriff, Deputy or Bailiff shall, for every Transgression committed against this Act, forfeit the Sum of twenty Pounds, to be recovered by such Party or Parties grieved or injured, or whom else shall sue for the same, in any of the Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Privilege, Protection or Wager of Law shall be allowed, nor any more than one Imparlance.

None to be a Juryman in Yorkshire above once in 4 Years, City of York and Kingston upon Hull excepted.

Explained by 10 Annæ, c. 14. §. 5. as to Sessions of the Peace in Yorkshire.

Sheriff of York to register the Names of all who serve on Juries in a Book alphabetically.

Juror at the End of every Assize may have his Name entred, and a Certificate thereof gratis.

By 3 & 4 Annæ, c. 18. §. 3. Sheriff not keeping a Register forfeits 100l.

'VII. And whereas the County of *York* (being a very large County) hath many Persons therein qualified to serve upon Juries at Assizes, General Gaol Delivery, and Sessions of the Peace; yet by the Corruption of Sheriffs, and their Under Officers, the Burden of that Service is forced upon a very few, to their Oppression and Grievance;' Be it therefore further enacted by the Authority aforesaid, That from and after the four and twentieth Day of *June* one thousand six hundred ninety-six, no Person shall be returned or summoned to serve upon any Jury at the Assizes, or General Gaol Delivery, to be holden for the said County of *York*, or at any Sessions of the Peace to be holden for any Part thereof (the City of *York*, and County of the said City, and Town and County of *Kingston* upon *Hull* excepted) above once in four Years: And to the end it may appear what Persons have been summoned, and have served as Jurors at any former Assize or Gaol Delivery to be holden for the said County of *York*, or at any Sessions of the Peace holden for any Part of the said County of *York*; every Sheriff of the said County for the time being shall prepare and keep a Book or Register, wherein the Names of all such Persons who have served as Jurors, with their Additions and Places of Abode, and the Times and Places of such their Services, shall be alphabetically entred and registred, which Books and Registers shall from time to time be delivered over to the succeeding Sheriff of the said County, within ten Days after he shall be sworn into his Office; and every Juror who shall be summoned, and shall serve at any the said Assizes, General Gaol Delivery, or Sessions aforesaid, shall and may, at the End of every such Assize and General Gaol Delivery, or Sessions aforesaid, repair to the Sheriff, or Under Sheriff of the said County for the time being, to have his and their Names entred in the said Book or Register kept for the Purpose aforesaid, of which he shall have a Certificate upon his immediate Request *gratis*, from the Sheriff, or Under Sheriff for the time being, testifying such his Attendance and Service done.

One Panel of 48 Freeholders, &c. Ten Panels of 24 Jurors, &c. Not above 40 Persons to be returned on the Grand Inquest at the Quarter-Sessions for the County of York.

'VIII. And whereas two several Panels of Jurors have been usually returned to serve on the Grand Inquest; and that many more Panels have been sometimes returned for Trials in Civil Causes, at the Assizes held for the said County of *York*; which was found to be more than necessary, and burthensome to the Persons there qualified for the said Service;' Be it further enacted by the Authority aforesaid, That from henceforth any one Panel consisting of forty-eight Freeholders and Copyholders, and no more (each Person having fourscore Pounds Land *per Annum*) shall be returned to serve on the Grand Inquest, and no more than ten Panels, consisting of twenty-four Jurors in each Panel, shall be returned to serve upon Trials in Civil Causes, at any Assizes to be holden for the said County of *York* (except only where special Juries are directed to be returned by Rule of Court) and that at no one Quarter-Sessions of the Peace, to be holden for the said County, or within any of the Ridings within the same, or in any Place where such Sessions of the Peace shall be holden by Adjournment, or otherwise, within the same County, shall be returned above the Number of forty Persons, to serve either upon the Grand Inquest, or other Service there; any Law or Usage to the contrary notwithstanding.

Inhabitants of Westminster exempted from ser-

'IX. And whereas the Inhabitants of the City and Liberty of *Westminster* serve in all Juries in the Courts of *King's Bench*, *Common Pleas*, and *Exchequer*, and likewise at the Sessions of the Peace which (by virtue of His Majesty's Commission) is quarterly held for the said City and Liberty;' Be it further enacted

enacted by the Authority aforeſaid, That from henceforth the ſaid Inhabitants of the City and Liberty of *Weſtminſter* ſhall be, and are hereby exempted from ſerving in any Jury at the Seſſions, before the Juſtices of the Peace for the County of *Middleſex*.

Serving on Juries for the County of Middleſex.

'X. And whereas by an Act made in the fourth and fifth Years of the Reign of King WILLIAM and 'Queen MARY, intituled, *An Act for reviving, continuing, and explaining ſeveral Laws therein mentioned, 'which are expired and near expiring*, amongſt other Things, there were ſeveral good Clauſes and Provi- 'ſions made and enacted, for returning able and ſufficient Jurors for Trials of Iſſues joined in any of the 'Courts of *King's Bench*, *Common Pleas*, or *Exchequer*, or before Juſtices of Aſſize, or *Niſi prius*, *Oyer* 'and *Terminer*, Gaol Delivery, or General Quarter-Seſſions of the Peace; which Act, as to ſo much 'thereof as did relate to the returning of Jurors, was to be in Force for the Space of three Years, from 'the firſt Day of *May* one thouſand ſix hundred ninety-three, and from thence to the End of the next 'Seſſion of Parliament, which by Experience hath been found beneficial and uſeful;' Be it enacted by the Authority aforeſaid, That the ſaid Act, as to ſo much thereof as doth relate to the returning of Jurors, ſhall be and is hereby continued, and ſhall be in Force, together with this Act, for the Space of ſeven Years, from the firſt Day of *May* one thouſand ſix hundred ninety-ſix, and from thence to the End of the next Seſſion of Parliament, and no longer.

4 & 5 W. & M. c. 24. 'Made perpetual by 3 Geo. 2. c. 25. and 6 Geo. 2. c. 37.

as to the returning able Jurors, continued for 7 Years.

XI. Provided always, and be it enacted by the Authority aforeſaid, That this Act, or the ſaid Act, or any thing therein contained, ſhall not extend to give or require any longer Time for the ſummoning of any Juries that are to try any Iſſues joined in any of the ſaid Courts, that are triable by Jurors of the City of *London*, or County of *Middleſex*, than was by Law required before the making of the ſaid Act; nor ſhall extend or be conſtrued to give any longer Time, or other Day, for the Return of any Writ, Precept, or Proceſs of *Venire facias*, *Habeas Corpora*, or *Diſtringas*, for the ſummoning, attaching, or diſtreining of any Jury to appear, than was by Law required before the making the ſaid Act; but that where there ſhall not be ſix Days between the awarding of ſuch Writ, Precept, or Proceſs, and Return thereof, every Juror may be ſummoned, attached, or diſtreined to appear, at the Day and Time therein mentioned or appointed, as he might have been before the making of the ſaid Act; any thing herein or therein contained to the contrary in any wiſe notwithſtanding.

Neither of the Acts to give longer Time for ſummoning Juries, than by Law required, nor for Return of Writs, &c. Juror to appear at the Time appointed, &c.

XII. Provided, That this Act, or any thing therein contained, ſhall not extend to the City of *London*, nor to any other County of any City or Town within this Realm, nor to any Town Corporate that have Power by Charter to hold Seſſions of Gaol Delivery, or Seſſions of the Peace for ſuch Town.

This Act not to extend to London, &c.

*See* 4 *Geo.* 2. *c.* 7. 6 *Geo.* 2. *c.* 37. 24 *Geo.* 2. *c.* 18. *and* 29 *Geo.* 2. *c.* 19.

## CAP. XXXIII.

### An Act for the better Encouragement of the *Greenland* Trade.

'WHEREAS by an Act made in the fourth and fifth Years of the Reign of His Majeſty King 'WILLIAM and the late Queen MARY, intituled, *An Act for the regaining, encouraging, and ſettling 'the* Greenland *Trade*, it is thereby (amongſt other Things) enacted, That a Joint Stock of forty thouſand 'Pounds, at leaſt, ſhould be raiſed by Subſcriptions by the ſeveral Perſons in the ſaid Act named, and 'ſhould be paid at ſuch Times, and in ſuch Manner, as ſhould be directed and appointed by the Governor 'or Deputy Governors, and Court of Committees of the Company by the ſaid Act eſtabliſhed for the 'time being, ſo as the whole Sum to be ſubſcribed be paid within four Years; and that the ſaid Com- 'pany ſhould pay no further or other Cuſtom for the Oil, Blubber or Fins, caught and imported in their 'Ships or Veſſels, than if they had been navigated with three fourths of the Mariners *Engliſh*: And where- 'as the ſeveral Perſons in the ſaid Act named did ſubſcribe to the ſaid Joint Stock the Sum of eighty-two 'thouſand Pounds, but by Reaſon of the preſent War with *France*, and the Scarcity of Seamen, the ſaid 'Company cannot at preſent employ all the ſaid Money ſubſcribed to the ſaid Joint Stock in the ſaid 'Trade: And whereas ſome Doubt or Scruple hath been made, whether the Oil, Blubber and Fins, taken 'and imported in and by the Ships of the ſaid Company, ought not to pay ſome Duty or Cuſtom to His 'Majeſty:' May it pleaſe your Majeſty that it may be enacted, *&c.*

4 & 5 W. & M. c. 17. EXP.

*Farther Encouragements to the Greenland Trade*, 10 & 11 *W.* 3. *c.* 25. *ſect.* 17. 1 *Ann. ſtat.* 1.

"Remainder of the Joint Stock to be paid as the Governor, *&c.* ſhall appoint. The whole to be paid "before 25 *March* 1703. Company not to pay Cuſtom for Oil, *&c.* imported into *England*."

*c.* 16. 10 *Geo.* 1. *c.* 16. 12 *Geo.* 1. *c.* 26. *ſect.* 7. 5 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 33. 13 *Geo.* 2. *c.* 28. *ſect.* 5. 22 *Geo.* 2. *c.* 45. 28 *Geo.* 2. *c.* 20.

## CAP. XXXIV.

### An Act that the ſolemn Affirmation and Declaration of the People called *Quakers*, ſhall be accepted inſtead of an Oath in the uſual Form.

'WHEREAS divers Diſſenters, commonly called *Quakers*, refuſing to take an Oath in Courts of 'Juſtice and other Places, are frequently impriſoned, and their Eſtates ſequeſtred, by Proceſs of 'Contempt iſſuing out of ſuch Courts, to the Ruin of themſelves and Families:' For Remedy thereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fourth Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſix, every *Quaker* within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, who ſhall be required upon any lawful Occaſion to take an Oath, in any Caſe where

13 & 14 *Car.* 2. *c.* 1. 1 *W. & M. c.* 18.

Quakers inſtead of an Oath to make the following Affirmation.

by Law an Oath is required, ſhall, inſtead of the uſual Form, be permitted to make his or her Solemn Affirmation or Declaration in theſe Words following, *viz.*

Carthew 448.

8 Geo. 1. c. 6.

'I *A. B.* do declare, in the Preſence of Almighty God, the Witneſs of the Truth of what I ſay.'

which is to be of the ſame Force in Law as an Oath.

II. Which ſaid ſolemn Affirmation or Declaration ſhall be adjudged and taken, and is hereby enacted and declared to be, of the ſame Force and Effect, to all Intents and Purpoſes, in all Courts of Juſtice and other Places where by Law an Oath is required within this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, as if ſuch Quaker had taken an Oath in the uſual Form.

Penalty on falſe Affirmation.

III. And be it further enacted by the Authority aforeſaid, That if any Quaker, making ſuch ſolemn Affirmation or Declaration, ſhall be lawfully convicted, wilfully, falſly, and corruptly to have affirmed or declared any Matter or Thing, which, if the ſame had been in the uſual Form, would have amounted to wilful and corrupt Perjury; every ſuch Quaker ſo offending ſhall incur the ſame Penalties and Forfeitures, as by the Laws and Statutes of this Realm are enacted againſt Perſons convicted of wilful and corrupt Perjury.

If Quakers refuſe to pay Tithes, &c. Juſtices, on ſtating what is due, may compel them thereto, if the Sum be under 10 l.

'IV. And whereas, by reaſon of a pretended Scruple of Conſcience, Quakers do refuſe to pay Tithes 'and Church Rates;' Be it enacted by the Authority aforeſaid, That where any Quaker ſhall refuſe to pay or compound for his great or ſmall Tithes, or to pay any Church Rates, it ſhall and may be lawful to and for the two next Juſtices of Peace of the ſame County (other than ſuch Juſtice of the Peace as is Patron of the Church or Chapel, whence the ſaid Tithes do or ſhall ariſe, or any ways intereſted in the ſaid Tithes) upon the Complaint of any Parſon, Vicar, Farmer, or Proprietor of Tithes, Churchwarden or Churchwardens, who ought to have, receive, or collect the ſame, by Warrant under their Hands and Seals, to convene before them ſuch Quaker or Quakers neglecting or refuſing to pay or compound for the ſame, and to examine upon Oath (which Oath the ſaid Juſtices are hereby impowered to adminiſter) or in ſuch Manner as by this Act is provided, the Truth and Juſtice of the ſaid Complaint, and to aſcertain and ſtate what is due and payable by ſuch Quaker or Quakers to the Party or Parties complaining, and by Order under their Hands and Seals to direct and appoint the Payment thereof, ſo as the Sum ordered, as aforeſaid, do not exceed ten Pounds; and upon Refuſal by ſuch Quaker or Quakers to pay according to ſuch Order, it ſhall and may be lawful to and for any one of the ſaid Juſtices, by Warrant under his Hand and Seal, to levy the Money thereby ordered to be paid, by Diſtreſs and Sale of the Goods of ſuch Offender, his Executors or Adminiſtrators, rendring only the Overplus to him, her, or them, neceſſary Charges of diſtraining being thereout firſt deducted and allowed by the ſaid Juſtice; and any Perſon finding him, her, or themſelves aggrieved by any Judgment given by ſuch two Juſtices of the Peace, ſhall and may appeal to the next General Quarter-Seſſions to be held for the County, Riding, City, Liberty, or Town Corporate; and the Juſtices of the Peace there preſent, or the major Part of them, ſhall proceed finally to hear and determine the Matter, and to reverſe the ſaid Judgment, if they ſhall ſee Cauſe; and if the Juſtices then preſent, or the major Part of them, ſhall find cauſe to continue the Judgment given by the firſt two Juſtices of the Peace, they ſhall then decree the ſame by Order of Seſſions, and ſhall alſo proceed to give ſuch Coſts againſt the Appellant, to be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Appellant, as to them ſhall ſeem juſt and reaſonable; and no Proceedings or Judgment had or to be had by virtue of this Act ſhall be removed or ſuperſeded by any Writ of *Certiorari* or other Writ out of His Majeſty's Courts at *Weſtminſter*, or any other Court whatſoever, unleſs the Title of ſuch Tithes ſhall be in Queſtion.

Perſons aggrieved may appeal to the Quarter-Seſſions, who are finally to determine.

If Judgment be confirmed, to give Coſts.

No Judgment to be ſuperſeded by Certiorari.

No Diſtreſs till Appeal be determined.

V. Provided always, That in caſe any ſuch Appeal be made as aforeſaid, no Warrant of Diſtreſs ſhall be granted until after ſuch Appeal be determined.

Quakers not to be Evidence in criminal Cauſes, &c.

VI. Provided, and be it enacted, That no Quaker or reputed Quaker ſhall by virtue of this Act be qualified or permitted to give Evidence in any criminal Cauſes, or ſerve on any Juries, or bear any Office or Place of Profit in the Government; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

This Act was made perpetual by 1 Geo. 1. ſtat. 2. c. 6.

VII. Provided, That this Act ſhall continue in Force for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament, and no longer.

but is altered by 1 Geo. 1. ſtat. 2. c. 13. §. 4. and 8 Geo. 1. c. 6. *Farther Proviſions concerning Quakers*, 12 *Geo.* 2. *c.* 13. 22 *Geo.* 2. *c.* 46.

## CAP. XXXV.

### An Act for the enforcing the Laws which reſtrain Marriages without Licence or Banns, and for the better regiſtring Marriages, Births, and Burials.

5 & 6 W. & M. c. 21.

'WHEREAS by an Act of Parliament made in the fifth and ſixth Years of the Reign of His Ma'jeſty King WILLIAM, and the late Queen MARY of Bleſſed Memory, intituled, *An Act for 'granting to their Majeſties ſeveral Duties upon Vellum, Parchment, and Paper, for four Years, towards carrying on the War againſt* France, it is amongſt other Things enacted, That a Duty or Impoſition of five 'Shillings ſhall be rated, levied, collected and paid, for every Piece of Paper or Parchment, upon which 'any Licence or Certificate of Marriage ſhould be written or ingroſſed: And whereas by a Clauſe in an-

6 & 7 W. 3. c. 6. §. 52.

'other Act of Parliament made in the ſixth and ſeventh Years of His Majeſty's Reign, intituled, *An Act 'for granting to His Majeſty certain Rates and Duties upon Marriages, Births, and Burials, and upon Batche'lors and Widowers, for the Term of five Years, for carrying on the War againſt* France *with Vigour*, it is 'amongſt other Things enacted and provided, That no Perſon ſhall be married at any Place pretended to 'be exempted from the Viſitation of the Biſhop of the Dioceſe, without a Licence firſt had and obtained, 'except the Banns ſhall be publiſhed and certified according to Law; and that every Parſon, Vicar, and

'Curate,

Curate, who ſhall marry any Perſons contrary to the true Intent and Meaning thereof, ſhall forfeit the Sum of one hundred Pounds: Which Clauſe was ſo enacted and provided for the better aſcertaining, levying, and collecting the aforeſaid Duty of five Shillings upon every Licence or Certificate of Marriage, but by Experience is found ineffectual for the ſame, in regard the ſaid Penalty of one hundred Pounds is not extended to every Offence of the ſame Parſon, Vicar, or Curate, ſo offending as aforeſaid: And whereas the Force and Intent of the ſaid Clauſe is otherwiſe eluded and made of none Effect, by ſeveral Parſons, Vicars, and Curates, who, to avoid the ſaid Penalty of one hundred Pounds, do ſubſtitute and employ, and knowingly and wittingly ſuffer and permit, divers other Miniſters to marry great Numbers of Perſons in their reſpective Churches and Chapels, without Publication of Banns, or Licences of Marriage firſt had and obtained; many of which Miniſters ſo ſubſtituted, employed, permitted, and ſuffered to marry, as aforeſaid, have no Benefices or ſettled Habitations, and are poor and indigent, and cannot eaſily be diſcovered and convicted of the Offences aforeſaid: And whereas divers Miniſters, being in Priſon for Debt and otherwiſe, do marry in the ſaid Priſons, many Perſons reſorting thither for the Purpoſes aforeſaid, and in other Places for Lucre and Gain to themſelves; by all which Means the Duties and Impoſitions upon Licences of Marriage, as aforeſaid, are greatly diminiſhed and ſubſtracted, and many other great Inconveniences do ariſe:' For the remedying and preventing whereof,

II. Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That from and after the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred ninety and ſix, every Parſon, Vicar, or Curate, who ſhall marry any Perſons in any Church or Chapel, exempt or not exempt, or in any other Place whatever, without Publication of the Banns of Matrimony between the reſpective Perſons according to Law, or without Licences for the ſaid Marriages firſt had and obtained, ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds. Penalty on Parſons marrying without Banns or Licence,

III. And for the more effectual preventing the Abuſes aforeſaid, be it further enacted by the Authority aforeſaid, That every Parſon, Vicar, or Curate, who ſhall ſubſtitute or employ, or knowingly and wittingly ſhall ſuffer and permit, any other Miniſter to marry any Perſons in any Church or Chapel to ſuch Parſon, Vicar, or Curate belonging or appertaining, without Publication of Banns or Licences of Marriage firſt had and obtained, ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds; the aforeſaid reſpective Forfeitures to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, wherein no Eſſoin, Wager, or Protection of Law, or any more than one Imparlance, ſhall be allowed; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall inform or ſue for the ſame. and for permitting others ſo to do.

IV. And for the better aſcertaining, levying, and collecting, the ſaid Duties on Marriages and Licences, as aforeſaid; Be it further enacted by the Authority aforeſaid, That from and after the four and twentieth Day of *June* in the Year of our Lord one thouſand ſix hundred ninety and ſix, every Man ſo married without Licence or Publication of Banns, as aforeſaid, ſhall forfeit the Sum of ten Pounds, to be recovered, together with Coſts of Suit, in Manner as aforeſaid, by any Perſon who ſhall inform or ſue for the ſame; and likewiſe that every Sexton, or Pariſh Clerk, or other Perſon acting as Sexton or Pariſh Clerk, who ſhall knowingly and wittingly aid, promote, and aſſiſt, at ſuch Marriages ſo celebrated without Banns or Licences, as aforeſaid, ſhall forfeit the Sum of five Pounds, to be recovered with Coſts of Suit in Manner as aforeſaid by any Perſon who ſhall inform or ſue for the ſame. Penalty on thoſe married without Licence, or Banns; and on Pariſh Clerks aſſiſting at ſuch Marriages. *See* 26 *Geo.* 2. *c.* 33. *for making clandeſtine Marriages void.*

'V. And whereas divers Children who are born within this Kingdom are not chriſtned according to 'the Rites and Ceremonies of the Church of *England*, and many are chriſtned in private Houſes, nor are 'the Parents of ſuch Children obliged by the aforeſaid Act to give Notice to their reſpective Miniſters, of 'the Births of ſuch Children; for want whereof an exact Regiſter of all Perſons born is not kept, and 'many Perſons chargeable with the Duties in the ſaid Act mentioned do thereby eſcape the Payment of 'the ſeveral Sums due to His Majeſty, and charged upon them by the ſaid Act, by reaſon of the Births of 'ſuch Children:' For Remedy whereof be it enacted by the Authority aforeſaid, That from and after the four and twentieth Day of *June*, which ſhall be in the Year one thouſand ſix hundred ninety and ſix, the Parents of every Child, which ſhall at any Time be born after the ſaid Day and Year, and during the Continuance of the ſaid Acts, or one of them, ſhall within five Days after ſuch Birth give Notice to the reſpective Rector, Vicar, Curate, or Clerk of the Pariſh or Place where ſuch Child was born, of the Day of the Birth of every ſuch Child: And in caſe any Parent ſhall neglect to give ſuch Notice as aforeſaid, he or ſhe ſhall forfeit the Sum of forty Shillings, one Moiety thereof to the King's Majeſty, and the other Moiety to the Informer; the which ſaid Rector, Vicar, Curate, or Clerk of the Pariſh, or their Subſtitutes, are hereby required, during the Continuance of the ſaid Act, to take an exact and true Account, and keep a diſtinct Regiſter of all and every Perſon or Perſons ſo born in his or their reſpective Pariſhes or Precincts, and not chriſtned; for doing which the Parents of ſuch Child, or one of them, ſhall pay to every ſuch Parſon, Rector, Vicar, Curate, or Clerk of the Pariſh, the Sum of Six Pence; and if any ſuch Rector, Vicar, Curate, Parſon, or Miniſter, ſhall refuſe or neglect to keep a true Regiſter thereof, as before is directed, ſuch Parſon or other Miniſter, ſo offending, ſhall forfeit the Sum of forty Shillings, to be recovered by ſuch Perſons, and in ſuch Manner, as in the ſaid recited Act the Forfeitures therein mentioned are appointed to be recovered; any thing in the ſaid Law contained to the contrary notwithſtanding. Penalty on Parſons not giving Notice in 5 Days after the Birth of a Child. Diſtinct Regiſters to be kept of Children not chriſtned, and Parents to pay 6 d. for regiſtring. Penalty on Parſons not keeping ſuch Regiſter.

" Commiſſioners to adminiſter Oaths to the Collectors. Parſons to produce twice a Year, to the Com- " miſſioners, ſuch Licences, Certificates, and Regiſters. 4 Annæ, c. 12. §. 10. indemnifies Omiſſions in " this Caſe. Parſons to give Notice, within ten Days, of Perſons buried in their Pariſhes. EXP.

## CAP. XXXVI.

### An Act for continuing ſeveral Acts of Parliament therein mentioned.

'WHEREAS divers temporary Laws, which by Experience have been found uſeful and beneficial, 'are near expiring:' Therefore, for continuing the ſame, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the twentieth Year of the Reign of King CHARLES the Second, intituled, *An Act for giving Liberty to buy and export Leather and Skins tanned and dreſſed*, which Act was revived by an Act made in the firſt Year of the Reign of the late King JAMES; which Acts were revived and continued by an Act made in the firſt Year of the Reign of King WILLIAM and the late Queen MARY, intituled, *An Act for reviving two former Acts for exporting of Leather*, for the Space of ſeven Years, from the End of that Seſſions of Parliament, and from thence to the End of the firſt Seſſion of Parliament then next enſuing, ſhall be, and are hereby continued, and ſhall be in Force, during the Space of ſeven Years, from the five and twentieth Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-ſix, and from thence to the End of the firſt Seſſion of Parliament then next enſuing, and no longer. EXP.

20 Car. 2. c. 5. 1 Jac. 2. c. 13. 1 W. & M. ſt. 1. c. 23. for exporting Leather, continued for 7 Years.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the ſixteenth and ſeventeenth Years of the Reign of King CHARLES the Second, intituled, *An Act for regulating the Meaſures and Prices of Coals*, which Act was revived and continued by an Act made in the ſecond Year of the Reign of King WILLIAM and the late Queen MARY, intituled, *An Act for reviving a former Act for regulating the Meaſures and Prices of Coals*, from the firſt Day of *December* one thouſand ſix hundred and ninety, for the Space of ſeven Years, and from thence to the End of the firſt Seſſion of Parliament then next following, ſhall be and are by virtue of this Act continued, and ſhall be in Force, and be made perpetual.

16 & 17 Car. 2. c. 2. 2 W. & M. ſtat. 2. c. 7. for regulating the Meaſures and Prices of Coals, made perpetual.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the Seſſion of Parliament held in the fourth and fifth Years of the Reign of King WILLIAM and the late Queen MARY, intituled, *An Act for the better Diſcovery of Judgments in the Courts of* King's Bench, Common Pleas, *and* Exchequer *at* Weſtminſter, which Act was continued by an Act made in the ſixth and ſeventh Years of the ſaid King, and late Queen, intituled, *An Act for continuing ſeveral Laws therein mentioned* for one Year, from the twenty-fifth Day of *March* one thouſand ſix hundred ninety-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be and are by virtue of this Act continued, and ſhall be in Force, and be made perpetual.

4 & 5 W. & M. c. 20. 6 & 7 W. & M. c. 14. for the better Diſcovery of Judgments in the Courts of King's Bench, &c. made perpetual.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the fourth and fifth Years of the Reign of King WILLIAM and the late Queen MARY, intituled, *An Act for regulating Proceedings in the Crown Office of the Court of* King's Bench *at* Weſtminſter, which was to continue and be in Force for three Years from the twenty-fifth Day of *March* one thouſand ſix hundred ninety-three, and from thence to the End of the then next Seſſion of Parliament, ſhall be and is hereby continued, and ſhall be in Force, and be made perpetual.

4 & 5 W. & M. c. 22. for regulating Proceedings in the Crown Office, made perpetual.

## CAP. XXXVII.

### An Act for the Encouragement of charitable Gifts and Diſpoſitions.

'WHEREAS it would be a great Hindrance to Learning, and other good and charitable Works, if 'Perſons well inclined may not be permitted to found Colleges or Schools for Encouragement of 'Learning, or to augment the Revenues of Colleges or Schools already founded, by granting Lands, Tenements, Rents or other Hereditaments to ſuch Colleges or Schools, or to grant Lands or other Hereditaments to other Bodies Politick or incorporated now in being, or hereafter to be incorporated, for 'other good and public Uſes;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King, our moſt Gracious Sovereign Lord, and for His Heirs and Succeſſors, when and as often, and in ſuch Caſes as His Majeſty, His Heirs or Succeſſors ſhall think fit, to grant to any Perſon or Perſons, Bodies Politick or Corporate, their Heirs and Succeſſors, Licence to alien in Mortmain, and alſo to purchaſe, acquire, take, and hold in Mortmain, in Perpetuity or otherwiſe, any Lands, Tenements, Rents or Hereditaments whatſoever, of whomſoever the ſame ſhall be holden.

9 Geo. 2. c. 36. 9 H. 3. c. 36. The King may grant Licences to alien, or purchaſe in Mortmain.

II. And it is hereby declared, That Lands, Tenements, Rents or Hereditaments, ſo aliened, or acquired and licenced, ſhall not be ſubject to any Forfeiture, for or by Reaſon of ſuch Alienation or Acquiſition.

Lands ſo aliened not ſubject to Forfeiture.

*See 9 Geo. 2. c. 36. reſtraining Gifts in Mortmain by Will.*

## CAP. XXXVIII.

### An Act to take away the Cuſtom of *Wales*, which hinders Perſons from diſpoſing their Perſonal Eſtates by their Wills.

'WHEREAS in ſeveral Counties and Places within the Principality of *Wales*, and Marches 'thereof, the Widows and younger Children of Perſons dying Inhabitants therein, have often 'claimed, and pretended to be intitled to a Part of the Goods and Chattels of their late Huſbands or Fa- 'thers, called her and their reaſonable Part, by Virtue or Colour of a Cuſtom or other Uſage within the 'ſaid

*Stat. Walliæ, 12 Ed. 1. 27 H. 8. c. 26. 34 & 35 H. 8. c. 26. 1 Ed. 6.*

'said Principality and Marches thereof, notwithstanding any Disposition of the same by their Husbands and 'Fathers last Wills and Testaments, or by Deed in their Lives Time, and notwithstanding a competent 'Jointure, according to the Agreement made for the Livelihood of the said Widows by their Husbands, 'which have often occasioned great Troubles, Disputes, and Expences, about and concerning such Cus- 'tom and Usage, whereby many Persons have been and are disabled from making sufficient Provision for 'their Families, younger Children, and Relations, and great Disputes, Troubles, and Expences, have 'often happened concerning the same, to the great Damage or Ruin of many:' For Remedy whereof, and for preventing all Questions, Doubts and Difficulties for the future touching the said Custom and Usage; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand six hundred ninety-six, it shall and may be lawful for any Person or Persons, inhabiting or residing, or who shall have any Goods or Chattels within the Principality of *Wales*, or Marches thereof, by their last Wills and Testaments to give, bequeath, and dispose of, all and singular their Goods, Chattels, Debts and other Personal Estate, to their Executor or Executors, or to such other Person or Persons as the said Testator or Testators shall think fit, in as large and ample Manner as by the Laws and Statutes of this Realm any Person or Persons may give and dispose of the same, within any Part of the Province of *Canterbury*, or elsewhere; and that from and after the said twenty-fourth Day of *June* one thousand six hundred ninety-six, the Widows, Children, and other the Kindred of such Testator or Testators, shall be barred to claim or demand any Part of the Goods, Chattels, or other Personal Estate of such Testator or Testators, in any other Manner than as by the said last Wills and Testaments is limited and appointed; any Law, Statute, Custom or Usage to the contrary in any wise notwithstanding.

c. 10. 1 & 2 P. & M. c. 15. 5 El. c. 2 & 28. 18 El. c. 8. 27 El. c. 9. 13 Car. 2. c. 5. 1 W. & M. stat. 1. c. 27. 5 W. & M. c. 4.

Inhabitants of Wales may for the future dispose of their Goods and Chattels by Will.

Widows, &c. not to claim any Part of the Personal Estate.

II. Provided always, That nothing in this Act contained shall extend to take away any Right or Title, which any Woman now married, or younger Children now born, may have to the reasonable Part of their Husbands or Fathers Estate, by virtue or colour of the said Custom or Usage.

Not to take away the Right of Women, &c. already married.

*See farther concerning Wales,* 11 & 12 *W.* 3. *c.* 9. 8 *Geo.* 1. *c.* 25. 6 *Geo.* 2. *c.* 14. *and* 20 *Geo.* 2. *c.* 42.

## CAP. XXXIX.

### An Act for encouraging the Linen Manufacture of *Ireland*, and bringing Flax and Hemp into, and the making of Sail Cloth in this Kingdom.

'WHEREAS there are great Sums of Money and Bullion yearly exported out of this Kingdom, 'for the purchasing of Hemp, Flax and Linen, and the Productions thereof, which might in great 'Measure be prevented by being supplied from *Ireland*, if such proper Encouragement were given as might 'invite Foreign Protestants into that Kingdom to settle;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *August* one thousand six hundred ninety-six, it shall and may be lawful to and for any Native or Natives of *England* or *Ireland* to import into *England*, directly from *Ireland*, any Sorts of Hemp or Flax, and all the Production thereof, as Thread, Yarn, and Linen, of the Growth and Manufacture of *Ireland*, free from all Manner of Customs, Duties, and Impositions whatsoever, the Master or other chief Officer of the Vessel so importing the same, bringing with him or them a Certificate or Certificates from the chief Officer or Officers of the Port or Ports in *Ireland*, where such Goods shall be put on board, expressing the Marks, Number, Tale or Weight, of the Species in each Bale or Parcel mentioned in the Bill or Bills of Lading, with the Name or Names, Place or Places of Abode of the Exporter or Exporters from *Ireland*, and the Name or Names, Place or Places of Abode of such other Person or Persons that shall have sworn the Goods therein mentioned to be *bona fide* of the Growth and Manufacture of the Kingdom, without Fraud or Covin, and where and to whom in *England* consigned; and also the Master or Masters, chief Officer or Officers of the said Ship or Ships, Vessel or Vessels, on Arrival in *England*, making Oath, that the said Bales, Parcels and Goods therein contained, are the said Bales, Parcels and Goods taken on board, by virtue of the said Certificate or Certificates so to be produced; any Act, Custom or Usage heretofore to the contrary notwithstanding.

28 *H.* 8. *c.* 4. 1 *El. c.* 12.

Hemp or Flax, &c. may be imported into England from Ireland Custom free, on Certificate from the Officer of the Port in Ireland, expressing the Mark and Particulars in each Bale.

'Confirmed by 1 Annæ, stat. 2. c. 8.'

Extended to Irish Manufactures by 16 Geo. 2. c. 26.

'II. And forasmuch as the making of Sail Cloth in *England* is of great Use and Benefit to the Nation, 'and will employ many thousands of the Poor; which Manufacture is already set up in several Parts of 'this Kingdom, and brought to good Perfection;' Be it therefore enacted by the Authority aforesaid, That for the Encouragement of the further Improvement of the same, all *English* made Sail Cloth (upon due Proof upon Oath of its being made in this Kingdom) shall from and after the first Day of *August* one thousand six hundred ninety and six, be exported free from the Payment of all Custom and Duty whatever, whether the same be exported in the Piece or Boult, or in Sails ready made; any Law, Act or Statute, to the contrary in any wise notwithstanding.

English made Sail Cloth to be exported Custom free.

British Linen Cloth made of Hemp or Flax likewise may be exported Custom free by 3 Geo. 1.

c. 7. §. 39. *Farther Provisions concerning Linen,* 1 *Ann. stat.* 2. *c.* 8. 3 *Ann. c.* 8. 7 *Ann. c.* 7. 10 *Ann. c.* 19. *sect.* 66. 12 *Ann. stat.* 2. *c.* 9, 19, & 21. 1 *Geo.* 1. *c.* 36. 3 *Geo.* 1. *c.* 7 & 21. 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 27, & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. *and* 32 *Geo.* 2. *c.* 32.

# Anno Regni GULIELMI III. octavo.

'AT the Parliament begun at *Weſtminſter* the two and twentieth Day of *November*, *Anno Dom.* 1695. in the ſeventh Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by ſeveral Prorogations and Adjournments to the twentieth Day of *October* 1696, being the ſecond Seſſion of this preſent Parliament.'

## CAP. I.

### An Act for importing and coining Guineas and Half Guineas.

7 & 8 W. 3. c. 13.
18 Car. 2. c. 5.
25 Car. 2. c. 8.
1 Jac. 2. c. 7.
4 & 5 W. & M. c. 24. 6 & 7 W. 3. c. 17.
7 W. 3. c. 1.
7 & 8 W. 3. c. 19. 8 & 9 W. 3. c. 8. §. 26.
9 & 10 W. 3. c. 21. 12 & 13 W. 3. c. 11.
1 Annæ, ſtat. 1. c. 9.
4 Annæ, c. 22.
7 Annæ, c. 24.
1 Geo. 1. ſtat. 2. c. 43. 9 Geo. 1. c. 19.

'WHEREAS by an Act made in the firſt Seſſion of this preſent Parliament, intituled, *An Act for taking off the Obligation and Encouragement of coining Guineas for a certain Time therein mentioned*, it is enacted, That from the ſecond Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-five, until the firſt Day of *January* then next following, there ſhall not be any Obligation of receiving into His Majeſty's Mint or Mints, to be coined, any Gold whatſoever; nor ſhall the Officers of His Majeſty's Mints be obliged to coin any Gold within the Time aforeſaid, for any Perſon whatſoever; and that the Recompences appoined by the Statute made in the eighteenth Year of the Reign of King CHARLES the Second, and other ſubſequnt Statutes, for Encouragement of Coinage, ſhall be applied to the Uſe of the Silver Mints. And it is alſo thereby further enacted, That from and after the ſaid Second Day of *March*, until the ſaid firſt Day of *January*, it ſhall not be lawful for any Perſon or Perſons whatſoever to import Guineas or Half Guineas into this Kingdom, upon any Pretence whatſoever, upon Forfeiture of the ſaid Guineas or Half Guineas. And whereas the Reaſon of making the ſaid Act was occaſioned by the high and unuſual Price of Guineas, which might in the End be very prejudicial to the Subject: But the ſaid Price of Guineas being now reduced to or near the Standard, and ſundry Perſons being deſirous to coin Gold, and alſo to import great Quantities of Guineas and Half Guineas, which will be very beneficial to the Trade and Commerce of this Kingdom:' For the Encouragement whereof,

7 & 8 W. 3. c. 19. relating to the coining of Guineas repealed.

Exception. Guineas and Half Guineas to be freely imported.

II. Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and every Clauſe, Matter and Thing, therein contained (other than what relates to the Recompences by the ſaid Act appointed to be applied to the Silver Mints, and what concerns the Royal *African* Company) be and are hereby repealed and utterly made void, to all Intents and Purpoſes; and that all and every Perſon and Perſons may freely import into this Kingdom Guineas and Half Guineas, as they might or uſually did before the making the ſaid Act for prohibiting the ſame.

One or more Mills to be for the Coinage of Gold.

III. And be it further enacted by the Authority aforeſaid, That the Maſter and Worker and other Officers of His Majeſty's Mint in the Tower of *London*, ſhall, on or before the tenth Day of *November* one thouſand ſix hundred ninety-ſix, prepare and ſet apart one or more Mill or Mills, Preſs or Preſſes, with other Conveniencies, to be in the firſt Place employed in the Coinage of Gold, which ſhall be brought thither by any Perſon or Perſons, Native or Foreigner, to be received in, coined, and delivered out, in ſuch Manner, Courſe, and Order, as by the aforeſaid Statute made in the eighteenth Year of King CHARLES the Second is directed and appointed; ſo that the Courſe in Coinage of Gold and Silver be kept in diſtinct Accounts, and not interfere one with another, either in receiving into, or delivering out of His Majeſty's ſaid Mint, and that ſuch coining and delivering out Gold in a diſtinct Courſe, according to the Time of bringing in the ſame, although there be Silver remaining there uncoined, ſhall not be interpreted any undue Preference, to incur any Penalty in Point of Delivery of Money coined; any thing in the ſaid Statute of the eighteenth of King CHARLES the Second, or other Statute, to the contrary thereof notwithſtanding.

18 Car. 2. c. 5. Coinage of Gold and Silver to be kept in diſtinct Accounts.

## CAP. II.

### An Act for the further remedying the ill State of the Coin of the Kingdom.

EXP.

'WHEREAS great Miſchiefs and Inconveniencies have fallen upon this Kingdom, by the frequent counterfeiting, clipping, and other unlawful diminiſhing the current Coin of this Kingdom; for the remedying whereof for the future, it is thought neceſſary that all the hammered Silver Coin of this Kingdom ſhould be recoined by the Mill and Preſs, which will be leſs ſubject to thoſe pernicious and deſtructive Methods of clipping and counterfeiting; and that in the mean Time, to put a Stop to the further clipping ſuch hammered Money, the ſame ſhould not be current in Payment, otherwiſe than is hereafter mentioned, *&c.*' EXP.

'By 9 W. 3. c. 2 §. 1. no hammered Silver Coin ſhall be current.'

"Hammered Silver Money brought to the Mints before 1 *July* 1697. to be received at 5 *s.* 4 *d. per* Ounce. Hammered Coin to be taken for Taxes on Loans, *&c.* at 5 *s.* 8 *d.* an Ounce. After 1 *Decemb.* 1696. no hammered Silver Coin to be current, except by Weight. Broad hammered Money may be received before 18 *Nov.* 1696. by Tale for Taxes, *&c.* Collector, *&c.* on Oath may pay the ſame by Tale till 18 *Decemb.* 1696. Commiſſioners, *&c.* to have till 10 *Jan.* 1696. to pay the ſaid hammered Monies into the "*Exche-*

‘ *Exchequer*, and make Oath the ſame was received by Tale, *&c.* Hammered Money to be melted down, and “ coined by the Mill. New Money to be brought back into the *Exchequer*, and appropriated for Repay- “ ment of Loans, *&c.* and not divertible. Money for Taxes at 5 *s.* 8 *d.* an Ounce to be recoined at the “ next adjacent Mint, *&c.* Collectors of the Toll for making navigable the Rivers *Wye* and *Lugg*, may “ before 1 *June* 1697. receive the ſame in hammered Money at 5 *s.* 8 *d.* an Ounce, *&c.*”

## CAP. III.

An Act to explain that Part of the Act paſſed the laſt Seſſion of Parliament, for laying ſeveral Duties on Low Wines, and Spirits of the firſt Extraction, and for preventing the Frauds and Abuſes of Brewers, Diſtillers, and other Perſons chargeable with the Duties of Exciſe, which relates to the Payment of Tallies and the Intereſt thereof. All Tallies of *Pro*, &c. charged on the weekly Payments out of the Exciſe, to be ſatisfied in Courſe, without undue Preference. Intereſt to be paid every three Months. Tallies charged on the weekly Revenue of the Poſt Office, to be paid in like Manner. [Theſe Debts were taken into the *South Sea* Stock, by 9 Annæ, c. 2.] EXP. 7 & 8 W. 3. c. 30.

## CAP. IV.

An Act to attaint Sir *John Fenwick* Baronet of High Treaſon.

## CAP. V.

An Act to attaint ſuch of the Perſons concerned in the late horrid Conſpiracy to aſſaſſinate His Majeſty's Royal Perſon, who are fled from Juſtice, unleſs they render themſelves to Juſtice, and for continuing ſeveral others of the ſaid Conſpirators in Cuſtody.

‘ WHEREAS in the Months of *January* and *February* laſt, there was a horrid and deteſtable Con- EXP.
‘ ſpiracy formed and carried on by Papiſts, and other wicked and traiterous Perſons, to aſſaſſinate
‘ and deſtroy the Royal Perſon of our moſt Gracious King WILLIAM (whom God long preſerve) which
‘ Conſpiracy, had not God Almighty in his great Mercy prevented the Execution thereof, had de-
‘ prived theſe Kingdoms of the Enjoyment of their Liberties and Religion, involved them in Blood and
‘ Ruin, and ſubjected the People thereof to the Bondage and Oppreſſion of Popery and Tyranny; for
‘ which execrable and bloody Treaſon ſeveral of the Conſpirators have been apprehended, juſtly condemn-
‘ ed, and executed, and have upon their Deaths fully owned the Truth of the Accuſations againſt them,
‘ and their being engaged in the ſaid wicked Conſpiracy; and ſeveral others, herein after named, being
‘ charged upon Oath before one or more of His Majeſty's Juſtices of the Peace, of having been privy to,
‘ and engaged as principal Contrivers of, and Actors in, the ſaid intended Aſſaſſination, notwithſtanding
‘ ſeveral Proclamations iſſued againſt them, have not rendred themſelves, nor have been yet apprehended,
‘ but are fled from Juſtice: Therefore, *&c.*’

## CAP. VI.

An Act for granting an Aid to His Majeſty, as well by a Land Tax, as by ſeveral Subſidies and other Duties, payable for one Year. EXP.

## CAP. VII.

An Act for granting to His Majeſty ſeveral Duties upon Paper, Vellum, and Parchment, to encourage the bringing of Plate and hammered Money into the Mints to be coined. [See 1 Annæ, ſtat. 1. cap. 13. §. 17.] EXP.

## CAP. VIII.

An Act for encouraging the bringing in wrought Plate to be coined. Perſons bringing wrought Plate to the Mints to be coined between 1 *Jan.* 1696. and 4 *Nov.* 1697. to receive for the ſame 5 *s.* 4 *d.* an Ounce, of the Maſter, *&c.* of the Mints.

‘ IX. And whereas it may reaſonably be ſuſpected, that Part of the Silver Coins of this Realm hath been,
‘ by Perſons regarding their own private Gain more than the publick Good, molten and converted into Veſ-
‘ ſels of Silver or other manufactured Plate, which Crime hath been the more eaſily perpetrated by them, in
‘ regard the Goldſmiths or others, Workers of Plate, by the former Laws and Statutes of this Realm, are
‘ not obliged to make their Plate of Finer Silver than the Sterling or Standard ordained for the Monies of
‘ this Realm;’ Be it therefore enacted by the Authority aforeſaid, That from and after the five and twen- From 25 March
tieth Day of *March* one thouſand ſix hundred ninety-ſeven, no Goldſmith, Silverſmith, or other Perſon 1697. no Silver
whatſoever, ſhall work or make, or cauſe to be wrought or made, any Silver Veſſel, Plate, or Manufac- Plate to be of
ture of Silver, leſs in Fineneſs than that of eleven Ounces and ten Peny Weight of fine Silver in every leſs Fineneſs than
Pound *Troy*, nor put to ſale, exchange, or ſell, any Silver Veſſels, Plate, or Manufacture of Silver made 11 Ounces 10
after the ſaid five and twentieth Day of *March* (unleſs it be Silver Wire, or ſuch Things as in reſpect of peny wt. to a
their Smallneſs are not capable of receiving a Mark) until ſuch Time as ſuch Veſſel, Plate, or manufactured Pound Troy, ex-
Silver, ſhall be marked as followeth (that is to ſay) with the Worker's Mark, to be expreſſed by the two cept Silver
firſt Letters of his Surname, the Marks of the Myſtery or Craft of the Goldſmiths, which, inſtead of the Wire, &c. not
Leopard's markable.
Plate, how to be marked.

By 6 Geo. 1. c. 11. §. 11, & 41. the old and new Standard are both eſtabliſhed.

Leopard's Head and the Lion, ſhall for this Plate be the Figure of a Lion's Head eraſed, and the Figure of a Woman, commonly called *Britannia*, and a diſtinct variable Mark to be uſed by the Warden of the ſaid Myſtery, to denote the Year in which ſuch Plate is made; upon Pain that all ſuch Silver Veſſels, Plate, or other manufactured Silver, which ſhall be made, expoſed to ſale, ſold, or exchanged, contrary to this Act, or the Value thereof, ſhall be forfeited, the one Half thereof to the King, and the other Half thereof to ſuch Perſon or Perſons that will ſeize or ſue for the ſame, to be recovered by Action, Bill, Suit, or Information, in any Court of Record, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be admitted: And if any Silverſmith, Goldſmith, or other Perſon, ſhall after the ſaid five and twentieth Day of *March* make any Silver Veſſels, Plate, or manufactured Silver, contrary to this Act, and the ſame ſhall be touched, marked, or allowed for good by the Wardens or Maſters of the ſaid Myſtery, or thoſe authorized or employed by them for the eſſaying and marking of Plate, and if in the ſame there ſhall be found any Falſhood or Deceit; then the Wardens and Corporation of that Myſtery, for the time being, ſhall forfeit and pay the Value of the Plate ſo deceitfully marked, the one Half thereof to the King, and the other Half to any Perſon or Perſons that ſhall buy the ſame, and be grieved thereby, to be recovered, as aforeſaid; any thing in this or any former Act or Acts of Parliament contained, or any other Order or Proviſion heretofore made, to the contrary notwithſtanding.

Penalty on Wardens and Maſters of the Myſtery allowing Plate for good, contrary to this Act. *See* 9 & 10 *W.* 3. *c.* 28.

8 & 9 W. 3. c. 6. "Collectors may receive the Land Tax in wrought Plate at 5 *s.* 4 *d.* an Ounce, *&c.* before 1 *Jan.* 1697. "Hammered current Money at 5 *s.* 2 *d.* an Ounce, and wrought Plate, to be melted down and coined into "new Money, *&c.*"

## CAP. IX.

### An Act to reſtore the Market at *Blackwell Hall* to the Clothiers, and for regulating the Factors there.

'FORASMUCH as of late Years, by the great Increaſe of the Factors of *Blackwell Hall* in the City 'of *London*, and by the Advantages given them by the Governors of the ſaid Hall, not only in aſſign-'ing them the moſt convenient Lights, but permitting them to hire Warehouſes in the ſaid Hall to their 'own Uſes, into which they enter upon thoſe Days that are no Market Days, and carry the Clothiers 'Cloths thence, and expoſe them to ſale in a clandeſtine Manner in their own Houſes, whereby great In-'convenience and Diſcouragement hath accrued to the Clothing Trade, on which the Welfare of his Na-'tion very much depends:' For Remedy hereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſeven, the Governors of *Blackwell Hall*, and their Deputies, ſhall ſtrictly perform, obſerve, and keep, the ſet Times and Rules herein after limited and appointed for the exact Keeping and Government of the publick Market of *Blackwell Hall*, that is to ſay, The ſaid Market ſhall begin and be held on every *Thurſday*, *Friday*, and *Saturday*, from eight of the Clock in the Forenoon, until twelve a Clock in the ſame Forenoon, and from two of the Clock in the Afternoon, until five a Clock in the ſame Afternoon; and that the ſaid Hours, for the Beginning and Ending of the ſaid Markets, ſhall be known by the ringing of the Market Bell in the Hall aforeſaid, appointed for that Uſe and Purpoſe; and the ſame to be held and continued weekly throughout the whole Year, except Days of Humiliation or Thankſgiving appointed to be otherwiſe ſet apart by Act of Parliament, or publick Authority; and the Keepers of the ſaid Hall ſhall not permit or ſuffer any buying or ſelling of any Woollen Cloth at the ſaid Hall, in or upon any other Days or Hours, than upon the Market Days and Hours appointed, as aforeſaid, upon the Penalty of one hundred Pounds.

Governors of Blackwell Hall to obſerve the Rules hereby limited. When the Market is to be held. Market Bell to be rung in the Hall. No Cloth to be ſold in the Hall on other Days under a Penalty.

II. And be it further enacted by the Authority aforeſaid, That the Governors of *Blackwell Hall*, and their Deputies, ſhall ſet forth and appoint unto the Clothiers of all Counties, that ſhall bring up Cloth to ſell at the ſaid publick Market, the moſt convenient Room in the ſaid Hall for the Sale of their Cloth, and likewiſe Warehouſe Room for the lodging and ſafe keeping of any Cloth of the ſaid Clothiers unſold, the Clothiers or their Servants paying unto the Hall-keepers the ancient Duties of the ſaid Hall, and no more.

Governors to appoint Room in the Hall to ſhew Cloth, and Warehouſe Room, paying Duty.

III. And for the further Encouragement of the ſaid publick Market, Be it enacted by the Authority aforeſaid, That no Factor or any Perſon or Perſons whatſoever, other than the Owner of the Cloth, ſhall ſell, cauſe to be ſold, or expoſe to ſale, out of the ſaid Market of *Blackwell Hall*, any Cloth conſigned or directed by the Owner thereof to be brought to the ſaid Market of *Blackwell Hall*, or to any Factor there to be ſold, upon the Penalty of five Pounds for every ſuch Cloth ſo ſold.

No Factor, *nor other Perſon than* the Owner, to ſell Cloth out of the Market. Penalty.

IV. And be it further enacted, That the Hall-keepers, Clerks, and Maſter-porters of the ſaid Hall, ſo far as they are hereby concerned, ſhall take Care that all the Rules and Orders appointed to be obſerved by this Act, in every Branch of it, be put in Execution; and ſhall alſo diligently and faithfully keep their Books, and weekly Regiſters, of all the Cloths bought and ſold in the ſaid Market; in which Books and Regiſters they, and every of them, as they are concerned in their reſpective Places, ſhall truly enter the Names, Surnames, and Places of Habitation of the Owner, Buyer, and Seller, of every the ſaid Cloths, together with the Time of the Sale thereof, and likewiſe of the Factor, or any other Perſon (other than the Owner) buying or ſelling the ſame, to the end Clothiers and others concerned may be ſatisfied how their Cloths are diſpoſed of from time to time, to which ſaid Books it ſhall be lawful for the ſaid Clothiers, their Agents and Servants, at all convenient Times to have Recourſe without any Fee, Gratuity, or Reward to be paid for the ſame; and if any Hall-keeper, Clerk, or Maſter-porter, ſhall neglect to perform his Duty herein, he ſhall for every ſuch Offence forfeit the Sum of ten Pounds: And in caſe any Perſon or Perſons, from and after the ſaid firſt Day of *May*, ſhall buy any Cloth of any Factor or Factors, or other

Hall keepers, to obſerve all Rules and Orders, and keep a weekly Regiſter, &c. Owners and Buyers Names, &c. to be entred, with the Time of Sale. Penalty on Hall-keeper, &c. neglecting his Duty. Penalty on Perſons ſelling Cloth without

Perſon or Perſons, except of the Owner of ſuch Cloth, otherwiſe than for ready Money; that then, and in every ſuch Caſe, the Factor or Factors, Perſon or Perſons ſelling ſuch Cloth, ſhall within twelve Days next after the Sale and Delivery of the ſame, take or demand a Note in Writing from the Perſon or Perſons buying ſuch Cloth, teſtifying under the Hand of the Buyer the Cloth ſo ſold, and the Sum of Money ſuch Cloth was ſold for, and payable by ſuch Buyer, to the Owner of ſuch Cloth, according to the Contract, and ſhall deliver on Demand ſuch Note, with Notice of ſuch Buyer's uſual Place of Abode thereon ſubſcribed, to the Owner of the Cloth ſo ſold, or to any Perſon authorized by the Owner to demand and receive the ſame, on Pain to forfeit to the Owner or Owners of ſuch Cloth, for every Neglect or Refuſal of demanding ſuch Note, or ſuch Delivery thereof, with Notice as aforeſaid, double the Value of the Cloth ſo ſold, to the Owner or Owners of ſuch Cloth; and if any Merchant, Woollen Draper, or Trader in the Woollen Manufacture, buying any Woollen Cloth upon Truſt, ſhall refuſe or neglect to give ſuch Note as aforeſaid, upon Requeſt to him for that Purpoſe to be made at any Time after eight Days next after the Sale and Delivery of the ſaid Cloth, he ſhall forfeit for every ſuch Offence the Sum of twenty Shillings for every Cloth ſo ſold, to the Owner of the ſaid Cloth; and every Piece of Cloth, not actually returned within eight Days next after the Sale and Delivery of the ſame, ſhall be and is hereby adjudged, deemed, and taken to be paſſed and approved of by the Buyer as a merchantable Cloth; and all Contracts, Promiſes and Agreements, for the allowing of any longer Time for the paſſing of any Cloth, ſhall be and are hereby declared to be void.

ready Money, and neglecting to demand a Note of the Buyer in 12 Days after Sale.

Penalty on Buyers refuſing to give ſuch Note.

Cloth not returned in 8 Days after Delivery deemed merchantable.

V. And be it further enacted by the Authority aforeſaid, That all the Forfeitures and Penalties impoſed by virtue of this Act, ſhall or may be ſued for and recovered by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record, in which no Eſſoin, Wager of Law, or Protection, and but one Imparlance ſhall be allowed; and if not otherwiſe herein before diſpoſed of, one Moiety thereof ſhall be to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other to the Informer.

Penalties, &c. how to be recovered.

VI. Provided always, and be it enacted by the Authority aforeſaid, That if the Owner of the Cloth ſhall neglect to ſue for any of the Penalties and Forfeitures he ſhall be intitled to by virtue of this Act, by the Space of ſix Months next after the Offence committed, then it ſhall and may be lawful for any other Perſon to ſue for and recover the ſame, and one Moiety thereof ſhall be to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other to the Informer.

Owners of Cloth not ſuing for Penalty in 6 Months, any other may ſue. Altered by 1 Geo. 1. ſtat. 2. c. 15. §. 13.

VII. And to prevent fraudulent Practices of Factors as to the Effects of Clothiers in their Hands, and as to the Debts due to Clothiers, contracted for by ſuch Factors; Be it further enacted by the Authority aforeſaid, That every Perſon being a known or reputed Factor for ſelling Cloth in the ſaid Market of *Blackwell Hall*, ſhall, before the four and twentieth Day of *June* one thouſand ſix hundred ninety-ſeven, if thereunto requeſted by any Clothier or Owner of Cloth, give and deliver a true and particular Account in Writing to ſuch Clothier or Owner of Cloth, of the Effects of ſuch Clothier or Owner of Cloth, which now are, or before the firſt Day of *May* one thouſand ſix hundred ninety-ſeven, ſhall be in the Hands of ſuch Factor, and the particular Cloths of ſuch Clothier or Owner of Cloth ſold by ſuch Factor, and of the particular Sums of Money due to ſuch Clothier or Owner of Cloth by any Contract of ſuch Factor, and of the reſpective Names and Places of Abode of every Perſon from whom ſuch Sums are due; and if any ſuch Factor ſhall refuſe or neglect to give and deliver ſuch Account as aforeſaid, he ſhall forfeit to the Perſon or Perſons to whom he ought to give and deliver ſuch Account ten Pounds, to be recovered and ſued for as aforeſaid.

Factors to give Account of the Effects in their Hands, of Cloth ſold, and of Money due.

Penalty.

## CAP. X.

### An Act to enable the Returns of Juries as formerly, until the firſt Day of *November* 1697.

'WHEREAS by an Act made in the firſt Seſſions of this preſent Parliament, intituled, *An Act for the Eaſe of Jurors, and better regulating of Juries*, it is amongſt other Things enacted, That all Conſtables, Tithingmen, and Headboroughs of Towns in each County, or their Deputies, or ſome or one of them, ſhall yearly at the General Quarter-Seſſions of the Peace to be holden for each County, Riding or Diviſion, or any Part thereof, in the Week after the Feaſt of Saint *Michael* the Archangel, upon the firſt Day of the ſaid Seſſions, or upon the firſt Day that the ſaid Seſſions ſhall be held by Adjournment at any other particular Diviſion or Place, return and give a true Liſt in Writing of the Names and Places of Abode of all Perſons within the reſpective Places for which they ſerve, qualified to ſerve upon ſuch Juries, with their Titles and Additions, between the Age of one and twenty Years and the Age of ſeventy Years, to the Juſtices of the Peace in open Court; which ſaid Juſtices, or any two of them at the ſaid Seſſions, in the reſpective Counties, Ridings or Diviſions, ſhall cauſe to be delivered a Duplicate of the aforeſaid returned Liſts by the Clerks of the Peace of every County or Riding, to the Sheriffs or their Deputies, on or before the firſt Day of *January* next following, and cauſe the ſaid Liſts to be fairly entred into a Book by the Clerk of the Peace, to be by him provided and kept for that Purpoſe amongſt the Records of the ſaid Court of Seſſions; and no Sheriff ſhall impanel or return any Perſon or Perſons to try any of the Iſſues joined in any of the ſaid Courts, or to be or ſerve in any Jury at the Aſſizes, Seſſions of *Oyer* and *Terminer*, Gaol Delivery, or Seſſions of the Peace, that ſhall not be named or mentioned in the ſaid Liſt: And whereas ſeveral Conſtables, not being apprized of their Duties, have neglected to make Returns of Jurors in ſuch Manner as by the ſaid Act is directed, inſomuch that there are really no Liſts or Duplicates of Perſons out of which the Jurors are to be returned or impanelled by the Sheriffs for the Trials of ſuch Iſſues as aforeſaid, ever made up, or entred into Books as the ſaid Act directs, in ſeveral Counties of this Kingdom; and the Sheriffs being as aforeſaid obliged by the ſaid Act, neither to return or impanel any Perſon or Perſons that ſhall not be named or mentioned in the ſaid Liſts, there will, in all and every the ſaid Counties where there have been ſuch total Neglects as aforeſaid (unleſs other Pro-

7 & 8 W. 3. c. 32.

'vision shall be made) be a Failure of Trials by Juries:' For Remedy whereof be it enacted, and it is hereby enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by Authority of the same, That it shall and may be lawful at any Time before the first Day of *November*, which shall be in the Year of our Lord one thousand six hundred ninety-seven, for all Sheriffs or Coroners of Counties and Places where such Lists have not been returned pursuant to the Direction of the said Act, to make Returns of Jurors in all Cases whatsoever, in the same Manner as they might have done before the making of the said Act; any thing in the said Act to the contrary notwithstanding. And to the end the said Act may be duly put in Execution from and after the Feast of Saint *Michael*, which shall be in the Year of our Lord one thousand six hundred ninety-seven, all Justices of the Peace are hereby required and commanded, at their respective Sessions of the Peace that shall be holden next before the Feast of Saint *Michael* yearly and every Year, to issue forth Precepts to the respective Constables within their respective Counties or Divisions, thereby requiring them and every of them to make such Return of Persons to serve upon Juries, as by the said Act is directed.

Before 1 Nov. 1697. Lists of Juries may be returned as formerly.

After Michaelmas Justices required to issue their Precepts yearly.

## CAP. XI.

### An Act for the better preventing frivolous and vexatious Suits.

FOR Relief of His Majesty's good Subjects against causeless and unjust Suits, and for the better enabling them to recover their just Rights; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March*, which shall be in the Year of our Lord one thousand six hundred ninety and seven, where several Persons shall be made Defendants to any Action or Plaint of Trespass, Assault, false Imprisonment, or *Ejectione firmæ*, and any one or more of them shall be upon the Trial thereof acquitted by Verdict, every Person or Persons so acquitted shall have and recover his Costs of Suit, in like Manner as if a Verdict had been given against the Plaintiff or Plaintiffs, and acquitted all the Defendants; unless the Judge, before whom such Cause shall be tried, shall immediately after the Trial thereof, in open Court, certify upon the Record under his Hand, that there was a reasonable Cause for the making such Person or Persons a Defendant or Defendants to such Action or Plaint.

*23 H. 8. c. 15.* Where several Persons are Defendants to any Action, &c. and one or more of them acquitted on Trial, to have Costs, as if all were acquitted.

'II. And forasmuch as for want of a sufficient Provision by Law for the Payment of Costs of Suit, divers 'evil disposed Persons are encouraged to bring frivolous and vexatious Actions, and others to neglect the 'due Payment of their Debts;' Be it further enacted by the Authority aforesaid, That if at any Time from and after the said five and twentieth Day of *March*, any Person or Persons shall commence or prosecute in any Court of Record, any Action, Plaint or Suit, wherein upon any Demurrer, either by Plaintiff or Defendant, Demandant or Tenant, Judgment shall be given by the Court against such Plaintiff or Demandant, or if at any Time after Judgment given for the Defendant in any such Action, Plaint or Suit, the Plaintiff or Demandant shall sue any Writ or Writs of Error to annul the said Judgment, and the said Judgment shall be afterwards affirmed to be good, or the said Writ of Error shall be discontinued, or the Plaintiff shall be nonsuit therein, the Defendant or Tenant in every such Action, Plaint, Suit or Writ of Error, shall have Judgment to recover his Costs against every such Plaintiff or Plaintiffs, Demandant or Demandants, and have Execution for the same by *Capias ad satisfaciendum*, *Fieri facias*, or *Elegit*.

Defendant on Judgment given for him, &c. to recover Costs. 1 Salk. 194. 1 *Ld Raym.* 383.

III. And be it further enacted by the Authority aforesaid, That from and after the said five and twentieth Day of *March*, in all Actions of Waste, and Actions of Debt upon the Statute for not setting forth of Tithes, wherein the single Value or Damage found by the Jury shall not exceed the Sum of twenty Nobles, and in all Suits upon any Writ or Writs of *Scire facias*, and Suits upon Prohibitions, the Plaintiff obtaining Judgment, or any Award of Execution after Plea pleaded or Demurrer joined therein, shall likewise recover his Costs of Suit; and if the Plaintiff shall become nonsuit, or suffer a Discontinuance, or a Verdict shall pass against him, the Defendant shall recover his Costs, and have Execution for the same in like Manner as aforesaid.

Plaintiff obtaining Judgment on an Action of Waste, &c. to recover Costs.

IV. And for the preventing of wilful and malicious Trespasses, be it further enacted, That in all Actions of Trespass to be commenced or prosecuted, from and after the said five and twentieth Day of *March* one thousand six hundred ninety and seven, in any of His Majesty's Courts of Record at *Westminster*, wherein at the Trial of the Cause it shall appear, and be certified by the Judge, under his Hand, upon the Back of the Record, that the Trespass upon which any Defendant shall be found Guilty, was wilful and malicious, the Plaintiff shall recover not only his Damages, but his full Costs of Suit; any former Law to the contrary notwithstanding.

If Defendant be found guilty, Plaintiff to have Costs, &c.

V. Provided always, That nothing herein contained shall be construed to alter the Laws in being as to Executors or Administrators, in such Cases where they are not at present liable to the Payment of Costs of Suit.

Law against Executors not to be altered.

VI. And be it further enacted, That in all Actions to be commenced in any Court of Record, from and after the said five and twentieth Day of *March* one thousand six hundred ninety and seven, if any Plaintiff happen to die after an interlocutory Judgment, and before a final Judgment obtained therein, the said Action shall not abate by reason thereof, if such Action might be originally prosecuted or maintained by the Executors or Administrators of such Plaintiff; and if the Defendant die after such interlocutory Judgment and before final Judgment therein obtained, the said Action shall not abate, if such Action might be originally prosecuted or maintained against the Executors or Administrators of such Defendant; and the Plaintiff, or if he be dead after such interlocutory Judgment, his Executors or Administrators, shall and may have a *Scire facias* against the Defendant, if living after such interlocutory Judgment, or if he died after,

Plaintiff or Defendant dying before final Judgment obtained, Action not to abate.

Plaintiff, &c. may have a Scire facias against Defendant.

ter, then againſt his Executors or Adminiſtrators, to ſhew Cauſe why Damages in ſuch Action ſhould not be aſſeſſed and recovered by him or them; and if ſuch Defendant, his Executors or Adminiſtrators, ſhall appear at the Return of ſuch Writ, and not ſhew or alledge any Matter ſufficient to arreſt the final Judgment, or being returned warned, or upon two Writs of *Scire facias* it be returned that the Defendant, his Executors or Adminiſtrators, had nothing whereby to be ſummoned, or could not be found in the County, ſhall make Default, that thereupon a Writ of Inquiry of Damages ſhall be awarded, which being executed and returned, Judgment final ſhall be given for the ſaid Plaintiff, his Executors or Adminiſtrators, proſecuting ſuch Writ or Writs of *Scire facias*, againſt ſuch Defendant, his Executors or Adminiſtrators reſpectively.

Mod. Caſes in Law 115, 366.

On Execution, a final Judgment to be given. 1 Salk. 352.

VII. And be it further enacted by the Authority aforeſaid, That if there be two or more Plaintiffs or Defendants, and one or more of them ſhould die, if the Cauſe of ſuch Action ſhall ſurvive to the ſurviving Plaintiff or Plaintiffs, or againſt the ſurviving Defendant or Defendants, the Writ or Action ſhall not be thereby abated; but ſuch Death being ſuggeſted upon the Record, the Action ſhall proceed at the Suit of the ſurviving Plaintiff or Plaintiffs againſt the ſurviving Defendant or Defendants.

Actions may proceed notwithſtanding the Death of one of the Parties.

VIII. And be it further enacted, That in all Actions, which from and after the ſaid five and twentieth Day of *March* one thouſand ſix hundred ninety and ſeven, ſhall be commenced or proſecuted in any of His Majeſty's Courts of Record, upon any Bond or Bonds, or on any Penal Sum, for Non-performance of any Covenants or Agreements in any Indenture, Deed, or Writing contained, the Plaintiff or Plaintiffs may aſſign as many Breaches as he or they ſhall think fit, and the Jury, upon Trial of ſuch Action or Actions, ſhall and may aſſeſs, not only ſuch Damages and Coſts of Suit as have heretofore been uſually done in ſuch Caſes, but alſo Damages for ſuch of the ſaid Breaches ſo to be aſſigned, as the Plaintiff upon the Trial of the Iſſues ſhall prove to have been broken, and that the like Judgment ſhall be entred on ſuch Verdict as heretofore hath been uſually done in ſuch like Actions; and if Judgment ſhall be given for the Plaintiff on a Demurrer, or by Confeſſion, or *Nihil dicit*, the Plaintiff upon the Roll may ſuggeſt as many Breaches of the Covenants and Agreements as he ſhall think fit, upon which ſhall iſſue a Writ to the Sheriff of that County where the Action ſhall be brought, to ſummon a Jury to appear before the Juſtices or Juſtice of Aſſize, or *Niſi prius*, of that County, to enquire of the Truth of every one of thoſe Breaches, and to aſſeſs the Damages that the Plaintiff ſhall have ſuſtained thereby; in which Writ it ſhall be commanded to the ſaid Juſtices or Juſtice of Aſſize, or *Niſi prius*, that he or they ſhall make a Return thereof to the Court from whence the ſame ſhall iſſue, at the Time in ſuch Writ mentioned; and in caſe the Defendant or Defendants, after ſuch Judgment entred, and before any Execution executed, ſhall pay unto the Court where the Action ſhall be brought, to the Uſe of the Plaintiff or Plaintiffs, or his or their Executors or Adminiſtrators, ſuch Damages ſo to be aſſeſſed by Reaſon of all or any of the Breaches of ſuch Covenants, together with the Coſts of Suit, a Stay of Execution of the ſaid Judgment ſhall be entred upon Record; or if by Reaſon of any Execution executed, the Plaintiff or Plaintiffs, or his or their Executors or Adminiſtrators, ſhall be fully paid or ſatisfied all ſuch Damages ſo to be aſſeſſed, together with his or their Coſts of Suit, and all reaſonable Charges and Expences for executing the ſaid Execution, the Body, Lands, or Goods of the Defendant, ſhall be thereupon forthwith diſcharged from the ſaid Execution, which ſhall likewiſe be entred upon Record; but notwithſtanding in each Caſe ſuch Judgment ſhall remain, continue, and be, as a further Security to anſwer to the Plaintiff or Plaintiffs, and his or their Executors or Adminiſtrators, ſuch Damages as ſhall or may be ſuſtained for further Breach of any Covenant or Covenants in the ſame Indenture, Deed, or Writing contained, upon which the Plaintiff or Plaintiffs may have a *Scire facias* upon the ſaid Judgment againſt the Defendant, or againſt his Heir, Terre-Tenants, or his Executors or Adminiſtrators, ſuggeſting other Breaches of the ſaid Covenants or Agreements, and to ſummon him or them reſpectively to ſhew cauſe why Execution ſhall not be had or awarded upon the ſaid Judgment, upon which there ſhall be the like proceeding as was in the Action of Debt upon the ſaid Bond or Obligation, for aſſeſſing of Damages upon Trial of Iſſues joined upon ſuch Breaches, or Inquiry thereof upon a Writ to be awarded in Manner as aforeſaid; and that upon Payment or Satisfaction in Manner as aforeſaid, of ſuch future Damages, Coſts, and Charges, as aforeſaid, all further Proceedings on the ſaid Judgment are again to be ſtayed, and ſo *toties quoties*, and the Defendant, his Body, Lands, or Goods, ſhall be diſcharged out of Execution, as aforeſaid.

In Actions on Bonds, &c. Plaintiff may aſſign as many Breaches as he pleaſes.

Jury may aſſeſs Damages.

Defendant paying Damages, Execution may be ſtayed,

but Judgment to remain, to anſwer any further Breach, and Plaintiff may have a Scire facias againſt the Defendant.

*In what Caſes Coſts are given. See further* 11 & 12 *W.* 3. *c.* 9. 4 *Ann. c.* 16. *and* 14 *Geo.* 2. *c.* 17.

## CAP. XII.

### An Act for continuing ſeveral additional Impoſitions upon ſeveral Goods and Merchandizes.

*Moſt Gracious Sovereign,*

WE Your Majeſty's moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament, for a further Supply of Your Majeſty's extraordinary Occaſions, and the effectual Proſecution of the War againſt *France*, and for Satisfaction of ſuch Perſons who have advanced and lent Monies into Your Majeſty's *Exchequer* for the Purpoſes aforeſaid, have cheerfully and unanimouſly given and granted unto Your Majeſty the Impoſitions and Duties herein after mentioned, for and during the Term hereafter expreſſed, and do moſt humbly beſeech Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That the ſeveral additional and other Rates, Impoſitions, Duties, and Charges, upon Goods and Merchandize imported into this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, and from thence exported, mentioned, expreſſed, and granted in and by an Act made in the fourth and fifth Years of the Reign of His preſent Majeſty and the late Queen MARY, intituled, *An Act for granting to their Majeſties certain additional Impoſitions upon*

Additional Impoſitions on Goods imported by 4 & 5 W. & M. c. 5. &c. continued from 1 March 1696. to 17 May 1697.

*upon ſeveral Goods and Merchandizes, for the proſecuting the preſent War againſt* France, ſhall be continued from the firſt Day of *March* in the Year of our Lord one thouſand ſix hundred ninety-ſix, and be raiſed, levied, collected, anſwered, and paid unto His Majeſty, His Heirs and Succeſſors, until the ſeventeenth Day of *May* in the Year of our Lord one thouſand ſix hundred ninety-ſeven; and that the ſaid Act, and all Powers, Proviſions, Penalties, Articles, and Clauſes, therein contained, ſhall continue and be of full Force and Effect, until the ſaid ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſeven, and ſhall be applied, practiſed, and executed, for raiſing, levying, collecting, anſwering, and paying the ſaid additional Duties, and other Rates and Impoſitions hereby continued, according to the Tenor and Intent of this preſent Act.

## CAP. XIII.

EXP. An Act for continuing ſeveral former Acts for puniſhing Officers and Soldiers who ſhall mutiny or deſert His Majeſty's Service, and for puniſhing falſe Muſters, and for Payment of Quarters, for one Year longer.

## CAP. XIV.

### An Act for the compleating the Building and adorning the Cathedral Church of Saint *Paul*, *London*, and for repairing the Collegiate Church of Saint *Peter*, *Weſtminſter*.

1 Jac. 2. c. 15. 'WHEREAS by an Act made in the Parliament begun at *Weſtminſter* the nineteenth Day of *May* in the Year of our Lord one thouſand ſix hundred eighty and five, and in the firſt Year of the Reign of the late King *James* the Second, intituled, *An Act for rebuilding, finiſhing, and adorning of the Cathedral Church of Saint* Paul's, London, it was enacted, That for all Sorts of Coals, which from and after the nine and twentieth Day of *September* one thouſand ſix hundred eighty and ſeven, and before the nine and twentieth Day of *September* one thouſand ſeven hundred, ſhould be imported and brought into the Port of the ſaid City of *London*, or the River of *Thames*, within the Liberty of the ſaid City upon the ſame River, there ſhould be paid by way of Impoſition thereupon, over and beſides all other Impoſitions and Duties, according to the Rates therein after mentioned (that is to ſay) For all Sorts of Coals and Culm as are uſually ſold by the Chaldron, for every Chaldron thereof, containing thirty-ſix Buſhels *Wincheſter* Meaſure, the Sum of eighteen Pence; and for ſuch Sort of Coals as are ſold by the Tun, for every Tun thereof, containing twenty hundred Weight, the like Sum of eighteen Pence; which ſaid Impoſition of eighteen Pence for every Chaldron or Tun of Coals the ſaid Act doth appoint how to be collected and paid, and in the firſt Place to be applied and diſpoſed to the rebuilding, finiſhing, and adorning the ſaid Cathedral of Saint *Paul*'s, and for the compleating parochial Churches, as by the ſaid Act more at large appears: And whereas not only the Monies hitherto received for the ſaid Duty, but ſeveral great Sums of Money advanced upon the Credit of the ſaid Act (a conſiderable Part whereof is now owing) and all other Supplies have been carefully expended and laid out about the ſaid Work, whereby the ſame is far advanced, and yet by Reaſon of the extraordinary Expence of Shipping in Time of War, and Dearneſs of Materials, the Money hitherto provided for the Works intended by the ſaid Act hath proved defective; and unleſs ſome further Proviſion be made for compleating the ſaid Works, that which is already done will be greatly damaged, if not wholly loſt; and in caſe the ſame ſhall be compleated, it will be neceſſary that ſome other Things be done, both for the Convenience and Ornament of the ſaid Cathedral Church, *&c.*'

EXP. Altered by 9 Annæ, c. 22. §. 9. "Duty laid on Coals and Culm from 29 *Sept.* 1700. to 29 *Sept.* 1716. For every Chaldron 12 *d.* Every Tun, 12 *d.* to be applied, one ſixth Part to the Repairing Saint *Peter's Weſtminſter*. 3,000 *l.* out of theſe Duties to be paid in 4 Years towards Building Saint *Thomas* Church in *Southwark*. The Stipend to the Surveyor General of the Building of Saint *Paul*'s ſhall be paid in the Proportions following; one Moiety yearly, and the other Moiety in one intire Sum, within ſix Months after finiſhing the Church."

## CAP. XV.

PR. EXP. An Act for Repairing the Highway between *Ryegate* in the County of *Surrey*, and *Crawley* in the County of *Suſſex*.

## CAP. XVI.

### An Act for enlarging Common Highways.

13 & 14 Car. 2. c. 6. 'WHEREAS an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, for enlarging Common Highways, is expired, and that the ordinary Courſe appointed by the Laws and Statutes of this Realm is not ſufficient for the enlarging of the Highways of this Kingdom;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Juſtices of the Peace of any County, City, Riding, Diviſion, Liberty, or Place, or the major Part of them, being five at the leaſt, at their Quarter-Seſſions, ſhall have Power to enlarge or widen any Highways in their reſpective Counties, Ridings, Diviſions, Liberties, or Places, ſo that the Ground to be taken into the ſaid Highways do not exceed eight Yards in Breadth, and that the ſaid Power do not extend to pull down any Houſe, or to take away the Ground of any Garden, Orchard, Court, or

Juſtices may enlarge Highways 8 Yards in Breadth. 13 *Ed.* 1. *ſtat.* 2. c. 5.

or Yard: And for the Satisfaction of the Perſons who are Owners of or may be intereſted in the ſaid Ground that ſhall be laid into the ſaid Highways, the ſaid Juſtices are hereby impowered to impanel a Jury before them, and to adminiſter an Oath to the ſaid Jury, that they will aſſeſs ſuch Damages to be given, and Recompence to be made, to the Owners and others intereſted in the ſaid Ground Rent or Charge reſpectively, for their reſpective Intereſts, as they ſhall think reaſonable, not exceeding five and twenty Years Purchaſe for Lands ſo laid out, and likewiſe ſuch Recompence as they ſhall think reaſonable, for the making of a new Ditch and Fence to that Side of the Highway that ſhall be ſo enlarged, and alſo Satisfaction to any Perſon that may be otherwiſe injured by the enlarging of the ſaid Highways; and upon Payment of the ſaid Money ſo awarded, or leaving it in the Hands of the Clerk of the Peace of the reſpective County, for the Uſe of the Owner, or of others intereſted in the ſaid Ground, the Intereſt of the ſaid Perſons in the ſaid Ground Rent or Charge ſhall be for ever diveſted out of them; and the ſaid Ground, and all other Grounds that ſhall be laid into any Highway by virtue of this Act, ſhall be eſteemed and taken to be a Publick Highway to all Intents and Purpoſes whatſoever; and the ſaid Juſtices of the Peace for any County, City, Riding, Diviſion, Liberty, or other Place, or the major Part of them, being five at the leaſt, ſhall have Power to order one or more Aſſeſſment or Aſſeſſments to be made, levied, or collected, upon all and every the Inhabitants, Owners, or Occupiers of Lands, Houſes, Tenements, or Hereditaments, in their reſpective Pariſhes or Places, that ought to repair the ſame, to ſuch Perſon and Perſons, and in ſuch Manner, as the ſaid Juſtices at ſuch Seſſions ſhall direct and appoint; and the Money thereby raiſed ſhall be employed and accounted for, according to the Order and Direction of the ſaid Juſtices, for and towards the purchaſing of the Land to enlarge the ſaid Highways, and for the making the ſaid Ditches and Fences; and the ſaid Aſſeſſment ſhall, by Order of the ſaid Juſtices, be levied by the Overſeers of the Highways, by Diſtreſs and Sale of the Goods of Perſons ſo aſſeſſed, not paying the ſame within ten Days after Demand, rendring the Overplus of the Value of the Goods ſo diſtrained to the Owner and Owners thereof; the neceſſary Charges of making and ſelling ſuch Goods being firſt deducted.

Damages to the Owners to be aſſeſſed by a Jury, *Burr, V.* 1. 536. 1 *Hawk. P. C. Cb.* 76.

not exceeding 25 Years Purchaſe.

On Payment of Money, Owner to be diveſted of his Intereſt in the Ground.

Aſſeſſments to be levied on the Inhabitants for repairing the Roads, and purchaſing Land, &c.

Overſeers of the Highways to levy the Aſſeſſments by Diſtreſs, if not paid in 10 Days.

II. Provided nevertheleſs, and be it enacted, That no ſuch Aſſeſſment or Aſſeſſments made in any one Year, for enlarging of Highways, ſhall exceed the Rate of ſix Pence in the Pound of the yearly Income of any Lands, Houſes, Tenements and Hereditaments, nor the Rate of ſix Pence in the Pound for Perſonal Eſtates.

Aſſeſſments not to exceed 6 *d.* in the Pound on Land, &c.

III. And that no Perſon may be ſurprized by the Power contained in this Act, but may have timely Notice to appear to make their Complaints to the ſaid Juſtices; Be it enacted by the Authority aforeſaid, That the Juſtices of the Peace of any County, City, Riding, Diviſion, Liberty or Place, or the major Part of them, being five at the leaſt, at their Quarter-Seſſions, at the Requeſt of any Perſon, for the putting in Execution the Powers contained in this Act for the enlarging of Highways, ſhall iſſue out their Precepts to the Owner or Owners of Ground, or others intereſted in the ſame, that are to be laid into the ſaid Highways, to appear at the next Quarter-Seſſions, or ſhew Cauſe why the ſaid Highways ſhould not be enlarged; any thing in this Act contained to the contary notwithſtanding.

Juſtices may iſſue their Precepts to Owners of Ground, &c.

IV. Provided alſo, and be it enacted by the Authority aforeſaid, That if any Order or Decree ſhall be made by the ſaid Juſtices for the laying out of Ground for the enlarging of Highways, that the Owners or Proprietors of the ſaid Ground have hereby free Liberty, within eight Months after ſuch Order, to cut down any Wood or Timber growing upon the ſaid Ground, or upon the Neglect thereof, that the ſame ſhall be ſold by Order of the ſaid Juſtices, and the Owners of ſuch Wood or Timber ſhall receive the full of what ſhall be made of ſuch Wood or Timber; the Charges of working the ſame being firſt deducted.

Eight Months allowed to cut down Timber; on Neglect Timber to be ſold, &c.

Charges deducted.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon aggrieved by the Order or Decree of the ſaid Juſtices, to appeal to the Judges of Aſſize at the next Aſſize only, to be held for the County where ſuch Decree or Order ſhall be made; and any of the ſaid Judges are hereby impowered to re-examine, affirm or reverſe the ſaid former Order and Decree, as in Judgment they ſhall think fit, and if affirmed, to award Coſts againſt ſuch Appellants for their Vexation and Delay, and to cauſe the ſame to be levied by Diſtreſs and Sale of the Appellants Goods, rendring the Overplus (if any ſuch be) to the ſaid Appellants.

Appeal to the Judges of Aſſize.

Coſts to be levied by Diſtreſs.

VI. Provided alſo, and be it enacted, That where any Common Highway at any Time hereafter ſhall be incloſed, after a Writ of *Ad quod Damnum* iſſued, and Inquiſition thereupon taken, it ſhall and may be lawful to and for any Perſon or Perſons injured or aggrieved by ſuch Incloſure, to make their Complaint thereof by Appeal to the Juſtices at the Quarter-Seſſions to be held for the ſame County next after ſuch Inquiſition taken, who are hereby authorized and impowered to hear and determine ſuch Appeal, and whoſe Determination therein ſhall be final; and if no ſuch Appeal be made, then the ſaid Inquiſition and Return, entred and recorded by the Clerk of the Peace of ſuch County at the Quarter-Seſſions, ſhall be for ever afterwards binding to all Perſons whatſoever, without any further or other Appeal; any Law or Statute to the contrary notwithſtanding.

Juſtices may determine Appeals in caſe of Inquiſitions on Writ of Ad quod Damnum.

If no Appeal, the Inquiſition to be binding.

VII. And for the better Convenience of travelling in ſuch Parts of this Kingdom which are remote from Towns, and where ſeveral Highways meet; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His Majeſty's Juſtices of the Peace, at their reſpective Special Seſſions, to be held once in four Months by virtue of an Act made in the third and fourth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the better repairing and amending the Highways, and for ſettling the Rates of Carriage of Goods*, ſo often, and in ſuch Caſes, as they ſhall think neceſſary, to direct their Precept to the Surveyors of the Highways, in any Pariſh or Place where two or more Croſs Highways meet, requiring them forthwith to cauſe to be erected or fixed, in the moſt convenient Place where ſuch Ways join, a Stone or Poſt, with an Inſcription thereon in large Letters, containing the Name of the next Market Town to which each of the ſaid joining Highways leads, who is to be reimburſed according as the ſaid Act for the repairing of Highways directs: And in caſe any Surveyor or Surveyors ſhall, by the Space

3 & 4 W. & M. c. 12.

Where croſs Highways meet, a Stone or Poſt to be erected with the Name of the next Market Town to

which each Highway leads.

Space of three Months after such Precept to him or them directed and delivered, neglect or refuse to cause such Stone or Post to be fixed as is aforesaid, every such Offender shall forfeit the Sum of ten Shillings, to be levied by Warrant under the Hand and Seal of any Justice of the Peace of the County, Riding, Division or Liberty, where such Parish or Place shall be, such Warrant to be directed to the Constable of such Parish or Place, requiring him to distrain the Goods of such Offender, and sell the same, rendring to him the Overplus (if any be) and to employ such Sum, so levied, in and towards such Stone or Post as is aforesaid; and in case any Part of the said Sum shall remain after such Stone or Post erected, then to employ such remaining Sum in amending the same Cross Highways, and not otherwise.

Penalty on Surveyors neglecting to fix such Post.

*Farther Provisions relating to Highways,* 6 *Ann. c.* 29. 9 *Ann. c.* 18. 1 *Geo.* 1. *stat.* 2. *c.* 11. 5 *Geo.* 1. *c.* 12. 14 *Geo.* 2. *c.* 42. 15 *Geo.* 2. *c.* 2. 16 *Geo.* 2. *c.* 29. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. *and* 31 *Geo.* 2. *c.* 34.

## CAP. XVII.

### An Act for paving and regulating the Hay Market in the Parishes of Saint *Martin in the Fields* and Saint *James* within the Liberty of *Westminster*.

13 & 14 Car. 2. c. 2.

'WHEREAS by an Act of Parliament made in the thirteenth and fourteenth Years of CHARLES the Second, late King of *England*, intituled, *An Act for repairing the Highways and Sewers, and paving and keeping clean the Streets, in and about the Cities of* London *and* Westminster, *and for reforming of Annoyances and Disorders in the Streets of, and Places adjacent to, the said Cities, and for the regulating and licencing of Hackney Coaches, and for the enlarging of several strait and inconvenient Streets and Passages*, it was among other Things enacted, That every Load of Hay, which from the first Day of *May* one thousand six hundred sixty and two, should be brought, and stand to be sold upon any the Ways in that Act expressed and adjudged fit to be new paved, should pay six Pence for every Load, and likewise every Cart of Straw to be sold in the said Places should, after the said Day, pay two Pence, which said Sums should be paid to the Commissioners which should be appointed for the paving and mending the Highways and Streets, or such as they should appoint, for and towards the paving of the Streets and Highways: And forasmuch as the said Act is now expired, the Owners of such Hay Carts and Straw Carts, which are daily brought into and stand in a Street commonly called the *Hay Market*, lying and being in the Parishes of Saint *Martin's in the Fields*, and Saint *James's* within the Liberty of *Westminster*, by reason whereof the Repairs of the said Street are grown a great Charge to the Parishioners there inhabiting, and cannot by Law be compelled to contribute towards the paving, repairing and amending the said Street, to the great Grievance of the said Parishioners;' May it therefore please Your most Excellent Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March*, which shall be in the Year of our Lord one thousand six hundred ninety-seven, the Owner of every Cart-load or Parcel of Hay, which shall be brought into and stand to be sold in the said Street commonly called the *Hay Market*, shall pay to such Person or Persons as shall be appointed by the Justices of the Peace of the County of *Middlesex*, and City and Liberty of *Westminster*, the Sum of three Pence, and likewise that the Owner of every Cart-load or Parcel of Straw, which shall be brought into and stand to be sold in the said Street, shall after the said Day pay the Sum of one Peny, in Ease of the Parishioners of the said Parishes, to such Person or Persons who shall be appointed from time to time, for and towards the paving, repairing, and amending the said Street called the *Hay Market*.

Owner to pay 3 d. for every Cart-load of Hay brought into the Hay Market to be sold, every Cart-load of Straw 1 d. towards paving the Hay Market.

II. And be it further enacted by the Authority aforesaid, That the Owner or Owners of any such Cart-load or Parcel of Hay or Straw, having paid the respective Sums aforesaid, and the same being then not sold, but remaining to be brought to be sold the next Market Day, such Cart load or Parcel of Hay or Straw shall not pay again the like Sum as above, the next Market Day, for standing there to be sold.

Owners of Hay or Straw not to pay again for what is not sold.

III. And be it further enacted by the Authority aforesaid, That in case any Owner or Owners of such Cart-load or Parcel of Hay or Straw shall, after the said five and twentieth Day of *March*, refuse to pay the Sum of three Pence for every such Cart-load or Parcel of Hay, and the said Sum of one Peny for every such Cart-load or Parcel of Straw, brought into, and standing in, the said Street called the *Hay Market*, as aforesaid, it shall and may be lawful, after Demand thereof made by such Person or Persons as shall be thereunto lawfully authorized, to levy the same upon the Goods and Chattels of the Offender or Offenders, by Warrant of Distress, which any Justice of the Peace of the County of *Middlesex*, or the said City and Liberty of *Westminster*, is hereby authorized to grant under his Hand and Seal, on Oath to be made before him by the Party who demanded the same, that the same is refused to be paid, and that it is not paid; which said Goods and Chattels shall and may be sold within three Days after the Distress made, and the Overplus to be returned to the Owner, the Charge of the Distress being only deducted.

Owners refusing to pay,

the same to be levied by Distress,

and Sale of Goods.

IV. And for preventing all Disputes concerning the Extent of the said Street; Be it further enacted by the Authority aforesaid, That it shall be construed to extend in Length from the old Toll Post at the upper End of the *Hay Market*, over against a House lately called *Coventry House*, to the *Phœnix* Inn at the lower End of the said *Hay Market*, and the House over against it, and in Breadth from the Channel running by the Houses on the East-side to the Channel running by the Houses on the West-side, at which Places Posts or Stones shall be set up by the Directions of the said Justices of Peace, which shall be esteemed to be the Bounds and Extent of the said Market.

Extent of the Hay Market.

2 W. & M. ff. 2. c. 8.

'V. And whereas by an Act made in the second Year of His present Majesty and the late Queen MARY, intituled, *An Act for paving and cleansing the Streets in the Cities of* London *and* Westminster, *and Suburbs and Liberties thereof, and Out-Parishes in the County of* Middlesex, *and in the Borough of* Southwark, *and*

'*other*

'*other Places within the Weekly Bills of Mortality in the County of* Surrey, *and for regulating the Markets* '*therein mentioned*, it was amongſt other Things enacted, That from and after the fifteenth Day of *De-* '*cember* one thouſand ſix hundred and ninety, no Perſon or Perſons whatſoever ſhould permit or ſuffer his '*or their Waggon, Cart, or Carr, to ſtand or be in the Place called the *Hay Market* near *Piccadilly*, in the* 'Pariſhes of Saint *Martins in the Fields* and Saint *James's* within the Liberties of *Weſtminſter*, loaden with 'Hay or Straw, to ſell the ſame, from *Michaelmas* to *Lady Day*, after two of the Clock in the Afternoon, '*and from *Lady Day* to *Michaelmas* after three of the Clock in the Afternoon, on Pain to forfeit for every* 'Offence and Neglect five Shillings reſpectively: And whereas divers Perſons uſing the ſaid Place called '*the *Hay Market*, near *Piccadilly* aforeſaid, have had ſeveral Informations againſt them for offending againſt* 'the ſaid Statute, and paid the Penalties thereof, which hath been chiefly occaſioned by the Want of con- 'venient Notice before the Times limited by the ſaid Act did determine, and ſeveral Informations on the 'ſaid Act have been given long after the ſuppoſed Offences committed, whereby the ſeveral Perſons uſing 'the ſaid *Hay Market*, by the Length of Time, have not been able to diſprove ſuch Informations, which 'hath been a great Miſchief and Diſcouragement to the Perſons uſing the ſaid *Hay Market*:' For Pre- vention of which Miſchiefs and Inconveniencies for the time to come, be it enacted by the Authority afore- ſaid, That the ſaid Perſon or Perſons, ſo to be from time to time appointed to collect the ſaid Toll, do twice on every Market Day, to wit, on *Tueſday*, *Thurſday*, and *Saturday* in every Week, ring, or cauſe to be rung, a large Hand Bell round the ſaid Place called the *Hay Market*, before any Forfeiture of five Shil- lings for the ſaid Offence ſhall be incurred, whereof the firſt Time to be an Hour before, and the laſt Time at the Expiration of the ſaid reſpective Hours in and by the ſaid recited Act appointed for all Perſons uſing the ſaid Market, as aforeſaid, to leave the ſame; on every Default or Defaults of ringing ſuch Bell twice, as aforeſaid, no Perſon or Perſons whatſoever uſing the ſaid *Hay Market* for the ſaid Purpoſes, the next immediate uſual Market Day or Days after every ſuch Default or Defaults, ſhall be liable to to pay any Toll for any Waggon, Cart, or Carr ſtanding or that ſhall ſtand in the ſaid *Hay Market* to ſell Hay or Straw; and the ſaid Market is hereby in that Caſe, and on ſuch Day or Days, as aforeſaid, declared to be Toll-free.

A Bell to be rung twice every Market Day.

On Default of ringing the Bell, the Market for that Time to be Toll-free.

VI. And be it further enacted by the Authority aforeſaid, That all and every Forfeiture or Forfeitures for any Offence or Offences at any Time or Times hereafter to be incurred, for ſtaying or continuing longer in the ſaid Market, called the *Hay Market*, than is in and by the ſaid recited Act appointed, ſhall be demanded in the ſaid Market Place, by the Perſon ringing the ſaid Bell, the ſame Day on which ſuch Offence or Offences ſhall or may happen to be committed, and Complaint ſhall be made of every ſuch Offence, to ſome one Juſtice of the *Quorum* within the ſaid County, or City and Liberty of *Weſtminſter*, before the next immediate ſucceeding Market Day, of which Complaint Notice ſhall be given to the Party offending, the next Time he comes to the ſaid Market, or elſe no Perſon or Perſons uſing the ſaid *Hay Market* ſhall be liable to or chargeable with any Forfeiture or Forfeitures, for ſtaying longer in the ſaid Market for the Purpoſes aforeſaid, than in and by the ſaid recited Act is limited and appointed; the ſaid re- cited Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

Forfeitures to be demanded the ſame Day as Offence committed.

And Complaint to be made to a Juſtice of Quorum.

Party to have Notice the next Time he comes, or elſe not liable.

VII. And to the end a true Account may be given of the Toll to be gathered and received by virtue of this Act, be it enacted by the Authority aforeſaid, That the Perſon and Perſons that ſhall collect and diſ- poſe of the Money by virtue of this Act ariſing by the ſaid Toll, ſhall yearly, every *Eaſter* Seſſions, give the Juſtices of the Peace of the ſaid County and City (who are hereby impowered to require the ſame) a particular Account upon Oath (which the ſaid Juſtices are hereby impowered to adminiſter) of all Mo- nies collected by virtue of this Act, and how the ſame is or ſhall be from time to time diſpoſed of; and in caſe on the Foot of any ſuch yearly Account any Money ſhall remain undiſpoſed of, according to the true Intent of this Act, ſuch Remainder ſhall be diſpoſed of for the Benefit of the ſaid County of *Middleſex*, in ſuch Manner as the ſaid Juſtices at ſuch Seſſions ſhall think fit.

Collector to give a yearly Account of all Monies collected, and how diſpoſed.

If any remains, how to be diſpoſed of.

## CAP. XVIII.

An Act for Relief of Creditors, by making Compoſitions with their Debtors, in caſe two Thirds in Num- ber and Value do agree. [Repealed by 9 & 10 W. 3. cap. 29.]

## CAP. XIX.

An Act for repealing a Clauſe in a former Act relating to Party Guiles, and for the better preventing Frauds and Abuſes in Brewers and others chargeable with the Duties of Exciſe.

'WHEREAS in one Act made in the laſt Seſſions of this preſent Parliament, intituled, *An Act for* '*laying ſeveral Duties upon Low Wines, or Spirits of the firſt Extraction, and for preventing the Frauds* '*and Abuſes of Brewers, Diſtillers, and other Perſons chargeable with the Duties of Exciſe*, it is amongſt other 'Things enacted in the Words, or to the Effect following (*videlicet*) That all common Brewers, Inn- 'keepers or Victuallers, who after the five and twentieth Day of *March* one thouſand ſix hundred ninety- 'ſix, ſhall brew or make a Party Guile, ſhall declare to the Gauger or Gaugers appointed to gauge and 'take an Account of the ſame, how much of ſuch Guile he or they intended to make into Strong Beer or 'Ale, and how much into ſmall, before any Part of ſuch Guile is cleanſed, and ſhall continue all the ſaid 'Strong Beer in their Tuns until the ſaid Small Beer ſhall be carried out and delivered; and in caſe ſuch 'Brewers, Innkeepers or Victuallers, or their reſpective Servants, brewing or making ſuch Guile of Beer 'or Ale, ſhall refuſe to declare to ſuch Gauger or Officer, how much of their Guile or Brewing they in- 'tend to make into Strong Beer, or Strong Ale, and how much into Small, before any Part of ſuch Guile 'is cleanſed, or ſhall permit the ſaid Strong Beer to be carried out of their Tuns, until the ſaid Small

7 & 8 W. 3. c. 30. §. 20.

'Beer

'Beer shall be carried out and delivered, such Gauger or Gaugers shall charge and return the whole of 'such Guile to be Strong, and such Brewer, Innkeeper or Victualler, shall pay the Duties thereof accor- 'dingly; and in case such Brewer, Innkeeper or Victualler, or their respective Servants, after such Decla- 'ration made, shall make any Increase of their Strong Beer or Strong Ale, so declared as aforesaid, by any 'Ways or Means whatsoever, such Increase shall be deemed and taken to be and proceed from mixing 'Small Beer with Strong Beer, or Strong Ale, and such Brewer, Innkeeper or Victualler, shall forfeit and 'lose, for every Barrel so increased, the Sum of forty Shillings, and so in Proportion for a greater or lesser 'Quantity, over and above the Penalties already imposed for mixing Small Beer with Strong: And whereas 'it is found by Experience, that it is inconvenient to the Brewers within *London*, and the weekly Bills of 'Mortality, and impracticable to the Brewers, Innkeepers and Victuallers in the Country, to keep their 'Strong Beer in their Tuns until their Small Beer is carried out and delivered, as by the Clause above 'recited is required;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament as-

12 *Car.* 2. *c.* 23. sembled, and by the Authority of the same, That from and after the Tenth Day of *April* in the Year of

Clause repealed. our Lord one thousand six hundred ninety-seven, the said Clause, and every Thing therein contained, shall be and hereby is repealed and made void to all Intents and Purposes whatsoever.

Brewer to declare how much Strong Beer or Ale he intends to make of each Guile.

'II. And for the more effectual preventing the Frauds of the Brewers, which are now frequently prac- 'tised, by mixing Small Beer with Strong;' Be it enacted by the Authority aforesaid, That every common Brewer, who after the said tenth Day of *April* shall brew or make any Guile of Beer or Ale, shall declare to the Gauger or Gaugers appointed to gauge and take an Account of the same, how much Strong Beer or Strong Ale he intends to make of such Guile, and also how much Small (if he intends to make any Small) before any Part of such Guile is cleansed or removed out of his Tuns; and in case any such Brewer, or his respective Servants, brewing or making such Guile of Beer or Ale, shall refuse to make

Penalty.

*Burn V.* 1. 336. such Declaration as aforesaid, such Gauger or Gaugers shall charge and return the whole of such Guile to be Strong, and such Brewer shall pay the Duties thereof accordingly, and shall also forfeit and lose, for every Barrel of Beer or Ale contained in such Guile, the Sum of twenty Shillings; and in case such Brewer, or his respective Servants, after such Declaration made as aforesaid, shall make any Increase of the Strong Beer or Strong Ale so declared as aforesaid, by any Ways or Means whatsoever, or in case such Gauger or Gaugers shall find any Beer, Ale or Worts, of the same Guile laid off, over and above the Quantity so declared as aforesaid, such Brewer shall forfeit and lose for every Barrel so increased, laid off, or found over

Penalty on Brewers Servants. and above the Quantity declared as aforesaid, the Sum of five Pounds; and the Servant or Servants of such Brewer, who were any ways concerned or assisting in making such Increase after the said Declaration, or in laying off any Beer, Ale, or Worts of such Guile, before such Declaration made, as aforesaid, shall also forfeit and lose, for every Barrel so increased or laid off, the Sum of twenty Shillings, and in Default of Payment thereof shall suffer three Months Imprisonment; and in case upon any Information brought against such Brewer for the Penalties by this Act imposed for increasing his Length of Strong Beer or Ale, as aforesaid, it shall appear by the Evidence given in Behalf of such Brewer, that the Strong Beer or Ale

Beer or Ale left may be added in Sight of the Gauger. so declared, as aforesaid, was increased by adding to or mixing with the same, any Beer or Ale that was left in the Brewhouse of a former Guile of his or her brewing, such Brewer shall incur all the said Penalties, except it be also proved by the Oath of one or more credible Witnesses, that the Strong Beer or Ale so added to such Guile, was added to such Guile in the Sight and View of the Gauger; the said Evidence, or any other thing to the contrary, in any wise notwithstanding.

'III. And whereas many Brewers having Strong Beer or Ale remaining in their Brewhouses from the 'Time it was brewed, until the next Guile or Brewing, the Quality of which they frequently alter by 'mixing with the same new Small Beer, or old returned Drink, and then add the Beer and Ale so altered 'to the next Guile, by Means whereof His Majesty is often defrauded of His Duties of Excise; Be it

Beer or Ale left and added to new Guile, Gauger to charge the same as new Drink, and Brewer to pay the Duties. therefore declared and enacted by the Authority aforesaid, That if it shall appear to the Gauger that the Quality of such Strong Beer or Ale so remaining in the Brewhouse of a former Guile, and added to a Guile of new Drink, as aforesaid, hath been so altered since it was brewed, such Gauger shall charge and return all such Beer and Ale so altered and added to a Guile of new Drink, as if the same were then originally brewed, and had never been charged before, and such Brewer shall pay the Duties thereof accordingly.

'IV. And forasmuch as it is found by Experience, that His Majesty is very much defrauded of his Du- 'ties of Excise by many Brewers, who by private Pipes and Stopcocks under Ground, and other private 'Conveyances, have Communication between their Strong Beer Tuns and their Small Beer Tuns, whereby 'they do privately mix the Small Beer with their Strong Beer or Ale, and also convey their Beer, Ale, or 'Worts, from the Sight and View of the Gaugers appointed to gauge and take an Account of the same, 'which is also prejudicial to other Brewers, who work fair, and pay His Majesty His full Duty;' Be it

Brewers to take up their Pipes, Stopcocks, and other Conveyances under Ground, and stop up the Hole in every Tun, Batch, &c. therefore enacted by the Authority aforesaid, That every common Brewer, having or keeping any Pipe or Stopcock under Ground, or any other private Pipe, or other private Conveyance in or about his Brewhouse, by which any Beer, Ale, or Worts, may be conveyed from one Tun or Brewing Vessel to another, or out of any such Tun or Brewing Vessel into any other Place, shall before the eight and twentieth Day of *April* one thousand six hundred ninety-seven, take up, or demolish every such Pipe, Stopcock, and other private Conveyance, and shall also stop up every Hole in every Tun, Batch, or Float, by which any Beer, Ale, or Worts, may be conveyed into or out of such Tun, Batch, or Float, or any of them; and

Penalty on Brewer keeping such Pipe. that no common Brewer, from and after the said eight and twentieth Day of *April*, shall have or keep any such Pipe, Stopcock, or other private Conveyance, by which any Beer, Ale, or Worts, may be conveyed from one Tun or Brewing Vessel to another, or out of any such Tun or Brewing Vessel into any other Place, nor shall have or keep any Hole in any such Tun, Batch, or Float, by which any Beer, Ale, or Worts, may be conveyed into or out of such Tun, Batch, or Float, or any of them, on Pain to forfeit for every such Offence the Sum of one hundred Pounds.

V. And

V. And for the better discovering of all such Pipes, Stopcocks, and other private Conveyances aforesaid; Be it further enacted, That from and after the said eight and twentieth Day of *April*, it shall and may be lawful to and for the Gaugers and Officers of Excise, or any of them, in the Day-time, and in the Presence of a Constable, or other lawful Officer for the Peace, on Request first made, and Cause declared, to break up the Ground in any common Brewhouse, or Ground near adjoining, or any Wall, Partition, or other Place, to search for any such private Pipe, or other private Conveyance, and upon finding any such Pipe, or other private Conveyance, to follow the same, and to break up the Ground, House, Wall, or other Partition or Place, through, or into which any such Pipe or other private Conveyance shall lead, and to break up or cut any such Pipe, or other private Conveyance, and to turn any Cock or Cocks, to try and examine whether such Pipe, or other private Conveyance, may or can convey any Beer Ale, or Worts, out of one Tun or Brewing Vessel into another, or out of any such Tun or Brewing Vessel into any other Place.

Officers of Excise may break up the Ground in a common Brewhouse, and search for private Pipes.

VI. Provided always, That in case upon such Search made, as aforesaid, no such Pipe, or other private Conveyance, shall be found, such Gaugers and Officers shall make good the Ground, Wall, or other Place so broken up as aforesaid, or make reasonable Satisfaction to the Owner or Owners thereof; and if any common Brewer, or any other Person or Persons whatsoever, shall oppose, obstruct, or hinder, any such Gauger, or Officer in the due Execution of the Powers hereby given and granted, every such Brewer and other Person shall forfeit and lose for every such Offence the Sum of fifty Pounds.

If no Pipe be found, Officer to make Satisfaction.

Penalty on Brewers, &c. opposing Officers.

VII. Provided nevertheless, and it is hereby declared, That it shall and may be lawful to and for any common Brewer to keep and make Use of any Pipes, Stopcocks, or other Conveyances above Ground, which are publick and in open View, for the letting his Worts out of his Copper into his publick Backs or Coolers, and for the letting his Worts out of such publick Backs or Coolers into his publick Tuns, Batches, or Floats, or out of any publick Tun into his Casks; any thing in this Act, or any other Law or Statute to the contrary in any wise notwithstanding.

Brewers may use Pipes, Stopcocks, &c. above Ground.

'VIII. And whereas, notwithstanding the Penalties already imposed by former Acts, it is found by Experience, that several Brewers do set up and keep private Backs and Tuns, by which His Majesty is much defrauded of His Duties of Excise, and other Brewers, who pay their full Duties, are much prejudiced in their Trade thereby;' Be it further enacted by the Authority aforesaid, That if any common Brewer shall, at any Time after the said tenth Day of *April*, without Notice thereof first given at the next Office of Excise, erect or set up any Tun, Batch, Float, Cooler, or Copper, or shall alter or enlarge any Tun, Batch, Float, Cooler, or Copper, already erected or set up, or shall have or keep any private or concealed Tun, Batch, Float, Cooler, or Copper, other than such as are openly discovered and known to be commonly used in his Brewhouse or Place of Brewing, every such Brewer shall forfeit and lose for every Tun, Batch, Float, Cooler, and Copper so erected and set up, altered, or enlarged, kept private, or concealed, without such Notice given, as aforesaid, the Sum of two hundred Pounds.

Penalty on Brewer setting up or altering any Tun, Batch, &c. without giving Notice to the Excise-Office.

IX. And be it further enacted by the Authority aforesaid, That if any common Brewer, or Maker of Cyder, brewing or making any Beer, Ale or Cyder for Sale, shall at any Time after the said tenth Day of *April* deliver to any Distiller or Vinegar-Maker, any Wash, Tilts, Ale, Beer, Vinegar Beer or Cyder, without first giving Notice to the Gauger or Gaugers within whose Division or District such Brewer or Maker of Cyder doth or shall inhabit, what Quantity of Wash, Tilts, Ale, Beer, Vinegar Beer or Cyder, he intends to deliver, and when and to whom he intends to deliver the same, every such common Brewer or Maker of Cyder shall forfeit and lose, for every Barrel of Wash, Tilts, Ale, Beer, Vinegar Beer and Cyder, delivered without such Notice given as aforesaid, the Sum of twenty Shillings.

Penalty on Brewer or Cyder Maker delivering to Distiller or Vinegar Maker any Wash, &c. without giving Notice to the Gauger.

'X. And whereas it is found by Experience, That notwithstanding the Penalties imposed by former Acts, many Distillers do erect and set up private Backs, Stills, and other Vessels, by which His Majesty is much defrauded of his Duties of Excise;' Be it therefore enacted by the Authority aforesaid, That no common Distiller or Maker of Low Wines, Spirits, or Strong Waters for Sale or Exportation, shall at any Time after the said tenth Day of *April* erect or set up any Tun, Cask, Wash-batch, Copper, Still, or other Vessel for the brewing, making, or keeping of any Worts, Wash, Low Wines, Spirits, or Strong Waters, nor alter or enlarge any Tun, Cask, Wash-batch, Copper, Still, or other Vessel already erected or set up, nor shall have or keep any private or concealed Tun, Cask, Wash-batch, Copper, Still, or other Vessel, nor any private or concealed Warehouse, Storehouse, Cellar, or other Place for the brewing, making, laying, or keeping, any Worts, Wash, Low Wines, Spirits, or Strong Waters, without first giving Notice thereof at the next Office of Excise, within the Limits or Jurisdiction whereof he or they do or shall inhabit, upon Pain to forfeit for every Tun, Cask, Wash-batch, Copper, Still, Warehouse, Storehouse, Cellar, or other Place so erected or set up, altered or enlarged, kept private or concealed, the Sum of twenty Pounds; and that all and every Person or Persons in whose Occupation any House, Out-house, or other Place whatsoever, is or shall be, where any such private or concealed Tun, Cask, Wash-batch, Copper, Still, Warehouse, Storehouse, or Cellar, shall be discovered or found, shall also forfeit and lose the Sum of fifty Pounds.

No common Distiller, &c. to set up any Tun, Cask, &c.

nor keep any private Tun, nor Warehouse, &c. without giving Notice,

under Penalty of 20 l.

Penalty for concealing such Tun, &c.

XI. And it is hereby further enacted and declared, That from and after the said tenth Day of *April* every Person or Persons making or keeping any Wash, Cyder, or other Materials fit for Distillation, and having in his or their Possession or Occupation any Still or Stills, containing twenty Gallons or upwards, Proof being made thereof by the Oath of one or more credible Witnesses before some Justice of the Peace, who is hereby impowered to administer the same, shall be deemed and taken to be a common Distiller for Sale, and shall be liable to the several Rates and Duties of Excise, and subject to the several and respective Penalties and Forfeitures imposed by this or any former Act now in force; the said Act or any other Law or Statute to the contrary in any wise notwithstanding.

Persons having a Still of 20 Gallons and Materials, to be esteemed a common Distiller, and liable to the Duties of Excise.

XII. And be it further enacted by the Authority aforesaid, That all the Fines, Penalties, and Forfeitures by this Act imposed, shall be sued for, recovered, and levied by such Ways, Means, and Methods, as any

Fines how to be

Fine, Penalty, or Forfeiture, is or may be recovered by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*; and that one Moiety of every such Fine, Penalty, or Forfeiture, shall be to His Majesty, His Heirs, and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

'XIII. And whereas by an Act made in the second Year of the Reign of His Majesty and the late Queen MARY of blessed Memory, intituled, *An Act for the encouraging the distilling Brandy and other Spirits from Corn, and for laying several Duties on Low Wines*, it was enacted and declared, That it should and might be lawful to or for any Person or Persons, during the Continuance of that Act, to make, draw, or distil, for Sale, or to be retailed, any Low Wines or Spirits from Drink brewed from malted Corn; upon the Encouragement of which said Act many Persons have, at great Charge, set up Works for distilling from Corn, and the said Act being since expired;' Be it therefore enacted and declared by the Authority aforesaid, That it shall and may be lawful to or for any Person or Persons, who have already set up any Works or Offices, or who shall hereafter set up any Works or Offices for that Purpose, and thereof shall give Notice to the Commissioners of Excise, within ten Days after the erecting such Office or Work, to make, draw, or distil for Sale, or to be retailed, any Low Wines or Spirits from Drink brewed from malted Corn or Cyder, and to rectify and refine any such Spirits of their own making only, paying the Duties, and being subject to all Fines and Penalties as other Distillers are; any Law, Charter, or other thing to the contrary notwithstanding.

a W. & M. ff. 2. c. 9.

Any Person may distil for Sale Low Wines from Drink brewed from malted Corn, &c. paying the Duties.

## CAP. XX.

### An Act for making good the Deficiencies of several Funds therein mentioned; and for enlarging the Capital Stock of the Bank of *England*; and for raising the Publick Credit.

'WHEREAS several Persons, as well Natives as Foreigners, Bodies Politick and Corporate, did advance and lend, at the Receipt of His Majesty's *Exchequer*, very considerable Sums of Money, upon the Security of the several and respective Aids, Revenues, or Funds, herein after mentioned; that is to say, upon the first Aid of four Shillings in the Pound, payable out of Lands and other Things for one Year, by virtue of an Act of Parliament made and passed in the fourth Year of the Reign of His Majesty and the late Queen of blessed Memory, whereby Interest, not exceeding the Rate of seven Pounds *per Centum per Annum*, was allowed for the Sums borrowed in Pursuance thereof; and upon the third Aid of four Shillings in the Pound, payable out of Lands and other Things, for one Year, by virtue of an Act of Parliament made and passed in the sixth Year of His Majesty's Reign, whereby Interest, not exceeding the Rate of five Pounds *per Centum per Annum*, was allowed for the Sums thereby borrowed; and upon the fourth Aid of four Shillings in the Pound, payable out of Lands and other Things, for one Year, by virtue of an Act of Parliament made and passed in the seventh Year of His Majesty's Reign, whereby Interest, not exceeding the Rate of six Pounds *per Centum per Annum*, is allowed for the Sums borrowed in pursuance thereof; and upon the Monies which were to arise by an Act passed in the Parliament holden at *Westminster*, in the fifth and sixth Years of their said Majesties Reign, whereby a Poll was granted to their Majesties, payable quarterly for one Year; which Monies were directed to be applied to satisfy the Principal of such Loans; and upon the Monies which were to arise by the three fourth Parts of the Customs, after Satisfaction of the Principal and Interest of five hundred thousand Pounds charged thereupon by an Act of Parliament in the second Year of their said Majesties Reign; for which Loans so made, and which were intended to be paid out of the three fourths of the Customs, the Lenders were intitled to receive Interest after the Rate of six Pounds *per Centum per Annum*. And whereas the greatest Part of the Monies so lent upon the Aids, Revenues, or Funds, before mentioned, hath been actually satisfied and paid off, but the several Terms, for which the said respective Aids of four Shillings in the Pound, and the said Poll Money, were granted, being determined and expired, and three hundred thousand Pounds *per Annum* out of the Revenue of Customs, being appropriated by Act of Parliament to the Satisfaction of other Loans, it doth plainly appear that the several Aids and Funds herein before mentioned are deficient, and could not fully satisfy all the Monies which were charged thereupon, and the Interest thereof; and for so much as remains unsatisfied, the respective Lenders, their Executors, Administrators, and Assigns, have, or are intitled to have, in their Hands, Tallies and Orders of Repayment levied and drawn according to the Forms used in his Majesty's Receipt of *Exchequer*: And whereas by an Act made and passed in the Parliament holden at *Westminster* in the seventh and eighth Years of His Majesty's Reign, intituled, *An Act for continuing to His Majesty certain Duties upon Salt, Glass Wares, Stone and Earthen Wares, and for granting several Duties upon Tobacco Pipes and other Earthen Wares, for carrying on the War against* France, *and for establishing a National Land Bank, and for taking off the Duties upon Tunnage of Ships and upon Coals*, His Majesty was impowered to borrow or take into the Receipt of the *Exchequer* any Sum or Sums of Money, either upon the Credit of Repayment by Orders to be registred and paid in Course, with Interest after the Rate of seven Pounds *per Centum per Annum*, or upon Credit of Bills to be made payable upon Demand, with Interest not exceeding the Rate of three Pence *per Diem* for every one hundred Pounds, so as that the principal Sums, which at any one Time should be due and owing either upon the said Orders, or upon the said Bills, or both, should not exceed the Sum of two millions five hundred sixty-four thousand Pounds; and out of the Monies to be raised by the Act last mentioned, it was directed and intended, that the Sums following should be paid and applied, that is to say, the Sum of five hundred and sixty thousand Pounds to discharge Monies which were lent at the Receipt of *Exchequer* upon the Security of certain Duties upon Glass Wares, Stone and Earthen Bottles, Coals and Culm (which Duties upon Coals and Culm were taken away by the Act last mentioned) and the Interest thereof, one hundred and forty thousand Pounds to answer and make good the Rates and

4 W. & M. c. 1.

6 W. 3. c. 3.

7 W. 3. c. 5.

5 & 6 W. & M. c. 14.

2 W. & M. ff. 1. c. 4.

7 & 8 W. 3. c. 31.

' Duties of Tunnage upon Ships, from the ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſix
' until the ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſeven (which Duties of Tunnage up-
' on Ships was alſo taken away by the ſame Act) and the further Sum of one hundred and forty thouſand
' Pounds to anſwer and make good the Rates and Duties upon Salt, from the ſaid ſeventeenth Day of *May*
' one thouſand ſix hundred ninety-ſix, until the ſaid ſeventeenth Day of *May* one thouſand ſix hundred
' ninety-ſeven, in the Manner therein mentioned; which ſaid ſeveral Sums of five hundred and ſixty thou-
' ſand Pounds, one hundred and forty thouſand Pounds, and one hundred and forty thouſand Pounds,
' amounting in the whole to eight hundred and forty thouſand Pounds, being taken or ſubducted from the
' ſaid Sum of two Millions five hundred ſixty-four thouſand Pounds, the Remainder thereof will amount to
' one Million ſeven hundred twenty-four thouſand Pounds, which is borrowed, or may be borrowed by His
' Majeſty for the Service of the War againſt *France*; and the Perſon or Perſons who have advanced, or
' ſhall advance the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, have, or may have,
' in their Hands, Tallies, and Orders of Repayment, or Bills for the Sums ſo advanced, or to be advan-
' ced, which cannot in any reaſonable Time be ſatisfied out of the ſaid Duties chargeable therewith by the
' Act laſt mentioned: And whereas ſeveral Perſons did advance and lend, at the ſaid Receipt of the *Ex-*
' *chequer*, ſeveral other Sums of Money, at the Rate of ſeven Pounds *per Centum per Annum* for Intereſt,
' upon the Credit of two third Parts of the Exciſe of eighteen Pence *per* Barrel, and other additional Du-
' ties of Exciſe upon Beer, Ale, and other Liquors, which were granted to their ſaid Majeſties for four
' Years, by an Act of Parliament in the ſecond Year of their Reign, and afterwards continued by a ſub- 2 W. & M. ſ.
' ſequent Act of Parliament in that Behalf, until the ſeventeenth Day of *May* one thouſand ſix hundred 2. c. 12.
' ninety-ſeven, from which Time the ſame, or the like Duties of Exciſe, are continued or granted by 5 & 6 W. & M.
' Act of Parliament for other Uſes: And whereas ſeveral Perſons, as well Natives as Foreigners, Bodies c. 7.
' Politick and Corporate, have alſo advanced and lent, at the ſaid Receipt of the *Exchequer*, very conſi-
' derable Sums of Money upon the Security of other Aids, Supplies, Impoſitions, Revenues, or Funds,
' herein after mentioned, that is to ſay, upon certain additional Impoſitions upon ſeveral Goods and Mer-
' chandizes, which were granted to their ſaid Majeſties by an Act paſſed in the Parliament holden at *Weſt-*
' *minſter*, in the fourth and fifth Years of their Reign, to continue until the firſt Day of *March* one thou- 4 & 5 W. & M.
' ſand ſix hundred ninety-ſix, which Act allows Intereſt after the Rate of eight Pounds *per Centum per An-* c. 5.
' *num* for the Monies thereby borrowed, and upon certain Duties payable for Vellum, Parchment, and
' Paper, for four Years, which commenced from the twenty-eighth Day of *June* one thouſand ſix hundred
' ninety-four, by virtue of an Act which paſſed in the Parliament holden at *Weſtminſter* in the fifth and 5 & 6 W. & M.
' ſixth Years of the Reign of their ſaid Majeſties, whereby there was allowed Intereſt, not exceeding the c. 21.
' Rate of eight Pounds *per Centum per Annum*, for the Monies lent in purſuance thereof; and upon Credit
' of a certain yearly Sum of three hundred thouſand Pounds, payable for five Years, from the five and
' twentieth Day of *December* one thouſand ſix hundred ninety-four, out of Monies ariſing by the Subſidy of
' Tunnage and Poundage, and other Duties upon Merchandizes exported and imported, by virtue of ſeve-
' ral Acts of Parliament, paſſed in the ſixth Year of the Reign of their ſaid Majeſties, wherein a Credit 6 W. & M. c. 1.
' was given for any Sums, not exceeding one Million two hundred and fifty thouſand Pounds to be repaid,
' with Intereſt, not exceeding the Rate of five Pounds *per Centum per Annum* for the firſt three hundred 6 & 7 W. 3.
' thouſand Pounds, ſix Pounds *per Centum per Annum* for the ſecond three hundred thouſand Pounds, ſeven c. 3.
' Pounds *per Centum per Annum* for the third three hundred thouſand Pounds, and eight Pounds *per Centum*
' *per Annum* for the remaining three hundred and fifty thouſand Pounds; and upon Credit of an Act made
' in the Parliament holden at *Weſtminſter*, in the ſixth and ſeventh Years of His Majeſty's Reign, for grant- 6 & 7 W. 3.
' ing certain Rates and Duties upon Marriages, Births, Burials, Batchelors, and Widowers, for the Term c. 6.
' of five Years, from the firſt Day of *May* one thouſand ſix hundred ninety-five, whereby Intereſt, not ex-
' ceeding the Rate of eight Pounds *per Centum per Annum*, is allowed for the Sums lent in purſuance thereof;
' and upon the Credit of ſeveral Impoſitions, payable for Wines, Vinegar, Tobacco, *Eaſt India* Goods, and
' other Merchandizes imported, continued until the twenty-ninth Day of *September* one thouſand ſeven hun-
' dred and one, by virtue of an Act paſſed in the Parliament, which was holden at *Weſtminſter*, in the ſeventh 7 & 8 W. 3.
' and eighth Years of His Majeſty's Reign, whereby a Credit was given for borrowing any Sums, not ex- c. 10.
' ceeding one Million five hundred thouſand Pounds, to be repaid with Intereſt not exceeding the Rate of
' five Pounds *per Centum per Annum* for the firſt four hundred thouſand Pounds, ſix Pounds *per Centum*
' *per Annum* for the ſecond four hundred thouſand Pounds, ſeven Pounds *per Centum per Annum* for the
' third four hundred thouſand Pounds, and eight Pounds *per Centum per Annum* for the remaining three
' hundred thouſand Pounds: And whereas a great Part of the Monies ſo lent, upon the two third Parts
' of the ſaid additional Duties of Exciſe, and upon the ſaid additional Impoſitions payable for Goods and
' Merchandizes, and upon the ſaid Duties payable for Vellum, Parchment, and Paper, and upon the ſaid
' three hundred thouſand Pounds *per Annum*, charged upon the Subſidy of Tunnage and Poundage, and
' upon the ſaid Duties charged upon Marriages, Births, Burials, Batchelors and Widowers, and upon the
' ſaid continued Impoſitions payable for Wines, Vinegar, Tobacco, *Eaſt India* Goods, and other Merchan-
' dizes imported, hath been actually repaid and ſatisfied with Intereſt; but by computing the Product of
' theſe Duties for the Time paſt, and conſidering the Terms yet to come and unexpired in them reſpec-
' tively, it is ſuppoſed and feared that the ſame Duties reſpectively, at the End of the ſeveral Terms for
' which they are granted as aforeſaid, will be more or leſs deficient to anſwer, pay off, and clear all the
' Principal and Intereſt of the Monies which were authorized to be borrowed thereupon, and the Perſons
' intitled to the Monies not paid off upon the Duties laſt mentioned, have or may have, in their Hands,
' Tallies and Orders of Repayment for the ſame: And whereas ſeveral Perſons or Corporations did ad-
' vance and lend, at the ſaid Receipt of *Exchequer*, other conſiderable Sums of Money upon the Credit of
' an Act made in the Parliament holden at *Weſtminſter*, in the fourth and fifth Years of their ſaid Majeſties 4 & 5 W. & M.
' Reign, intituled, *An Act for continuing certain Acts therein mentioned, and charging ſeveral Joint Stocks*, c. 15.

'wherein a Credit was given for the borrowing any Sum not exceeding five hundred thouſand Pounds, at 'Intereſt not exceeding eight Pounds *per Centum per Annum*, Part of which Monies doth ſtill remain un- 'ſatisfied, and the Perſons intitled thereunto have likewiſe Tallies and Orders of Repayment for the ſame; 'and purſuant to another Act made and paſſed in the Parliament holden at *Weſtminſter*, in the ſeventh and 7 & 8 W. 3. c. 30. 'eighth Years of His Majeſty's Reign, intituled, *An Act for laying ſeveral Duties upon Low Wines or Spi- 'rits of the firſt Extraction, and for preventing the Frauds and Abuſes of Brewers, Diſtillers, and other Per- 'ſons chargeable with the Duties of Exciſe*; ſeveral other Sums of Money have been lent to His Majeſty, not 'exceeding ſeventy thouſand Pounds, on Credit of the Rates or Duties upon Low Wines, or Spirits of 'the firſt Extraction, and Sweets, thereby granted, to be repaid with Intereſt not exceeding the Rate of 'ſix Pounds *per Centum per Annum* for the firſt forty thouſand Pounds, and ſeven Pounds *per Centum per* 8 W. 3. c. 3. '*Annum* for the Remainder thereof; and by virtue of the ſame Act, and of another Act made and paſſed 'in this preſent Seſſion of Parliament to explain the ſame, the weekly Sum of ſix thouſand Pounds ariſing 'by or out of the Hereditary Branch of His Majeſty's Revenues of Exciſe upon Beer, Ale and other Li- 'quors, and by or out of that Part of the ſaid Revenues of Exciſe which is granted to His Majeſty during 'His Life (which God preſerve) commonly called, *The Hereditary and Temporary Exciſe*, and the weekly 'Sum of ſix hundred Pounds out of the Money or Revenue from time to time ariſing in the General Let- 'ter Office or Poſt Office, do ſeverally ſtand charged to pay off and ſatisfy in Courſe ſeveral Tallies of '*Pro*, or Aſſignment, or other Tallies in thoſe Acts mentioned, for the Payment whereof Proviſion is 'thereby made, together with ſuch ſeveral and reſpective Rates of Intereſt for the ſame as are thereby al- 'lowed: And whereas by reaſon of the Deficiencies of ſeveral of the Aids, Supplies, Impoſitions and 'Duties above mentioned, which have not or will not be ſufficient to anſwer the Principal and Intereſt 'charged thereupon, and by reaſon of the Remoteneſs of the Courſe of Payment of the Tallies and Orders 'charged upon ſome of them, and upon other the Duties in this Act before mentioned, the Owners of the 'ſaid Tallies or Orders are frequently neceſſitated to ſell and diſpoſe thereof at great Loſs, or at an exceſ- 'ſive Diſcount, whereby the publick Credit is very much prejudiced and impaired, and the Trade, and 'other publick and private Affairs within this Realm do exceedingly ſuffer: And whereas it is computed 'or eſtimated, That the Deficiencies or Sums, which are or will be wanting to ſatisfy and pay off all Prin- 'cipal and Intereſt due or to be due on the deficient Aids, Duties or Funds before mentioned (over and 'above all Arrears, ſtanding out upon any of them, which are determined, and over and above all Monies 'to be raiſed by ſuch of them as are yet unexpired) do or may amount to the Sums following; that is to 'ſay, Upon the ſaid firſt Aid of four Shillings in the Pound, fifty-five thouſand ſix hundred twenty-two 'Pounds ten Shillings and five Pence; upon the ſaid third Aid of four Shillings in the Pound, four hun- 'dred and ſeven thouſand three hundred ſeventy and two Pounds and three Pence; upon the ſaid fourth 'Aid of four Shillings in the Pound nine hundred and ſeventeen thouſand one hundred and one Pounds, 'thirteen Shillings and two Pence Halfpenny; upon the ſaid quarterly Poll, eighty-nine thouſand two 'hundred ſeventy-five Pounds thirteen Shillings and four Pence; upon the ſaid three Fourth Parts of the 'Cuſtoms, two hundred and thirteen thouſand four hundred forty-ſeven Pounds fifteen Shillings and nine 'Pence; upon the ſaid Act charging Salt, and other Things therein mentioned, one Million ſeven hun- 'dred and eleven thouſand and five hundred Pounds; upon the ſaid two Third Parts of the additional Ex- 'ciſe, one hundred and ſixty thouſand Pounds; upon the ſaid additional Impoſitions payable for Goods and 'Merchandizes, four hundred forty-five thouſand one hundred ſeventy-ſeven Pounds ſeven Shillings and 'four Pence; upon the ſaid Duties payable upon Vellum, Parchment, and Paper, two hundred twenty- 'four thouſand one hundred and fourteen Pounds ſeven Shillings eight Pence Halfpenny; upon the ſaid 'Duties charged upon Marriages, Births, Burials, Batchelors and Widowers, ſix hundred forty and eight 'thouſand Pounds; and upon the ſaid continued Impoſitions payable for Wine, Vinegar, Tobacco, *Eaſt 'India* Goods, and other Merchandizes imported, one hundred forty-ſix thouſand one hundred eighty-one 'Pounds nineteen Shillings and five Pence Halfpenny; and on the ſaid yearly Sum of three hundred 'thouſand Pounds out of the Subſidy of Tunnage and Poundage, one hundred forty-two thouſand ſix 'hundred ſixty-ſix Pounds ſeven Shillings three Pence and three Farthings, amounting in the whole to 'the Sum of five Millions one hundred and ſixty thouſand four hundred fifty and nine Pounds, fourteen 'Shillings nine Pence one Farthing:' We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *England* in Parliament aſſembled, having duly weighed and conſidered the Premiſſes, and being deſirous to raiſe ſuch Aids and Supplies, and to uſe ſuch proper Methods, as may make good the ſaid Deficiencies, and raiſe the publick Credit, have cheerfully and unanimouſly given and granted unto Your Majeſty the Supplies, Impoſitions and other Duties herein after mentioned, for and during the reſpective Terms hereafter expreſſed, and do beſeech Your Majeſty to accept thereof, and that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Subſidy of Tunnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported, which were given and granted unto His late Majeſty King CHARLES the Second for 12 Car. 2. c. 4. his Life, by an Act of Parliament made in the twelfth Year of His Reign, intituled, *A Subſidy granted to the King of Tunnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported*, 6 W. 3. c. 7. and which by an Act of Parliament made in the ſixth Year of His Majeſty's Reign, were granted and continued for the Term of five Years, to commence on the ſix and twentieth Day of *December* one thouſand ſix hundred ninety-four, ſhall be continued to His Majeſty, from the Expiration of the ſaid Term of five Years, until the firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix, and no longer; and that the ſaid Act made in the twelfth Year of the Reign of King CHARLES the Second, and every Article, Rule and Clauſe therein mentioned, and alſo an Order of the Commons in Parliament aſſembled, made in purſuance of the Rules and Orders annexed to the aforeſaid Act, for ſettling of Officers Fees, dated the ſeventeenth Day of *May* one thouſand ſix hundred ſixty-two, and ſigned by Sir *Edward*

Tunnage and Poundage continued till 1 Aug. 1706.

By 10 & 11 W. 3. c. 21. §. 27. nothing in this

*Edward Turner*, then Speaker, shall be of full Force and Effect, to all Intents and Purposes, until the said first Day of *August* one thousand seven hundred and six, as fully, and in like Manner, as if the same were particularly and at large recited and set down in the Body of this Act. Act shall charge Brandy with the Duty of 2 s. per Gallon, &c.

And by 11 & 12 W. 3. c. 20. Duties on Cloth, &c. exported are determined.

II. And be it further enacted by the Authority aforesaid, That an Act of Parliament made in the twelfth Year of the Reign of the said King CHARLES the Second, intituled, *An Act to prevent Frauds and Concealments of His Majesty's Customs and Subsidies*, as also an Act made in the fourteenth Year of the Reign of the said late King, intituled, *An Act for preventing Frauds, and regulating Abuses, in His Majesty's Customs*; and also an Act made in the two and twentieth Year of the Reign of the said late King CHARLES the Second, intituled, *An Act for the Improvement of Tillage, and the Breed of Cattle*; and also one other Act made in the five and twentieth Year of the Reign of the said late King CHARLES the Second, intituled, *An Act for taking off Aliens Duties upon Commodities of the Growth, Product, and Manufacture of the Nation*; and also one other Act made in the said five and twentieth Year of the said late King CHARLES the Second, intituled, *An Act for the Encouragement of the* Greenland *and* Eastland *Trades, and for the better securing the Plantation Trades*; and also one other Act made in the first Year of the late King JAMES the Second, intituled, *An additional Act for the Improvement of Tillage*, and all the Clauses and Directions whatsoever contained therein, or in the said Act passed in the sixth Year of the Reign of His Majesty and the said late Queen, for granting to them the said Subsidy of Tunnage and Poundage, and other Sums of Money upon Merchandizes exported and imported, be of full Force and Effect until the said first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and six. Several other Acts to be of Force till 1706. 12 Car. 2. c. 19. 13 & 14 Car. 2. c. 11. 22 Car. 2. c. 13. 25 Car. 2. c. 6. 25 Car. 2. c. 7. 1 Jac. 2. c. 19. 6 W. & M. c. 1.

III. Provided nevertheless, and be it declared and enacted, That nothing herein contained shall be construed or taken to determine any Articles or Clauses in any of the last mentioned Acts hereby enacted to be in Force until the said first Day of *August* one thousand seven hundred and six, which were appointed and intended to be perpetual, or which are continued by any Act of Parliament, for any Time which will not expire by or before the said first Day of *August* one thousand seven hundred and six, but that the same, and every of them, shall continue and remain in Force, as if this present Act had not been made: But such of the said Acts, and such Clauses in any of them, as would otherwise determine before the said first Day of *August* one thousand seven hundred and six, shall hereby be revived and stand, continue, and be in Force, until the said first Day of *August* one thousand seven hundred and six, and no longer. Clauses in any foremention'd Act intended to be perpetual, to continue &c. And such as would otherwise determine, to be revived.

IV. And be it further enacted by the Authority aforesaid, That the several Impositions and Duties upon Wines and Vinegar, granted by an Act made in the first Year of the Reign of the late King JAMES the Second, intituled, *An Act for granting to his Majesty an Imposition upon all Wines and Vinegar imported between the twenty-fourth Day of* June *one thousand six hundred eighty-five, and the twenty-fourth Day of* June *one thousand six hundred ninety-three*; which said Act, by several Acts of Parliament afterwards passed, hath been continued, and is to continue until the nine and twentieth Day of *September* one thousand seven hundred and one, shall be continued from the eight and twentieth Day of *September* one thousand seven hundred and one until the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and six, and no longer; and that the said Act so made in the first Year of the Reign of the late King JAMES the Second, and all Powers, Provisions, Penalties, Articles and Clauses therein contained, for or concerning the said Imposition on Wines and Vinegar, shall continue and be of full Force and Effect, until the said first Day of *August* one thousand seven hundred and six, and shall be applied, practised and executed for the raising, levying, collecting, answering and paying the said Duties upon Wine and Vinegar hereby continued, according to the Tenor and Intent of this present Act, as fully to all Intents and Purposes, as if all and every the Clauses, Matters and Things in the said Act of the first Year of King JAMES the Second contained, had been again repeated in this Act, and particularly enacted. Duties on Wines and Vinegar by 1 Jac. 2. c. 3. continued until 1706.

V. And be it further enacted by the Authority aforesaid, That the Rates, Duties and Impositions upon all Sorts of Tobacco, granted by an Act made in the first Year of the Reign of the said late King JAMES, intituled, *An Act for granting to His Majesty an Imposition upon all Tobacco and Sugar imported between the four and twentieth Day of* June *one thousand six hundred eighty-five, and the four and twentieth Day of* June *one thousand six hundred ninety-three*; which said Act, as for and concerning the said Duties and Impositions upon Tobacco only, was by several Acts of Parliament afterwards made, continued, and is to continue to the nine and twentieth Day of *September* one thousand seven hundred and one, shall be continued from the twenty-eighth Day of *September* one thousand seven hundred and one until the said first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and six, and no longer. 1 Jac. 2. c. 4.

VI. Provided always, and be it enacted and declared by the Authority aforesaid, That the said Duty upon Tobacco, which shall be imported during the Term hereby granted, shall be secured, collected, raised, levied, answered and paid to His Majesty, in such Method, and with such Discount and Allowances, and according to such Rules and Directions, as are mentioned, referred to, or prescribed, as to the Duties or Impositions upon Tobacco, in and by the said Act made in the Parliament holden in the seventh and eighth Years of His Majesty's Reign (intituled, *An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco and* East India *Goods and other Merchandizes imported, for carrying on the War against* France) and not otherwise. Duty on Tobacco to be paid according to the Act of 7 & 8 W. 3. c. 10.

VII. And be it further enacted by the Authority aforesaid, That the several additional and other Rates, Impositions, Duties, and Charges, upon the several Sorts of Goods and Merchandizes, granted by an Act made in the second Year of their said Majesties Reign (intituled, *An Act for granting to their Majesties certain Impositions upon all* East India *Goods and Manufactures, and upon all wrought Silks, and several other Goods and Merchandizes, to be imported after the five and twentieth Day of December one thousand six hundred and ninety)* and which thereby, and by several other Acts afterwards passed, were to have Continuance and are to continue until the nine and twentieth Day of *September* one thousand seven hundred and one, shall be Additional Duties on Goods and Merchandizes, by 2 W. & M. ff. 2. c. 4. continued until 1706.

be further continued from the eight and twentieth Day of *September* one thouſand ſeven hundred and one until the ſaid firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix, and no longer: And that the ſaid Act made in the ſecond Year of their ſaid Majeſties Reign, concerning *Eaſt India* Goods and other Things therein charged, and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained, ſhall continue and be of full Force and Effect, until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying the ſaid reſpective Duties hereby continued, according to the Tenor and Intent of this preſent Act, as fully to all Intents and Purpoſes, as if the ſaid laſt mentioned Act, and all and every the Clauſes, Matters, and Things, therein contained, had been again repeated and enacted particularly, except only as to ſuch Part of the ſaid Acts concerning the ſaid Impoſitions on Wines, Vinegar, Tobacco, *Eaſt India* Goods, and other Merchandizes imported, touching which other Proviſions or Alterations are made by any Act or Acts of Parliament now in being, which other Proviſions or Alterations are to be obſerved, and to continue during the Continuance of this Act, and the ſaid Act, intituled, *An Act for continuing ſeveral Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco, and* Eaſt India *Goods and other Merchandizes imported, for carrying on the War againſt* France, and every Article, Clauſe, Matter, and Thing, therein contained, for the raiſing, levying, ſecuring, anſwering, and paying the Impoſitions and Duties on the Merchandizes and Commodities thereby charged, and which are by this Act continued, ſhall be of full Force and Effect until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix.

Other Acts continued.

Exception.

7 & 8 W. 3. c. 10.

Additional Impoſitions on Goods and Merchandizes, by 4 & 5 W. & M. c. 5. continued until 1706.

VIII. And be it further enacted by the Authority aforeſaid, That the additional and other Rates, Duties, Impoſitions, and Charges, upon the ſeveral Sorts of Goods and Merchandizes, granted by an Act of Parliament made in the fourth and fifth Years of their ſaid Majeſties Reign, intituled, *An Act for granting to their Majeſties certain additional Impoſitions upon ſeveral Goods and Merchandizes, for proſecuting the preſent War againſt* France, and which were thereby to have Continuance, from the firſt Day of *March* one thouſand ſix hundred ninety-two to the firſt Day of *March* one thouſand ſix hundred ninety-ſix, ſhall be continued from the laſt Day of *February* one thouſand ſix hundred ninety-ſix to the ſaid firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix, and no longer; and that the ſaid Act laſt mentioned, and all Powers, Proviſions, Penalties, Articles, and Clauſes, therein contained, as herein after is excepted and provided, as for and concerning the ſaid Rates, Duties, and Impoſitions, ſhall continue and be of full Force and Effect until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying the ſaid Duties hereby continued, according to the Tenor and Intent of this preſent Act, as fully to all Intents and Purpoſes as if the ſaid laſt mentioned Act, and all and every the Clauſes, Matters, and Things, therein contained, had been again repeated and enacted in this Act particularly.

4 & 5 W. & M. c. 5. Lapis Calaminaris exported, to pay only 2s. per Tun over and above the Rate in the Book of Rates.

'IX. And whereas by the ſaid Act paſſed in the fourth Year of their Majeſties Reign, for granting the 'ſaid additional Impoſitions on Goods and Merchandizes, the Sum of twenty Shillings is impoſed on every 'Tun of *Lapis Calaminaris* exported, which was found by Experience to hinder the Exportation thereof, 'and utterly to ruin the Manufacture;' it is therefore hereby provided and enacted by the Authority aforeſaid, That for and during the Continuance of the ſaid additional Impoſitions, the Sum of two Shillings only ſhall be paid for every Tun of *Lapis Calaminaris*, exported, over and above the Rates thereon charged by the Book of Rates, to be collected as in and by the ſaid Act is directed and appointed; any thing in this or the laſt mentioned Act contained to the contrary notwithſtanding.

Bar or hammered Iron imported from Ireland diſcharged of the additional Duties.

'X. And whereas the Scarcity and Dearneſs of Iron in this Kingdom have of late much diſcouraged the 'Manufactures thereof, in which great Numbers of the Poor are employed;' Be it therefore further provided and enacted by the Authority aforeſaid, That it ſhall and may be lawful to import into this Kingdom from *Ireland*, any Bar Iron unwrought, and Iron ſlit or hammered into Rods (other than *Swediſh* or other foreign Iron) diſcharged of the Impoſitions and Duties laid upon the ſame by this or the ſaid Act for granting the ſaid additional Impoſitions; any thing in this or the ſaid Act contained to the contrary notwithſtanding.

Proviſions continued concerning theſe Impoſitions.

XI. Provided alſo, That in all Caſes where any other Proviſion or Alteration is made, by any Act or Acts of Parliament now in being, in or about any other Matter or Thing contained in the ſaid Act of Parliament for the Impoſitions laſt mentioned, ſuch other Proviſions or Alterations ſhall be obſerved during the Continuance of the Term hereby granted in the ſame Impoſitions; any thing herein contained to the contrary notwithſtanding.

5 & 6 W. & M. c. 21. Duties on Vellum, Parchment, and Paper, continued until 1706. 'See the Note on 5 & 6 W. & M. c. 21.'

XII. And be it further enacted by the Authority aforeſaid, That the ſeveral Rates and Duties granted to their ſaid Majeſties, by an Act made in the fifth and ſixth Years of their Reign, intituled, *An Act for granting to their Majeſties ſeveral Duties upon Vellum, Parchment, and Paper, for four Years, towards carrying on the War againſt* France, and which were thereby to commence from and after the eight and twentieth Day of *June* one thouſand ſix hundred ninety-four, ſhall be, and are hereby continued after the Expiration of the ſaid Term of four Years, until the firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix; and that the ſaid Act, and all Powers, Proviſions, Articles, and Clauſes, therein contained, ſhall continue and be of full Force and Effect until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying the ſaid Duties hereby continued, according to the Tenor and Intent of this preſent Act, as fully to all Intents and Purpoſes, as if the ſaid laſt mentioned Act, and all and every the Clauſes, Matters, and Things, therein contained, had been again repeated and enacted in this Act particularly.

Proviſo.

XIII. Provided always, and it is hereby further enacted, That in all Caſes where any further or other Proviſion, or any Alteration, is made by any other Act or Acts of Parliament now in being, in relation to the ſaid Duties upon Vellum, Parchment, and Paper, ſuch other Proviſions or Alterations ſhall be obſerved

ſerved and complied with during the Continuance of the Term hereby granted in the ſame Duties; any thing herein contained to the contrary notwithſtanding.

XIV. And be it further enacted by the Authority aforeſaid, That the Rates, Duties, Impoſitions, and Sums of Money, granted to His Majeſty, by an Act paſſed in the ſixth and ſeventh Years of His Reign, intituled, *An Act for granting to His Majeſty certain Rates and Duties upon Marriages, Births, and Burials, and upon Batchelors, and Widowers, for the Term of five Years, for carrying on the War againſt* France *with Vigour*, and which were thereby to commence from the firſt Day of *May* one thouſand ſix hundred ninety-five, ſhall be, and are hereby continued, from and after the Expiration of the ſaid Term of five Years, until the ſaid firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix, and no longer, and ſhall be raiſed, levied, collected, anſwered, and paid unto His Majeſty, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned in the ſame Act for raiſing, levying, collecting, anſwering, and paying the ſame, and which were thereby preſcribed for the four laſt Years of the Term thereby granted; and that the ſaid recited Act laſt mentioned, and every Article, Rule, and Clauſe, therein mentioned, as for and concerning the ſaid Rates, Duties, and Impoſitions, ſhall continue and be in full Force to the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, as fully and amply as if the ſame were particularly recited, expreſſed, and enacted in the Body of this Act.

Duties on Marriages, Births, and Burials, by 6 & 7 W. 3. c. 6. continued until 1706. EXP.

XV. And be it further enacted by the Authority aforeſaid, That the Rates, Duties, Impoſitions, and Sums of Money, granted by an Act paſſed in the ſeventh and eighth Years of His Majeſty's Reign, intituled, *An Act for granting to His Majeſty ſeveral Rates or Duties on Houſes, for making good the Deficiency of the clipped Money*, and which were thereby to continue for and during the Term of ſeven Years, from the five and twentieth Day of *March* one thouſand ſix hundred ninety-ſix, ſhall be, and are hereby continued, from and after the Expiration of the ſaid Term of ſeven Years, until the ſaid firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix, and no longer; and ſhall be raiſed, levied, collected, anſwered, and paid unto His Majeſty, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, as are mentioned in the ſame Act for raiſing, collecting, levying, anſwering, and paying the ſame, and which were thereby preſcribed for the ſix laſt Years of the Term thereby granted; and that the ſame Act, and all Powers, Proviſions, Penalties, Articles, and Clauſes, therein contained, ſhall continue and be of full Force and Effect until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, anſwering, and paying the ſaid Duties thereby continued, according to the Tenor and Intent of this preſent Act, as fully to all Intents and Purpoſes, as if all and every the Clauſes, Matters, and Things, in the ſaid Act contained, had been again repeated in this Act, and particularly enacted.

Duties on Houſes by 7 & 8 W. 3. c. 18. continued until 1706 REP. 20 Geo. 2. c. 3.

XVI. And for the better aſcertaining and collecting the ſaid ſeveral Rates and Duties upon Marriages, Births, and Burials, and upon Batchelors, and Widowers, and the ſaid ſeveral Rates and Duties upon Houſes; Be it enacted, That it ſhall and may be lawful to and for His Majeſty, His Heirs and Succeſſors, from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety and ſeven, from time to time to give Directions for conſtituting and appointing ſuch Perſon or Perſons, as His Majeſty, His Heirs and Succeſſors, ſhall think meet, to be the Officer or Officers for the Survey and Inſpection of the Rates and Duties ariſing upon Marriages, Births, and Burials, and upon Batchelors, and Widowers, and of the Regiſter or Regiſters of all ſuch Marriages, Births, and Burials, within the ſeveral Counties of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, and alſo of the Duties ariſing upon Houſes within the ſame, and for viewing and numbring the ſeveral Windows in each Houſe (not already aſſeſſed at the Rate of ten Shillings) and for the inſpecting and examining the Aſſeſſments, or Certificates thereof made and to be made from time to time in purſuance of the ſaid Acts for granting the ſaid Rates or Duties, or any other Thing belonging to the ſame: Which Officers, or any of them, ſhall have full Power to examine and ſuperviſe the Regiſter and Regiſters of all Marriages, Births, and Burials, and of the Aſſeſſments of the ſame, and the Aſſeſſments of the Windows rated in every Pariſh and Place, as aforeſaid, and to take Copy or Copies, or Extracts of ſuch Regiſter and Aſſeſſments, and at ſeaſonable Times, with a Conſtable, Headborough, Tythingman, or other Officers of the reſpective Pariſhes or Places within the ſeveral Counties of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, who are hereby required to aſſiſt accordingly, to view and examine whether there be any more Windows (in Houſes not rated ten Shillings) than is certified and rated in ſuch Aſſeſſment, and ſhall have Liberty to make like View, Examination, and Inſpection, twice in the Year at the leaſt, during the Continuance of the ſaid ſeveral Duties by this or the ſaid former Acts for granting the ſame; and if upon or after ſuch View, or Examination and Inſpection of the Regiſters and Aſſeſſments, as aforeſaid, ſuch Officer or Officers ſhall find that any Perſon or Premiſes are under-rated, or not rated and charged as by the ſaid Acts or either of them are directed and appointed, ſuch Officer or Officers ſhall certify the ſame to the Commiſſioners, or any two or more of them, within the Diviſion, Hundred, Pariſh, or Place, wherein ſuch Neglect or Failure ſhall happen to be, which ſaid Commiſſioners, or any two or more of them, ſhall, and are hereby required to cauſe ſuch Rate or Rates to be ſet upon every ſuch Perſon and Premiſes, as ſhall be according to the true Intent and Meaning of the ſaid Acts, and either of them.

The King may appoint Officers for ſurveying the Duties on Marriages, &c. And for numbring Windows in each Houſe not aſſeſſed at 10 s. Officers to ſuperviſe the Regiſters of Marriages, &c. and the Aſſeſſments of Windows, and take an Extract and View twice a Year.

'XVII. And whereas Batchelors and Widowers that are Servants in Huſbandry, by their frequent Removals are returned as Fugitives, and eſcape the Payment of the Duties to which they are liable by the 'ſaid Act;' Be it further enacted, That the Duty or Duties wherewith ſuch Servant or Servants ſhall be charged, ſhall from time to time be paid by the Maſter or Miſtreſs of ſuch Servant, and be deducted out of his, her, or their Wages; any thing in the ſaid Act contained to the contrary notwithſtanding.

Duty for Servants in Huſbandry to be paid by the Maſter, &c.

XVIII. And be it alſo enacted and declared, That where any Houſe ſhall be inhabited by two or more Families,

Houſe inhabited by two Fa-

milies, to pay as one.

Families, ſuch Houſe ſhall nevertheleſs be ſubject to, and ſhall in like Manner pay the Rates and Duties charged on Houſes by the ſaid Act, as if ſuch Houſe were inhabited by one Family only.

Edifices in Inns of Court, &c. to pay for Windows as if an entire Houſe.

XIX. And be it alſo enacted and declared by the Authority aforeſaid, That every Edifice in any of the Inns of Court or Chancery, being ſeverally in the Tenure or Occupation of any Perſon or Perſons, ſhall be ſubject to the ſame Rates and Duties for the Number of Windows therein, as if it were an entire Houſe; and every Houſe whereof the keeping only is committed or left to the Care or Charge of any Perſon or Servant, who doth not pay to the Church and Poor, ſhall be ſubject to the like Rates and Duties for the Windows therein, as if it were inhabited by the Occupier or by a Tenant, and to be paid by the reſpective Occupiers or Tenants of the ſame.

Houſe committed to a Servant, to pay as if inhabited.

Stock of the Bank of England to be enlarged by new Subſcriptions.

XX. And for the better reſtoring of the Credit of the Nation, and advancing the Credit of the Corporation of the Governor and Company of the Bank of *England*; Be it enacted by the Authority aforeſaid, That the preſent Common Capital and Principal Stock of the ſaid Governor and Company ſhall be augmented and enlarged by the voluntary new Subſcriptions of all ſuch Perſon and Perſons, Natives and Foreigners, Bodies Politick or Corporate, who ſhall be willing to ſubſcribe any Sum or Sums of Money into the ſaid preſent Common Capital and Principal Stock, and to anſwer and make good the ſame, in Manner as herein after is appointed.

Stock of the Bank to be computed.

XXI. And for the better ſettling and adjuſting the Right and Property of each Member of the preſent Corporation of the Governor and Company of the Bank of *England*, before any ſuch Enlargement as aforeſaid be made thereunto; Be it further enacted by the Authority aforeſaid, That before the four and twentieth Day of *July* one thouſand ſix hundred ninety-ſeven, the Common, Capital, and Principal Stock of the ſaid Governor and Company ſhall be computed and eſtimated by the Principal and Intereſt owing to them from the King, or any others, and by Caſh or by any other Effects, whereof the ſaid Capital Stock ſhall then really conſiſt, over and above the Value of the Debts which they ſhall owe at the ſame Time for Principal or Intereſt to any other Perſon or Perſons whatſoever; which Computation ſhall be made and ſettled by ſeven of the preſent Members of the ſaid Corporation, to be elected for that Purpoſe at the General Court of the old Members, and by ſeven of the new Subſcribers, to be nominated and elected by the major Part of ſuch new Subſcribers, who are hereby authorized to meet at any Time within ten Days after the four and twentieth Day of *June* one thouſand ſix hundred ninety and ſeven, to make ſuch Election: And in caſe the ſaid Members and Subſcribers ſhall not ſettle the ſame before the ſaid four and twentieth Day of *July* one thouſand ſix hundred ninety-ſeven, then the Value of the ſaid Capital Stock ſhall be finally ſettled and adjuſted by the Lord Keeper of the Great Seal of *England*, or by the Lord Chancellor, or Commiſſioners for the Cuſtody of the Great Seal of *England* for the time being, who have hereby Power to ſettle and adjuſt the ſame, at any Time before the four and twentieth Day of *Auguſt* one thouſand ſix hundred ninety and ſeven; and in caſe by ſuch Settlement or Adjuſtment of the Value of the ſaid Stock it ſhall appear, that the ſame doth not amount to twelve hundred thouſand Pounds, then the Members of the ſaid Corporation, being Owners thereof, ſhall and are hereby obliged, at their own proper Coſt and Charge, to contribute ſo much as will compleatly make the ſaid Capital Stock twelve hundred thouſand Pounds, which Contribution ſhall or may be made either in their own particular Tallies and Orders, or in Bank Bills or Notes, whereunto they ſhall be reſpectively intitled; and in caſe the Value of the ſaid Capital Stock, upon ſuch Adjuſtment to be made, ſhall exceed twelve hundred thouſand Pounds, that then the Sum ſo exceeding twelve hundred thouſand Pounds be divided amongſt thoſe who ſhall be the old Members of the ſaid Corporation of the Governor and Company of the Bank of *England*, according and in Proportion to their reſpective Intereſts at that Time.

Old and new Members to ſettle the Capital Stock,

or elſe Lord Keeper to adjuſt the ſame.

Capital Stock to be made up 1,200,000l. and the Overplus divided.

12 & 13 W. 3. c. 12. §. 14.

The King may appoint Commiſſioners to take Subſcriptions.

XXII. And for the better purſuing the End and Intent of this Act, in taking the ſaid Subſcriptions, and for the greater Eaſe and Convenience of all His Majeſty's Subjects, and others, who ſhall be willing to make ſuch Subſcriptions; Be it enacted by the Authority aforeſaid, That ſuch Perſons as His Majeſty ſhall appoint by Commiſſion under the Great Seal of *England*, or any ſeven or more of them, ſhall be and are hereby authorized and appointed to be Commiſſioners to take all ſuch voluntary Subſcriptions as ſhall be made, on or before the four and twentieth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and ſeven, by or for any Perſon or Perſons, Natives or Foreigners, or by or for any Body Politick or Corporate, in the ſaid Capital and Principal Stock of the preſent Governor and Company of the Bank of *England*, in Manner as hereafter in this Act is appointed: Which Commiſſioners are hereby ordered and directed, on or before the ſecond Day of *April* one thouſand ſix hundred ninety and ſeven, to provide and prepare one or more convenient Houſe or Houſes within the Cities of *London* and *Weſtminſter*, or one of them, to be the publick Office or Place, Offices or Places, to which all or any Perſons ſhall or may reſort, for the making of the ſaid Subſcriptions, and to give ſuch publick Notice thereof, as they the ſaid Commiſſioners, or any ſeven or more of them, ſhall think will moſt conduce to the promoting the ſaid Subſcriptions; and the ſaid Commiſſioners are hereby directed, on or before the ſaid ſecond Day of *April*, to provide or cauſe to be provided, one or more Book or Books made of Vellum or Parchment, for the ſaid Subſcriptions to be made therein; which Book or Books ſhall lie open every Day in the Week (*Sundays* only excepted) at the ſaid publick Office or Offices from the ſaid ſecond Day of *April* to the ſaid four and twentieth Day of *June*, daily, and from the Hour of Eight to the Hour of Twelve in the Morning, and from the Hour of Three to the Hour of Seven in the Afternoon of each Day.

Commiſſioners to provide Books for Subſcriptions.

Any Perſons may ſubſcribe Money for enlarging the Capital Stock.

Subſcriptions how to be anſwered and made good.

XXIII. And for the better encouraging the ſaid Subſcriptions to be made; be it further enacted by the Authority aforeſaid, That from and after the ſaid ſecond Day of *April* it ſhall and may be lawful to and for all and every Perſon or Perſons, Natives or Foreigners, Bodies Politick and Corporate, by and for themſelves, or any of them, or by themſelves or any of them in Truſt for any other Perſon or Perſons, Bodies Politick or Corporate, or any of them, freely to ſubſcribe any Sum or Sums of Money into the Capital and Principal Stock of the ſaid preſent Governor and Company, in order to the augmenting and enlarging thereof as aforeſaid; which ſaid Subſcriptions at the reſpective Times of making the ſame, ſhall be anſwered and made

made good by the respective Subscribers thereof to the said Capital and Principal Stock of the said present Governor and Company, in the Manner and Proportion following (that is to say) four fifth Parts of each respective and particular Subscription (the Value of the said whole Subscriptions into five equal Parts being divided) shall be answered and made good to the said Capital and Principal Stock of the said present Governor and Company, by assigning to them the Principal and Interest whereunto such Subscribers respectively shall be then really intitled by Tallies of Loan and Orders of Repayment, or by Tallies of *Pro* or Assignment, for Monies which were lent or advanced, or are or shall be charged as aforesaid, upon some of the Aids, Supplies, Revenues, Impositions, or other Funds herein after mentioned, and by delivering up at the same Time to the said Governor and Company, the Tallies and Orders so assigned; that is to say, Upon the said first Aid of four Shillings in the Pound, the said third Aid of four Shillings in the Pound, the said fourth Aid of four Shillings in the Pound, the said quarterly Poll, the said three fourth Parts of the Customs, the said Act for continuing the Duties upon Salt and other Things, or upon the said two third Parts of the additional Excise, or upon the said additional Impositions upon several Goods and Merchandizes, or upon the said Duties payable for Vellum, Parchment and Paper, or upon the said yearly Sum of three hundred thousand Pounds, payable out of the Subsidy of Tunnage and Poundage, or upon the said Duties charged upon Marriages, Births, Burials, Batchelors and Widowers, or upon the said continued Impositions payable for Wines, Vinegar, Tobacco, *East India* Goods, or other Merchandize imported, or upon the said Act for continuing certain Acts therein mentioned, and charging Joint Stocks, or upon the said Duties payable for Low Wines, Spirits and Sweets, or which are or shall be charged upon the said weekly Sum of six thousand Pounds, issuing out of the Hereditary and Temporary Excise, or upon the said weekly Sum of six hundred Pounds, issuing out of the Revenue of the Post Office, and the other fifth Part of each of the said Subscriptions shall be answered and made good to the said Capital Stock of the said Governor and Company in Bank Bills or Bank Notes, which have so much Money *bona fide* resting due thereupon, as the said one fifth Part of the said respective Subscriptions shall fully amount to. 7 & 8 W. 3. c. 10.

XXIV. And be it further enacted, That from and after the said four and twentieth Day of *June*, and until such Tallies and Orders so subscribed, assigned and brought into the Bank, shall be actually paid off and discharged, an Interest of eight Pounds *per Centum per Annum* shall be allowed and paid for all the Principal which shall be due upon, or secured by the said Tallies or Orders so subscribed, assigned and brought in; and where an Interest of eight Pounds *per Centum per Annum* is not already granted by Parliament for the same, or any of them, there shall be allowed so much as will compleat and make up the said Interest of eight Pounds *per Centum per Annum*, out of the respective Funds and Provisions by this Act granted. Bank to allow 8 l. per Cent. on Tallies brought in, until the Principal be paid off,

'XXV. And in regard the said Governor and Company are to accept one fifth Part of the said Subscriptions in Bank Bills or Bank Notes, and are already possessed of several Tallies or Orders charged upon the Aids or Funds before mentioned, to a much greater Value than the said fifth Part in Bank Bills or Bank Notes will amount to;' It is hereby further enacted, That the Interest payable to the said Governor and Company of the Bank of *England* upon so many of the said Tallies or Orders, whereof the Principal shall be equal to the Amount of the said fifth Part to be subscribed in Bank Bills or Bank Notes, shall be augmented and raised to the Rate of eight Pounds *per Centum per Annum*, from the said four and twentieth Day of *June*, until the same shall be actually paid off and discharged; the said Governor and Company, after the said Subscriptions shall be compleated, delivering to the Auditor of the Receipt of *Exchequer* a Schedule fairly written in Parchment, and signed by the Governor or Deputy Governor, containing the Tallies and Orders, not to exceed as aforesaid, whereupon they shall desire their Interest to be so augmented to the said Rate of eight Pounds *per Centum per Annum*, and the said Rate of eight Pounds *per Centum per Annum* shall be payable to the said Governor and Company, and their Successors, out of the respective Funds or Provisions by this Act made or granted for that Purpose; the several Acts of Parliament by which the said Funds are settled, or any of them, or any Clause, Proviso, Matter or Thing, in them or any of them contained, or any other Act, Law, Statute, Usage or Custom whatsoever, to the contrary thereof in any wise notwithstanding. and receive 8 l. per Cent. Interest for one fifth Part of the Subscriptions, until paid off. After Subscriptions compleated, Governor to deliver a Schedule of the Tallies, &c. to the Auditor of Exchequer.

XXVI. And be it further enacted by the Authority aforesaid, That all and every the Person and Persons, Natives and Foreigners, Bodies Politick and Corporate, who shall so subscribe, or for whom such Subscriptions shall be made, to the said Capital Stock of the present Governor and Company of the Bank of *England* by virtue of this Act, and who shall answer and make good their said Subscriptions in the Proportion of Tallies, Orders, Bank Bills, and Bank Notes as aforesaid, and the Executors, Administrators, Successors or Assigns of such Person or Persons, Bodies Politick or Corporate as aforesaid, having any Title or Interest under any of the Subscribers by virtue of this Act, at the Time of closing or shutting up of the said intended Book or Books of Subscriptions, on the said four and twentieth Day of *June*, shall immediately, from and after the said four and twentieth Day of *June*, be and shall be deemed and reputed to be Members of, united to, and incorporated with the present Governor and Company of the Bank of *England*, and their Successors, and shall at all Times from and after the said four and twentieth Day of *June*, together with the present Governor and Company of the Bank of *England*, and their Successors, be and be construed, reputed, accepted and taken to be one Body Politick and Corporate, by the Name of *The Governor and Company of the Bank of* England, and by the same Name of the Governor and Company of the Bank of *England* shall have a perpetual Succession, and a Common Seal; and that they and their Successors, by the Name aforesaid, shall be able and capable in Law to have, purchase, receive, possess, enjoy, and retain to them and their Successors, Lands, Rents, Tenements and Hereditaments, of what Kind, Nature, or Quality soever; and also to sell, grant, demise, aliene, or dispose of the same, and by the same Name to sue and implead, be sued and impleaded, answer and be answered, in Courts of Record, or any other Place whatsoever, and to do and execute all and singular other Matters and Things, by the Name aforesaid, that Subscribers to the Capital Stock, incorporated with the present Governor and Company, &c.

to them shall or may appertain to do; subject nevertheless to the Proviso or Condition of Redemption herein after mentioned.

After 1710. Bank to cease upon Repayment of several Sums mentioned. 5 & 6 W. & M. c. 20.

This Clause repealed by 7 Annæ, c. 7. §. 5.

XXVII. Provided always, and it is hereby further enacted, That at any Time upon twelve Months Notice, after the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and ten, and not before, and upon Repayment by Parliament of the Sum of twelve hundred thousand Pounds mentioned in the said Act, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tunnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of fifteen hundred thousand Pounds towards carrying on the War against* France, unto the said Governor and Company of the Bank of *England* hereby constituted and made, and of all Arrears of the one hundred thousand Pounds *per Annum*, payable to the Governor and Company of the Bank of *England*, and their Successors, by virtue of the said recited Act, and also upon Payment of all the Principal and Interest Monies which shall be owing to the said Governor and Company of the Bank of *England*, hereby established, upon all such Tallies, *Exchequer* Orders, or Parliamentary Funds, which the said Governor and Company shall have remaining in their Hands, or be intitled to at the Time of such Notice to be given as aforesaid, then and in such Case, and not till then, the said yearly Payment of one hundred thousand Pounds *per Annum*, and also the said Corporation, by this and the said former Act established, shall cease and determine; any thing herein contained in any wise to the contrary notwithstanding.

During the Continuance of the Bank of England, no other to be established. By 6 Annæ, c. 22. § 9. this Restraint extended to all Persons above the Number of six.

XXVIII. And be it further enacted, That during the Continuance of the Corporation of the Governor and Company of the Bank of *England*, no other Bank, or any other Corporation, Society, Fellowship, Company, or Constitution, in the Nature of a Bank, shall be erected or established, permitted, suffered, countenanced, or allowed by Act of Parliament within this Kingdom.

Interest on Tallies or Orders to be taken as so much principal Money.

Assignments of Orders to be registred before Subscription, or not to be allowed.

XXIX. And be it further enacted by the Authority aforesaid, That all the Interest due on such Tallies or Orders, which shall be so as aforesaid brought into the Bank, upon the said intended Subscriptions, by virtue of this Act, being computed from the time to which Interest hath been actually satisfied thereupon, to the End of the last preceding Quarter of a Year, next before the Day appointed for beginning of such Subscriptions, shall be accepted, taken, or allowed by the said Commissioners, upon the taking the said Subscriptions, as so much Principal Money subscribed and paid into the Capital Stock of the said Governor and Company; and that all Assignments of Orders on all such Tallies, as shall be so brought in upon the said Subscriptions, shall, before the making of such Subscriptions, be registred in the *Exchequer*, by the proper Owner or Owners thereof; and in Default or Neglect of such registring as aforesaid, the said Tallies or Orders, so unregistred, shall not be accepted or taken, nor any Subscription be allowed or permitted in respect of the same, until such Orders shall be first duly registred, as aforesaid.

'XXX. And whereas in and by the said recited Act of Parliament, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tunnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of fifteen hundred thousand Pounds towards carrying on the War against* France, it is enacted among other Things, That the said Corporation, to be made in pursuance of the said Directions of the said recited Act, should not borrow, or give Security, by Bill, Bond, Covenant, or Agreement, under their Common Seal, for any more, further, or other Sum or Sums of Money, exceeding in the whole the Sum of twelve hundred thousand Pounds, so that they should not owe at any one Time more than the said Sum under their Common Seal, unless it be by Act of Parliament upon Funds agreed in Parliament, and in such Case only such further Sums as should be so directed and allowed to be borrowed by Parliament, and for such Time only, until they should be repayed such further Sums as they should borrow by such Authority; and if any more, or further, or other Sum or Sums of Money should be borrowed, taken up, lent, or advanced, under their Common Seal, or for Payment of which any Bill, Bond, Covenant, or Agreement, or other Writing, should be made, sealed, or given, under the Common Seal of the said Corporation, then, and in such Case, all and every Person and Persons, who should be a Member or Members of the said Corporation, his and their respective Heirs, Executors, and Administrators, should in his and their respective private and personal Capacities, be chargeable with and liable, in Proportion for their several Shares or Subscriptions, to the Repayment of such Monies which should be so borrowed, taken up, or lent, with Interest for the same, as in and by the said recited Act, among other Things, may appear;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Governor and Company of the Bank of *England*, and their Successors, to borrow or give Security, by Bills or Agreement, under their Common Seal, for any Sum or Sums of Money (over and above the said Sum of twelve hundred thousand Pounds mentioned in the said recited Act) so as the same exceed not the Value of the Sum which shall be subscribed by virtue of this Act. Provided the said Governor and Company do oblige themselves in their said Bills, by them to be given out, to answer and pay the Money therein mentioned upon Demand. And in Default of such Payment demanded at the Bank, between the Hours of nine and twelve in the Forenoon, and the Default thereof being proved by an Affidavit made in Writing before the Barons of the *Exchequer*, or any one of them, be it enacted, That all such Bills, over and above the said twelve hundred thousand Pounds, be answered and paid at the *Exchequer*, out of the first Money which shall be due or payable at that Receipt to the said Governor and Company (other than their said yearly Fund of one hundred thousand Pounds *per Annum*) and the said Governor and Company are hereby required in the making forth of the said Bills for any Sum, being over and above the said twelve hundred thousand Pounds, to express the same to be made by virtue of this Act, and otherwise to distinguish the same from all their said Debts contained within the said Sum of twelve hundred thousand Pounds; any thing contained in the said recited Clause, or in the said recited Act, or any other Act, Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

Bank may borrow any Sum above the 1,200,000 l. not exceeding the Sum subscribed.

In Default of Payment Bills to be paid at the Exchequer, out of Money due to the Bank.

Bills made for above 1,200,000 l. to be expressed and distinguished.

XXXI. And

Bank Stock and Intereſt thereof exempted from Taxes.

XXXI. And be it further enacted, That the Common, Capital, and Principal Stock, and alſo the real Fund of the Governor and Company of the Bank of *England*, or any Profit or Produce to be made thereof, or ariſing thereby, or the particular Share, Part, and Intereſt of any Member of the ſaid Corporation in the ſaid Stock or Fund, or the Profit or Produce to be made thereof, or ariſing thereby, ſhall be, and is hereby exempted from any Taxes, Rates, Aſſeſſments, or Impoſitions whatſoever, during the Continuance of the ſaid Bank.

Growing Intereſt on Tallies, and the yearly Fund, &c. applied to the Uſe of all Members of the Corporation in Proportion to their Shares.

XXXII. And be it further enacted, That from and after the compleating of the ſaid Subſcriptions to be taken by virtue of this Act, the growing Intereſt of all the Tallies and Orders brought in by virtue of the ſaid Subſcriptions, till the Principal thereon ſhall be paid off, and the ſaid Principal it ſelf, ſo faſt as the ſame ſhall be received, together with the ſaid yearly Payment of one hundred thouſand Pounds *per Annum*, payable to the preſent Governor and Company by virtue of the ſaid recited Act, and all the Profit, Benefit, and Advantage, from time to time ariſing out of the Management of the ſaid Corporation, from and after the compleating the ſaid Subſcriptions, ſhall be applied to the Uſes of all the Members of the ſaid Corporation of the Governor and Company of the Bank of *England*, rateably and in Proportion to each Member's Part, Share, and Intereſt in the Common, Capital, and Principal Stock of the ſaid Governor and Company hereby eſtabliſhed.

Bank Stock to be a Perſonal, and not a Real Eſtate,

and ſhall go to the Executors, and not to the Heir.

XXXIII. And be it further enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety-ſeven, the Eſtate, Intereſt, and Stock of the Money of the ſaid Corporation of the Governor and Company of the Bank of *England*, and of each and every particular Member thereof, ſhall be, and be adjudged, taken, and accepted, in Conſtruction of Law, by all Judges in all Courts of Law and Juſtice, and in all Courts and Places whatſoever within this Realm, to be a perſonal, and not a real Eſtate, and ſhall go to the Executors or Adminiſtrators of the Perſon or Perſons dying poſſeſſed thereof, or intitled thereunto, and not to the Heirs of ſuch Perſon or Perſons; any thing contained in the ſaid Act of Parliament for erecting the Bank, or in any other Act, or any other Law, Statute, Uſage, or Cuſtom, to the contrary in any wiſe notwithſtanding.

No Contract for buying or ſelling Bank Stock to be good, till regiſtred in the Bank Books.

XXXIV. And for preventing of clandeſtine or fraudulent Bargains or Dealings in Bank Stock for the future; Be it further enacted by the Authority aforeſaid, That from and after the ſaid five and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-ſeven, no Promiſe, Contract, Bargain, Covenant, or Agreement, made either by Word of Mouth, or in Writing, for the buying or ſelling of any Bank Stock, or for the transferring, changing, or altering, the Property thereof, either in Truſt, or otherwiſe, however it be, ſhall be good or valid in Law or Equity, or adjudged to be legal, obligatory, or binding to either or any of the Parties making the ſame, or concerned therein, or for whoſe Uſe or Account the ſame is or ſhall be made, unleſs ſuch Promiſe, Contract, Bargain, Covenant, or Agreement, ſhall be actually regiſtred in Words at Length, in the Book or Books of the Bank, by the Officer there thereunto appointed, within ſeven Days, and actually transferred within fourteen Days next after the making of ſuch Promiſe, Contract, Bargain, Covenant, or Agreement.

No Act of the Corporation to ſubject the particular Share of any Member to Forfeiture.

XXXV. And be it further enacted by the Authority aforeſaid, That no Act, Matter, or Thing, Acts, Matters, or Things already done, or hereafter to be done, by the ſaid Corporation of the Governor and Company of the Bank of *England*, or by their Succeſſors, or by the Court of Directors of the ſaid Corporation, or by any Sub-Committee appointed or to be appointed by the ſaid Corporation, ſhall forfeit or ſubject, or make liable to Forfeiture, the particular, private, and perſonal Eſtate, Intereſt, Stock, and Property of any Member of the ſaid Corporation; but that notwithſtanding any Act or Acts, Matter or Matters, Thing or Things, done or to be done by the ſaid Governor and Company of the Bank of *England*, or by the ſaid Court of Directors, or Sub-Committees, as aforeſaid, the Eſtate, Stock, Intereſt and Property, with the whole Proceed, Benefit, Profit, and Advantage thereof, belonging to each and every Member of the ſaid whole Corporation, and his particular Right, Claim, and Title thereunto, and to every Part thereof, ſhall be and remain unforfeited, untouched, whole, ſafe, and intire, to the proper Uſe and Benefit of each and every of the ſaid Members, ſubject nevertheleſs to the Payment of all juſt Debts contracted by the ſaid Corporation; any Law, Statute, Uſage, or Cuſtom, to the contrary notwithſtanding.

Felony to forge or counterfeit the Common Seal or any Bank Note, &c.

'XXXVI. And whereas of late divers Frauds and Cheats have been put upon the Governor and Com-'pany of the Bank of *England*, by the altering, forging, and counterfeiting of the Bank Bills, and Bank 'Notes of the ſaid Governor and Company, and by the raſing and altering Indorſements thereupon, to the 'great Decay of Credit:' For redreſſing the ſame for the future, be it enacted by the Authority aforeſaid, That the forging or counterfeiting the Common Seal of the ſaid Corporation of the Governor and Company, or of any ſealed Bank Bill, made or given out in the Name of the ſaid Governor and Company, for the Payment of any Sum of Money, or of any Bank Note of any Sort whatſoever, ſigned for the ſaid Governor and Company of the Bank of *England*, or the altering or raſing any Indorſement on any Bank Bill or Note of any Sort, ſhall be, and is hereby declared and adjudged to be Felony without Benefit of Clergy.

Officers of Exchequer to keep true Accounts of all Monies due to the Bank,

on account of the yearly or other Funds,

XXXVII. And be it further enacted by the Authority aforeſaid, That the Auditor of the Receipt of His Majeſty's *Exchequer* for the time being, and all Tellers, Receivers, and Officers whatever, in the ſaid Receipt of *Exchequer*, ſhall from time to time for ever hereafter keep juſt and true Accounts, in a Book or Books fairly written, of all Monies coming to their and every of their Hands, which are or ſhall be appropriated, belonging, due, or owing to the ſaid Governor and Company of the Bank of *England*, as the ſame ſhall from time to time come into the Receipt of *Exchequer*, or ſhall come to their ſeveral Hands, either on account of the yearly Fund of one hundred thouſand Pounds *per Annum*, payable to the ſaid Governor and Company by virtue of the ſaid Act of Parliament for erecting the Bank, or on Account of any Parliamentary Funds, on the Credit of which the ſaid Governor and Company already have, or ſhall hereafter have lent or advanced any Sum of Money, or on Account of the Principal Monies or Intereſts due or to be due

to the said Governor and Company on any Tallies to them belonging, to which Books the said Governor and Company, their Assigns, Agents and Servants, shall have free Access, from time to time, and at all seasonable Times, without any Fee or Reward to be paid for the same, to inspect, search, examine, and copy out of the said Books, as they shall think fit; which said Auditor of the Receipt shall from time to time duly direct the said Orders, and the Clerk of the Pells shall record the same, and the Tellers in the Receipt of the *Exchequer* shall duly make Payment thereupon, in their due Course, without Delay, to the said Governor and Company, their Agents, Servants and Assigns; and if any such Auditor, Teller, Receiver or Officer of the *Exchequer* for the time being, shall either neglect or refuse to keep such Accounts, or to direct, record, or make such Payments in due Course and Order, as are herein before required, or shall delay or put off the Payment thereof, or divert or misapply any of the Monies so as aforesaid or any otherwise due or belonging to the said Governor and Company, in such Case he or they so offending respectively, for any such Offence shall forfeit his or their Places, and be ever afterwards uncapable of enjoying any Office or Place of Trust whatsoever, and also shall be liable to pay double the Value of any Sum or Sums so delayed to be paid, or so diverted or misapplied as aforesaid, to the said Governor and Company, or to any Person or Persons grieved thereby, and who will sue for the same, to be recovered in any of His Majesty's Courts of Record in *Westminster*, by any Action of Debt or on the Case, to be framed and founded on this Act, or by Bill, Plaint or Information, wherein no Protection, Wager of Law, Essoin, Privilege of Parliament, or any other Privilege shall be allowed, nor any more than one Imparlance.

Payments to be made in Course.

Monies arising by the several Acts following to make good Deficiencies of Tunnage and Poundage, Wines, Vinegar, Tobacco, &c.

Additional Impositions.

Vellum, Parchment, and Paper.

Marriages, Births, and Burials.

Rates on Houses.

XXXVIII. And be it further enacted by the Authority aforesaid, That all the Monies which shall arise and be brought into the Receipt of His Majesty's *Exchequer*, of or for the Subsidy of Tunnage and Poundage, and other Duties upon Merchandizes therewith continued by this Act from the five and twentieth Day of *December* one thousand six hundred ninety-nine, until the said first Day of *August* one thousand seven hundred and six; and of or for the said Impositions or Duties upon Wines, Vinegar, Tobacco, *East India* Goods, wrought Silks, and other Duties, therewith continued by this Act from the eight and twentieth Day of *September* one thousand seven hundred and one, until the said first Day of *August* one thousand seven hundred and six; and of or for the said additional and other Rates, Duties, Impositions and Charges upon several Sorts of Goods and Merchandizes by this Act continued from the last Day of *February* one thousand six hundred ninety-six, to the said first Day of *August* one thousand seven hundred and six; and of or for the said Duties upon Vellum, Parchment and Paper, by this Act continued from the eight and twentieth Day of *June* one thousand six hundred ninety-eight, until the said first Day of *August* one thousand seven hundred and six; and of or for the said Rates and Duties upon Marriages, Births, Burials, Batchelors, and Widowers hereby continued from the first Day of *May* one thousand seven hundred, until the said first Day of *August* one thousand seven hundred and six; and of or for the said several Rates or Duties upon Houses, by this Act continued from the five and twentieth Day of *March* one thousand seven hundred and three, until the said first Day of *August* one thousand seven hundred and six; and all the Monies (if any such be) which from and after the full Payment and Satisfaction of the Sums of Money, not exceeding fifteen hundred thousand Pounds, borrowed upon the Credit of the said Act passed in the Parliament holden in the seventh and eighth Years of His Majesty's Reign, intituled, *An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco and* East India *Goods and other Merchandizes imported, for carrying on the War against* France, and the Interest thereof, shall arise and be brought into the *Exchequer*, of or for the said Impositions or Duties upon Wines, Vinegar, Tobacco, *East India* Goods, wrought Silks, and other Goods, thereby granted or continued until the said nine and twentieth Day of *September* one thousand seven hundred and one; and all the Monies, which from and after the Satisfaction of the Principal Sums, not exceeding seven thousand three hundred eighty-two Pounds eleven Shillings and four Pence, borrowed upon the said Act made in the Parliament holden in the seventh and eighth Years of His Majesty's Reign, intituled, *An Act for granting to His Majesty several Rates or Duties upon Houses for making good the Deficiency of the clipped Money*, and the Interest thereof, and after that all the Bills signed by the Master and Worker of His Majesty's Mints, for the Reward after the Rate of six Pence *per* Ounce for every Ounce of Sterling Silver proceeding from wrought Plate, Vessels, or any other manufactured Silver, brought into any of His Majesty's Mints between the fourth Day of *May* one thousand six hundred ninety-six, and the fourth Day of *November* one thousand six hundred ninety-six, shall be fully paid off and satisfied, shall arise and be brought into the *Exchequer*, of or for the said Rates or Duties upon Houses, granted by the said Act for seven Years, from the five and twentieth Day of *March* one thousand six hundred ninety-six; and all the Monies, which from and after the full Payment and Satisfaction of the Sums of Money, not exceeding one Million seven hundred twenty-four thousand Pounds, borrowed or to be borrowed as aforesaid, for the Service of the War, upon Credit of the said Act passed in the Parliament holden in the seventh and eighth Years of His Majesty's Reign, intituled, *An Act for continuing to His Majesty certain Duties upon Salt, Glass Wares, Stone and Earthen Wares, and for granting several Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War against* France, *and for establishing a National Land Bank, and for taking off the Duties upon Tunnage of Ships and Vessels, and upon Coals*, and after the Interest thereof shall also be satisfied, shall arise and be brought into the said Receipt of *Exchequer*, of and for the said Duties upon Salt, Glass Wares, Stone and Earthen Wares, and upon Tobacco Pipes, and other the Duties thereby granted or continued to His Majesty, His Heirs and Successors, shall be and are hereby declared to be the General Fund, for making good the particular Funds before in this Act expressed or computed to be deficient, and are and shall be appropriated, issued and applied, for and towards the making good of the said Deficient Funds, by the Payment and Satisfaction of the Principal and Interest due and to grow due thereupon, in such Manner and Form, and according to such Rules and Methods, as are hereafter in this Act prescribed and directed, and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever, until all the said Principal and Interest shall be fully satisfied and paid off.

7 & 8 W. 3. c. 10.

7 & 8 W. 3. c. 18.

7 & 8 W. 3. c. 31.

Money not divertible.

XXXIX. And

XXXIX. And to the end all the Monies which ſhall ariſe and be brought into the Receipt of the *Exchequer*, of or for the ſeveral Duties, Impoſitions and Revenues, which are hereby appropriated for making good of the Deficient Funds, and are before in this Act particularly enumerated and declared to be the general Fund for that Purpoſe, may be duly iſſued and applied for and towards the Payment and Satisfaction of the Principal and Intereſt, due and to grow due upon the ſaid Funds hereby declared or computed to be deficient, according to the true Intent and Meaning of this Act; and that the Monies by this Act appropriated for that Purpoſe, may not be diverted or applied to any other Uſe than is hereby intended; Be it further enacted and provided, That ſo much of the Monies of the ſaid general Fund hereby appropriated as aforeſaid, as ſhall ariſe and be brought into the ſaid Receipt of the *Exchequer*, at any Time or Times before the eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, as well for the ſaid Duties upon Houſes (after the ſaid Principal Monies, not exceeding ſeven thouſand three hundred eighty-two Pounds, eleven Shillings, and four Pence, and the Intereſt thereof, and the ſaid Reward of ſix Pence an Ounce for Silver ſhall be ſatisfied) as alſo for the ſaid Additional, and other Rates, Duties, Impoſitions and Charges upon ſeveral Sorts of Goods and Merchandizes by this Act continued from the laſt Day of *February* one thouſand ſix hundred ninety-ſix, ſhall be iſſued and applied for and towards the Payment and Satisfaction of the Intereſt due or to grow due (as well to the Bank of *England*, as to any other Perſon or Perſons that are or ſhall be intitled to Intereſt) of or for the Loans that are or ſhall be remaining unſatisfied, which were made upon, or directed to be repaid out of the ſaid firſt Aid of four Shillings in the Pound, and the ſaid third Aid of four Shillings in the Pound, and the ſaid fourth Aid of four Shillings in the Pound, and the ſaid quarterly Poll, and the ſaid three fourth Parts of the Cuſtoms, and the ſaid two third Parts of the additional Exciſe, and ſuch additional Impoſitions and Duties on Goods and Merchandizes, as were granted by the ſaid Act, ending on the firſt Day of *March* one thouſand ſix hundred ninety-ſix; and that out of the ſame Monies ſo ariſing and brought into the *Exchequer*, at any Time or Times before the ſaid eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall receive ſo much as will make up their Part of the Intereſt out of the Funds laſt mentioned, to be after the Rate of eight Pounds *per Centum per Annum*, as well for ſuch Tallies and Orders charged on thoſe Funds as ſhall be ſubſcribed and brought into the Bank as aforeſaid, as for other their Tallies and Orders on thoſe particular Funds, whereof the Intereſt is to be augmented to the ſaid Rate of eight Pounds *per Centum per Annum*, by virtue and in purſuance of this Act.

Monies ariſing before 28 June 1698, for the Duties on Houſes, after Payment of 7,382 l. 11 s. 4 d. and Intereſt, &c. alſo for additional Rates on Merchandizes, &c. continued by this Act, to ſatisfy the Intereſt due on the 1ſt, 3d, and 4th, 4 s. Aids, quarterly Poll, &c.

after the Rate of 8 l. per Cent. per Ann.

XL. Provided always, and be it enacted, That if the Monies ſo ariſing, and being brought into the ſaid Receipt of *Exchequer* at any Time or Times before the ſaid eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, as is before mentioned, ſhall not be ſufficient to ſatisfy all the Intereſt which in the mean Time ſhall grow due to the ſaid Governor and Company of the Bank of *England*, and to all other Perſons intitled to Intereſt out of the Funds laſt mentioned, that then the Commiſſioners of His Majeſty's Treaſury, or any three or more of them now being, or the Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall cauſe the Monies that ſhall ſo ariſe and be brought in at any Time or Times before the ſaid eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, to be diſtributed and applied, ſo far as it will extend, to and for the Payment of the ſaid Intereſt upon the Funds laſt mentioned, ſo that a proportionable Part thereof ſhall be iſſued for Intereſt upon each of thoſe Funds, according and in Proportion to the Sum of all the Principal Money that ſhall then remain due thereupon.

Intereſt how to be ſatisfied.

XLI. Provided alſo, and be it enacted, That if the Monies ſo ariſing, and being brought into the ſaid Receipt of *Exchequer*, at any Time or Times before the ſaid eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, as is before mentioned, ſhall be ſufficient to ſatisfy all the Intereſt, which in the mean Time ſhall grow due to the ſaid Governor and Company, and all others intitled to Intereſt out of the Funds laſt mentioned, with an Overplus, that then the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall cauſe the ſaid Overplus Monies ſo ariſing, and being brought in at any Time or Times before the ſaid eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, to be diſtributed and applied, ſo far as it will extend, to and for the Payment of the Principal Monies owing upon the Funds laſt mentioned and enumerated, ſo that a proportionable Part thereof ſhall be iſſued for Principal upon each of thoſe Funds, according and in Proportion to the Sum (whether it be greater or leſſer) of all the Principal Monies that ſhall then remain due thereupon, and the Monies ſo diſtributed to pay off Principal upon each of thoſe Funds, ſhall be iſſued in Satisfaction of Principal Monies, which ſhall in courſe be payable to the ſaid Governor and Company, or to any other Perſons out of the ſame Funds reſpectively.

Overplus to be applied to pay the Principal.

XLII. And as to, for and concerning ſo much of the Monies of the ſaid General Fund hereby appropriated as aforeſaid, as ſhall ariſe and be brought into the ſaid Receipt of *Exchequer*, at any Time or Times after the ſaid eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, as well for the ſaid Duties upon Houſes, as for the ſaid additional and other Rates, Duties, Impoſitions and Charges upon ſeveral Sorts of Goods and Merchandizes, during the Continuance of this Act; and as to, for and concerning ſo much of the Monies of the ſaid General Fund hereby appropriated as aforeſaid, as ſhall ariſe and be brought into the ſaid Receipt of *Exchequer*, at any Time or Times of or for the ſeveral Duties, Impoſitions or Revenues herein after mentioned (that is to ſay) of or for the ſaid Duties upon Vellum, Parchment and Paper, by this Act granted and continued from the eight and twentieth Day of *June* one thouſand ſix hundred ninety-eight, until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, and of and for the ſaid Subſidy of Tunnage and Poundage, and other Duties upon Merchandizes therewith granted and continued by this Act, from the ſaid five and twentieth Day of *December* one thouſand ſix hundred ninety-nine, until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, and of and for the ſaid Rates and Duties upon Marriages, Births, Burials, Batchelors and Widowers, hereby granted and continued from

from the first Day of *May* one thousand seven hundred, until the said first Day of *August* one thousand seven hundred and six, and of or for the said Impositions or Duties upon Wines, Vinegar, Tobacco, *East India* Goods, wrought Silks, and other Duties therewith granted and continued by this Act from the eight and twentieth Day of *September* one thousand seven hundred and one, until the said first Day of *August* one thousand seven hundred and six, and all the Monies (if any such be) which from and after the full Payment and Satisfaction of the said Sums, not exceeding fifteen hundred thousand Pounds, borrowed upon the Credit of the said Act passed in the Parliament holden in the seventh and eighth Years of His Majesty's Reign, for the said continued Duties upon Wines, Vinegar, Tobacco, *East India* Goods, and other Merchandizes, shall arise thereby, until the said nine and twentieth Day of *September* one thousand seven hundred and one, and be brought into the said Receipt of *Exchequer*, and as to all the Monies, which from and after the full Payment and Satisfaction of the Sums of Money, not exceeding one Million seven hundred twenty-four thousand Pounds, borrowed or to be borrowed as aforesaid, for the Service of the War, upon Credit of the said Act for continuing and making perpetual the said Duties upon Salt, Glass Wares, Stone and Earthen Wares, and upon Tobacco Pipes, and other the Duties thereby granted or continued; It is hereby further enacted and provided, That all the Monies so arising and brought from time to time into the said Receipt of *Exchequer*, of or for the said general Fund, consisting of the said several Duties, Impositions and Revenues before enumerated and mentioned, as the same shall from time to time commence or take Effect, shall be distributed, issued and applied, to and for the Payment of Principal and Interest charged upon or directed to be paid as aforesaid, out of the said deficient Funds; that is to say, The said first Aid of four Shillings in the Pound, the said third Aid of four Shillings in the Pound, the said fourth Aid of four Shillings in the Pound, the said quarterly Poll, the said three fourth Parts of the Customs, the said Duties upon Salt, Glass Wares, and other Earthen Wares, and Tobacco Pipes, the said two third Parts of the additional Excise, the said additional Impositions payable for Goods and Merchandizes, the said Duties payable upon Vellum, Parchment and Paper, the said Rates and Duties payable upon Marriages Births, and Burials, Batchelors and Widowers, the said continued Impositions payable for Wines, Vinegar, Tobacco, *East India* Goods, and other Merchandizes imported, and upon the said yearly Sum of three hundred thousand Pounds payable out of the Subsidy of Tunnage and Poundage; so as that a proportionable Part of the Monies so coming in, to be distributed as aforesaid, shall be distributed, issued and applied, to pay Principal and Interest upon every one of the Funds last mentioned, according and in Proportion to the Sum of the Deficiency thereof, before in and by this Act computed and expressed; and that the Commissioners of His Majesty's Treasury, or any three or more of them now being, or the High Treasurer or Under Treasurer of the *Exchequer*, or any three or more of the Commissioners of the Treasury for the time being, shall, on or before the six and twentieth Day of *July* one thousand six hundred ninety-eight, and from thenceforth, once in every eight and twenty Days, or oftner, cause an exact Account to be made or taken of all the Monies that shall be brought into the *Exchequer*, applicable to pay Principal and Interest on the said deficient Funds as aforesaid, and shall thereupon immediately, from time to time, by their Warrants and Orders, cause such Money to be distributed, applied and placed to the Account of each Tax, Revenue or Fund so deficient as aforesaid, in the just Proportions before mentioned, and according to the true Intent and Meaning of this Act.

Application of the general Fund.

Treasury once in 28 Days to cause an Account to be taken of all Monies brought into the Exchequer, &c.

Monies to be paid out to the Bank and others intitled to the same, and not divertible.

XLIII. And it is hereby enacted, That all the Money, which shall be so distributed or placed to the Account of each and every of the said deficient Taxes, Duties and Funds, before enumerated and expressed, for or towards the Payment of Principal and Interest thereupon, shall be issued, paid out and disposed, so far as the same will from time to time extend, as well to the said Governor and Company of the Bank of *England* and their Successors, as to all and every other Person and Persons, Bodies Politick and Corporate, who are or shall be intitled to receive the said Principal and Interest, in such and the like Course, Order, Manner and Form, as if the same were Monies really arising by the said respective Taxes, Duties or Funds, hereby computed and expressed to be deficient as aforesaid, and that without being diverted or divertible to any other Use, or misapplied, and without giving any undue Preference, under the Penalty of incurring the same Forfeitures and Disabilities by the Officers and other Persons concerned therein, as they would have incurred for diverting or misapplying any the Money of such Tax, Duty or Fund, in case the same were not deficient; and that out of the said Monies so from time to time arising, and being brought into the *Exchequer*, of or for the said general Fund, hereby provided and established for making good the said deficient Funds, the said Governor and Company of the Bank of *England* shall from time to time receive so much as will make up and compleat for them an Interest, after the Rate of eight Pounds *per Centum per Annum*, as well for all and every the Tallies and Orders which shall be subscribed and brought into the Bank as aforesaid, and be charged upon any of the Funds pursuant to this Act, as for any other their Tallies and Orders, whereupon the Interest (in regard of the Subscription of one Fifth in Bank Bills or Notes) is to be augmented to the Rate of eight Pounds *per Centum per Annum*, by virtue and in pursuance of this Act.

Bank to receive 8 l. per Cent. out of general Fund, for Tallies subscribed, &c.

The new Duties by this Act to be applied in Aid thereof.

XLIV. Provided also, and is hereby declared and enacted, That in all Cases where any Duty, Revenue, Imposition or Branch whatsoever, is by any Act or Acts of Parliament before this Time made and passed, appropriated to or for the Repayment of Principal in course, or the Satisfaction of Interest at any Rate or Rates whatsoever, of or for any Loans which have been made upon the Credit of such former Act or Acts, the respective Duties, Revenues, Impositions or Branches, arising by virtue of such former Acts, shall be applied, and such Principal and Interest, out of the Monies arising thereby, shall be satisfied to those which are or shall be intitled thereunto (whether it be the Bank of *England*, or any others) in the same Course, Manner and Form, as by the said former Acts are prescribed and required; and that the new Duties or Funds, by this Act provided and established, shall go and be applied in Aid thereof, in such Manner and Form, and under such Limitations and Directions, as are hereby prescribed, until the said Principal and

Intereſt ſhall be all entirely paid off and diſcharged; any thing in this Act contained to the contrary notwithſtanding.

XLV. And to the Intent that all Perſons, concerned with the Governor and Company of the Bank of *England*, may be ſecured in their reſpective Debts and Effects, in caſe any Forfeiture ſhould be committed, or any Judgment of Forfeiture or Seizure of the ſaid Corporation ſhould be given for, or by reaſon of, or under any Pretence of any Forfeiture whatſoever; Be it enacted, That immediately upon ſuch Judgment given, all and every the Funds, yearly Payments, and Monies payable out of the *Exchequer* to the Governor and Company of the Bank of *England*, or which ſhould have become due and payable to them, in caſe no ſuch Judgment had been given, and alſo all and every the Eſtate, Goods, Debts and Chattels due, belonging or owing to the ſaid Governor and Company at the Time of ſuch Judgment, ſhall be and are hereby (in ſuch Caſe) actually veſted and ſettled in four and twenty ſuch Perſons as ſhall be for that Purpoſe elected and choſen by the Governor and Company of the Bank of *England*, in a general Court aſſembled before ſuch Judgment given, during the Space of three Years, which ſaid Perſons ſo elected, and the Survivors of them, during the ſaid three Years, ſhall be Truſtees for the Purpoſes aforeſaid, and ſhall and may receive, ſue for, and recover the Money, Debts and Eſtate of the ſaid Corporation, or which would have belonged to the ſaid Governor and Company, in caſe no ſuch Judgment had been given, and with the Monies and Eſtate ſo received and recovered, ſhall pay and diſcharge all the Debts due and owing by the ſaid Corporation at the Time of ſuch Judgment given, and perform and fulfil ſuch Covenants and Contracts as the ſaid Corporation at the Time of ſuch Judgment given had entred into, and were bound and obliged to perform; and after the ſaid three Years, or after the Debts and Eſtate ſo got in, paid and applied, then that the Surplus, if any there ſhall be, ſhall be paid and divided amongſt ſuch Perſons as were Members of the ſaid Corporation at the Time of ſuch Judgment given, according to their ſeveral Shares and Proportions; and alſo that the yearly Sums afterwards payable at the Receipt of *Exchequer* to the ſaid Corporation, ſhall be veſted in, and payable quarterly to ſuch Perſon and Perſons, their Executors, Adminiſtrators and Aſſigns, as were Members of the ſaid Corporation at the Time of ſuch Judgment reſpectively, according to their ſeveral Shares and Proportions in the ſaid Stock and Company, to be aſcertained and ſpecified in a Liſt to be returned or given in by the ſaid Truſtees, or the Survivors of them, under their Hands and Seals, into the Office of the Auditor of the Receipt, and which ſaid ſeveral yearly Payments ſo ſpecified, ſhall be from time to time transferrable and aſſignable by an Entry in a Book to be kept in the Office of the Auditor of the Receipt for that Purpoſe, without any Fee or Reward whatſoever; and that all the Monies due upon the ſaid Funds, or payable in the ſaid Receipt as aforeſaid, ſhall be from time to time paid and applied to the ſaid Truſtees to be elected as aforeſaid, during the ſaid three Years, and afterwards to the ſaid ſeveral and reſpective Perſons, their Executors, Adminiſtrators and Aſſigns, and not any ways diverted or miſapplied, under the like Penalties, Forfeitures and Diſabilities, as are given or impoſed by an Act or Acts of Parliament now in Force againſt any Perſon or Perſons for diverting or miſapplying any Monies payable to any Perſon by the ſaid Acts of Parliament, or any of them.

If Judgment be given againſt the Bank, yearly Payments, &c. belonging to them to be veſted in 24 Truſtees elected for 3 Years.

who may receive and ſue for the Debts of the Corporation, and diſcharge ſuch Judgment.

Surplus to be divided amongſt the Members.

Yearly Payments payable quarterly, and to be transferrable without Fee.

Monies due to the ſaid Funds to be paid to the Truſtees,

and not miſapplied.

XLVI. Provided, That for the Encouragement of the ſaid Corporation to lend Monies upon Lands or Tenements, and for Diſcovery of Incumbrances thereon; Be it enacted, That it ſhall and may be lawful for the ſaid Governor and Company, or any Officer or Clerk to be employed by them, from time to time, to copy and tranſcribe the Dockets and Notes of any Extents, Judgments, Statutes or Recognizances, kept in any of the Offices of the ſeveral Courts of Record at *Weſtminſter*, paying to the Maſters or Clerks of the ſeveral Offices the uſual Rates and Fees for Search only of ſuch Extents, Judgments, Statutes or Recognizances.

Company may tranſcribe Dockets of Extents, &c. paying the uſual Fees.

XLVII. And be it enacted, That no Member of the ſaid Corporation ſhall be, or be adjudged liable to be a Bankrupt, within the Intent and Meaning of all or any the Statutes made againſt or concerning Bankrupts, for or by reaſon of their Stock or Intereſt in the ſaid Corporation, and that no Stock in the ſaid Corporation ſhall be ſubject or liable to any foreign Attachment by the Cuſtom of *London*, or otherwiſe.

No Member to be adjudged a Bankrupt.

Stock not liable to foreign Attachment.

XLVIII. And be it further enacted by the Authority aforeſaid, That the Monies which from time to time ſhall become due and payable by virtue of any Tally or Order, ſubſcribed as aforeſaid into the Capital Stock of the ſaid Governor and Company by virtue of this Act, as ſoon as conveniently may be, after the ſame ſhall be received out of the *Exchequer*, or any publick Office, by the ſaid Governor and Company, their Officers, Servants and Agents, and at fartheſt once in every four Months, ſhall be divided by the ſaid Governor and Company amongſt the Members of the whole Corporation, rateably and in Proportion to their ſeveral and reſpective Parts, Shares, and Intereſts in the ſaid Capital Stock, for the particular, proper, and only Uſe and Behoof of the ſaid Members ſeparately, and in their private and perſonal Capacities; any thing in this Act, or in the aforeſaid Act for granting the ſaid Rates and Duties upon Tunnage of Ships, and for erecting of the ſaid Bank, or in the Charter of Incorporation granted to the ſaid Governor and Company, bearing Date at *Weſtminſter* the ſeven and twentieth Day of *July* one thouſand ſix hundred ninety-four, or any Rule, Order, Uſage, Cuſtom, Act, Statute or Law whatſoever, to the contrary thereof in any wiſe notwithſtanding.

Money due on Tallies ſubſcribed into the Capital Stock of the Bank, to be divided ſo ſoon as received, or within 4 Months after.

Altered by 9 W. 3. c. 3. §. 4.

XLIX. Provided always, and be it enacted, That the ſaid Governor and Company, and their Succeſſors, ſhall always take Care that the Sum total of all their Debts which they ſhall owe at any one Time to any other Perſon or Perſons, Bodies Politick or Corporate, do not exceed the Value of the Capital Stock, which at any ſuch Time ſhall be and remain to the ſaid Governor and Company undivided; and that in caſe the ſaid Governor and Company, or their Succeſſors, by Virtue or Colour of the Power hereby given to them of dividing the Monies coming in by their Tallies and Orders, as aforeſaid, or by any other Dividend whatſoever to be made amongſt themſelves, or in their private or perſonal Capacities, ſhall reduce or leſſen their Joint Stock, or Capital, without limiting, paying off, or proportionably reducing the Total Sum of the ſaid Debts, which they ſhall owe to others, as aforeſaid, ſo that the Value of their Joint Stock, or

Debts of the Bank not to exceed the Value of the Capital Stock.

If Governor and Company leſſen their Stock by Dividends, ſo as the Value thereof be not ſuffi-

cient to anſwer their Debts, Members liable to ſatisfy the Debts unpaid.

or Capital undivided, ſhall not be ſufficient to anſwer their juſt Debts then remaining unpaid; in every ſuch Caſe the particular Members, and every of them reſpectively, who in their private or perſonal Capacities ſhall receive any Share of ſuch Dividend, ſhall be ſeverally liable, and they are hereby made liable, ſo far as the reſpective Shares ſo by them reſpectively received upon ſuch Dividend will extend, to pay and ſatisfy the Debts, which ſhall remain due and unpaid by the ſaid Governor and Company, to any other Perſons, or Bodies Politick or Corporate, as aforeſaid, who by virtue of this Act ſhall and may ſue for and recover the ſame (beſides Treble Coſts of Suit) by Action of Debt, or of the Caſe, as is before mentioned; any thing in this Act, or in any former Act, Charter, or otherwiſe howſoever, to the contrary notwithſtanding.

If at the End of one Year the Duties hereby appropriated be not ſufficient to pay off the Intereſt due for that Year,

the Deficiency to be ſupplied out of the next Aids.

L. And to obviate all Doubts for the future concerning the Securities by this Act intended for the Payment of the Principal and Intereſt Monies to be paid as aforeſaid; Be it further enacted by the Authority aforeſaid, That in caſe at the End of one Year, to be reckoned from the utmoſt Day or Time by this Act limited for taking of the ſaid Subſcriptions for augmenting the ſaid Capital Stock of the Bank of *England*, it ſhall appear that the Funds or Duties by this Act appropriated to and for the Payment of Intereſt Monies (as well to the ſaid Governor and Company of the Bank of *England*, as to any other Perſons or Corporations) ſhall not be ſufficient to ſatisfy and diſcharge all the Intereſt Monies, which before the End of the ſaid one Year ſhall be incurred, grown due, or ought to be paid, of, for, or upon the reſpective Tallies and Orders before mentioned, and every of them, that then the Deficiency thereof (to wit) ſo much as will ſuffice to make up and compleat the Intereſt Monies which ſhall be grown due before the End of the ſaid one Year, as aforeſaid, ſhall be ſupplied and paid out of ſuch Aids or Revenues as ſhall be granted to His Majeſty, His Heirs or Succeſſors, in the Seſſion of Parliament then next enſuing, and ſo in like Manner in caſe of Deficiency of Intereſt in any ſucceeding Year; and in caſe upon the firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſix, or within three Months then next enſuing, it ſhall appear, that the whole Produce of the ſeveral Aids, Revenues, and Funds, by this Act granted or appropriated, together with the Monies which ſhall have ariſen by the Grants now in being, and before this Time made, for the Payment of the Principal Monies of the ſaid Tallies and Orders, and the Intereſt thereof, ſhall not be ſufficient to diſcharge and pay off, as well all the Principal Monies upon all the ſaid Tallies and Orders, for the Payment whereof Proviſion is intended to be made by this Act, and all the Intereſt Monies that are or ſhall be due or payable for the ſame, that then the Deficiency thereof, to wit, ſo much as will be needful compleatly to make up, ſatisfy and diſcharge all the ſaid Principal and Intereſt Monies which ſhall appear, on the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, or within three Months then next enſuing, to remain due and unpaid, ſhall be ſupplied and paid out of ſuch Aids or Revenue as ſhall be granted to His Majeſty, His Heirs and Succeſſors, in the Seſſion of Parliament which ſhall be next after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix.

In caſe upon 1 Aug. 1706. the Funds hereby granted be not ſufficient to pay off the Principal and Intereſt due on the foreſaid Tallies and Orders, the Deficiency to be ſupplied out of ſuch Aids, to be granted after the ſaid 1 Aug. 1706.

Preſent Governor and Directors to continue in Office till 24 June, 1697. Afterwards a General Court to be held for electing a new Governor, and 24 Directors.

LI. Provided alſo, and be it enacted by the Authority aforeſaid, That the Perſons who are at preſent Governor, Deputy Governor, and Directors, of the Bank of *England*, ſhall continue in their reſpective Offices until the ſaid four and twentieth Day of *June* one thouſand ſix hundred ninety-ſeven, and until others ſhall be duly choſen and ſworn in their Places; and that between the ſaid four and twentieth Day of *June* and the four and twentieth Day of *July* next enſuing, a General Court of the Perſons then intereſted in the ſaid Corporation ſhall be ſummoned and held, and then and there, by the Majority of the ſaid Members preſent, a new Governor, Deputy Governor, and four and twenty Directors (of which Number there ſhall not be above the two Thirds of ſuch Perſons who were Directors the Preceding Year) ſhall be choſen, who ſhall continue in their reſpective Offices until the five and twentieth Day of *March* one thouſand ſix hundred ninety-eight, and until others ſhall be duly choſen and ſworn in their Places, according to the Times preſcribed by their preſent Charter, and under ſuch Regulations as are directed by this Act.

In Elections of Directors not above two Thirds of the old to be choſen.

LII. And be it further enacted, That in all future Elections of Directors there ſhall not be choſen above two Thirds of thoſe who were Directors the preceding Year; any thing in the ſaid Charter, or any Law, Statute, or Ordinance, to the contrary notwithſtanding.

LIII. And to the end there may be no Defect in the Payment of the Intereſt by this Act intended and directed to be paid out of the Monies hereby granted or appropriated, and that the general Fund by this Act provided, for the Purpoſes in this Act mentioned, may be enlarged for the full Satisfaction of all Perſons that are or may be concerned therein, we Your Majeſty's ſaid dutiful and loyal Subjects, the Commons in Parliament aſſembled, do further give and grant unto Your Majeſty, the ſeveral additional Rates or Duties upon Salt, herein after mentioned, for and during the Term herein after expreſſed; and do beſeech Your Majeſty that it may be enacted, and be it further enacted by the Authority aforeſaid, That from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety-ſeven, there ſhall be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto His Majeſty, His Heirs and Succeſſors, until the five and twentieth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, and no longer, for Salt, the Rates and Duties following, over and above all other Duties already payable for the ſame; that is to ſay, for every Gallon of Salt that ſhall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, within the Time aforeſaid, the Sum of two Pence, of lawful Money of *England*, to be paid by the Importer thereof, and after that Rate for a greater or leſſer Quantity; and for every Gallon of Salt and Rock Salt made at the Salt Works, or taken out of any Salt Pits within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, within the Days or Times aforeſaid, the Sum of one Peny, and after that Rate for a greater or leſſer Quantity. EXP.

Additional Duties on Salt for one Year.

For Salt imported 2 d. per Gallon.

Salt and Rock Salt made at the Salt Works 1 d. per Gallon.

LIV. And for the better aſcertaining, charging, levying, collecting, and anſwering all and every the Duties hereby ſet or impoſed, as well upon foreign and imported Salt, as upon Salt and Rock Salt made

at

at the Salt Works, or taken out of any Salt Pits within the ſaid Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, during the Term hereby granted; Be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Directions, Rules, Ways, Methods, Penalties, Forfeitures, Clauſes, Matters, and Things, which in and by one Act made in the Parliament holden at *Weſtminſter*, in the fifth and ſixth Years of the Reign of His Majeſty and the late Queen of bleſſed Memory, intituled, *An Act for granting to their Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages, in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds towards carrying on the War againſt* France, and in and by one other Act made in the Parliament holden at *Weſtminſter*, in the ſeventh and eighth Years of His Majeſty's Reign, intituled, *An Act for continuing to His Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War againſt* France, *and for eſtabliſhing a National Land Bank, and for taking off the Duties upon Tunnage of Ships and upon Coals*, are provided, ſettled or eſtabliſhed, for or concerning the raiſing, levying, aſcertaining, ſecuring, collecting, or recovering, the ſeveral Duties upon Salt and Rock Salt thereby granted or continued, and for determining and aſcertaining the Meaſure of *Engliſh* Salt by Weight, ſhall be exerciſed, practiſed, applied, levied, recovered, and put in Execution for the raiſing, levying, charging, aſcertaining, ſecuring, collecting, recovering, and paying the ſaid ſeveral Duties upon Salt and Rock Salt by this Act granted, during the Continuance of the Duties thereupon by this Act, as fully and effectually, to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules and Directions, Methods, Penalties, Forfeitures, Clauſes, Matters, and Things, were particularly repeated, and again enacted in the Body of this Act; nevertheleſs with ſuch Allowance for Fiſh and Salt to be exported, as are herein mentioned (that is to ſay) For all ſuch Fiſh hereafter mentioned as ſhall be exported during the Continuance of the Duties hereby granted upon Salt, from any Port or Place in the ſaid Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, into Parts beyond the Seas, by any Perſon or Perſons whatſoever, the Rates and Sums of Money hereafter expreſſed (that is to ſay) For every Caſk or Veſſel of Pilchards or Scads, containing fifty Gallons, eight Shillings, and ſo proportionably for a greater or leſſer Quantity; for every Barrel of White Herrings, one Shilling and eight Pence; for every Barrel of Red Herrings, one Shilling and four Pence; for every Barrel of Salmon, three Shillings and four Pence; for every Hundred of Cod Fiſh, Ling, or Hake, ten Shillings; and ſo proportionably for a greater or ſmaller Number or Quantity, ſhall (over and above the Allowances for the ſaid Fiſh, by the ſaid former Acts for the Duties upon Salt, or either of them) be paid by Debentures, in ſuch Manner and Form, and under the ſame Rules and Penalties, as are preſcribed in the ſaid former Acts concerning the ſaid Duties upon Salt, or either of them, for or concerning the Allowances upon the Exportation of the like Kinds of Fiſh.

To be levied in the ſame Manner, as by the Acts of 5 & 6 W. & M. c. 7. and 7 & 8 W. 3. c. 31.

Allowances for Fiſh and Salt exported.

LV. And be it further enacted, That if any Perſon or Perſons, at any Time or Times, during the Continuance of the additional Duties hereby granted upon Salt, ſhall export beyond the Seas any Salt, as well Foreign as *Engliſh*, or any Rock Salt, the Security for the Duty by this Act payable for ſuch exported Salt ſhall be diſcharged upon ſuch Certificate, and Oath made, and according to ſuch Rules, as are preſcribed for drawing back the Duties upon exported Salt by the ſaid former Acts, or either of them.

On Exportation of Salt, Security for the Duties to be diſcharged.

LVI. And be it further enacted by the Authority aforeſaid, That all the Duties by this Act granted upon Salt, which ſhall from time to time be levied and raiſed, ſhall be appropriated and applied, together with the other Duties by this Act provided for that Purpoſe, to and for the Payment and Satisfaction of the Intereſt Monies due, or to grow due at any Time before the five and twentieth Day of *December* one thouſand ſix hundred ninety-nine, to the Bank of *England*, or any other Perſon or Perſons, Bodies Politick or Corporate, upon the Tallies or Orders charged upon the deficient Funds before mentioned; and in caſe there be any Overplus of theſe Duties more than ſhall be ſufficient to diſcharge ſuch Intereſt, then the ſaid Overplus ſhall be applied to the Payment of the Principal upon the ſaid deficient Funds, in the like Proportions as are above mentioned, according to the true Meaning of this Act, under the like Penalties to be incurred for diverting or miſapplying any the Monies ariſing by the ſaid Duties upon Salt hereby granted, as are to be incurred for diverting or miſapplying any the Monies of the ſaid General Fund hereby appropriated for Satisfaction of the ſaid Principal and Intereſt.

Application of the Monies.

'LVII. And whereas for Monies lent or advanced, or to be lent or advanced, at the Receipt of His 'Majeſty's *Exchequer*, by ſeveral Perſons, as well Natives as Foreigners, Bodies Politick or Corporate, 'they or ſome other claiming by, from, or under them reſpectively, have, or hereafter may have, or are 'or may be intitled to Tallies of Loan, levied at the ſaid Receipt, and have or may have Orders ſigned by 'the Commiſſioners of the Treaſury, or ſome of them, for the time being, or by the Lord Treaſurer for the 'time being, for Repayment of the Money ſo lent (with Intereſt at certain Rates, or without Intereſt) 'out of divers Taxes, Aids, Impoſitions, Revenues, or other Branches chargeable therewith, and alſo 'have, or may have, in their Hands, or Poſſeſſion, divers Tallies of *Pro*, or Aſſignment, levied or charged, 'or to be levied or charged, upon certain of His Majeſty's Revenues, Duties, or Impoſitions: And whereas 'it is found by Experience, that many avaricious or ill diſpoſed Perſons, taking an Advantage of the Neceſſities of thoſe who have occaſion to ſell or diſpoſe of ſuch Tallies and Orders, as aforeſaid, do, in the 'buying or purchaſing of ſuch Orders or Tallies, extort and gain to themſelves an exorbitant and unreaſonable Allowance, *Præmium*, or Conſideration out of the principal Monies, beſides the Intereſt accruing 'for the ſame, to the unſpeakable Damage and Prejudice of His Majeſty, and many of His good Subjects, 'in Trade and otherwiſe, and in a great Meaſure to the Ruin of the publick Credit, which cannot be repaired as long as ſuch Practices are continued or ſuffered:' For Prevention whereof be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, Natives or Foreigners, Bodies Politick or Corporate, from and after the tenth Day of *June* one thouſand ſix hundred ninety-ſeven, at any Time or Times, during the Term of five Years from thence next enſuing, or before the End of the then next

No Talley to be taken at more than the Intereſt allowed thereupon,

Seſſion of Parliament, ſhall, upon any Contract, Agreement, or Bargain, whatſoever, for or concerning any of the ſaid Tallies or Orders, or for or concerning the Monies or any Part thereof due or payable, or to be due or payable by or upon any of the ſaid Tallies or Orders, take, accept, or receive, or agree to take, accept, or receive, or ſhall give or allow, or promiſe or agree to give or allow, directly or indirectly, by way of *Præmium*, Reward, Diſcount, Gratuity, Gift, or otherwiſe, or by Means of any Exchange, Wager, Shift, Chevisance, Covin, Device, or Way whatſoever, more than the lawful Intereſt allowed upon ſuch Talley or Order, and due or payable at the Time of ſuch Aſſignment, together with a further Allowance not exceeding the Rate of ſix Pounds *per Centum* for every hundred Pounds principal Money, and ſo proportionably for a greater or leſſer Sum, upon Pain of forfeiting and loſing for every ſuch Offence treble the Value of the principal Monies contained or ſpecified in ſuch Talley or Order, for which ſuch Bargain, Agreement, or Contract ſhall be made; that is to ſay, one third Part thereof to the King, His Heirs and Succeſſors, and the other two thirds thereof to ſuch Perſon or Perſons as will inform and ſue for the ſame, to be recovered by Action of Debt, or of the Caſe, Bill, Suit, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be granted or allowed; and that every Perſon, who ſhall be guilty of ſuch Offence in the buying of any ſuch Order or Talley, and be thereof convicted, ſhall be deemed and is hereby adjudged to be a common Extortioner, and ſhall ſuffer ſuch further Pains and Penalties, as by the Laws and Statutes of this Realm may be inflicted for common Extortion. EXP.

on pain of forfeiting treble the Value of the principal Money.

No Aſſignment of Order or Talley to be good, unleſs made in Writing, and ſigned by the Party,

or the Common Seal of a Corporation, &c. and entred in 10 Days after ſigning, and Oath made thereon. Repealed by 11 & 12 W. 3. c. 3. §. 14.

LVIII. And for the more effectual obviating and preventing the aforeſaid evil Practice, and the miſchievous Conſequences thereof; Be it further enacted by the Authority aforeſaid, That no Aſſignment or Transferrence, which from and after the ſaid tenth Day of *June* one thouſand ſix hundred ninety-ſeven, ſhall be made of any of the ſaid Orders or Tallies, or of any of the Monies contained or ſpecified therein, upon the ſelling, buying, or bargaining of the ſame, ſhall be good and available either in Law or Equity, or be in any wiſe effectual for the aſſigning or transferring the Right or Property of any ſuch Order or Talley, or any the Monies thereby due or payable, unleſs ſuch Aſſignment or Transferrence be made in Writing, and be ſigned by the Party or Parties making the ſame, or be under the common Seal of a Corporation or Body Politick, or be ſigned by ſome Perſon or Perſons by the Authority or Direction of ſuch Party or Parties, Corporation or Body Politick, and be within ten Days after the Signing thereof entred or regiſtred, and that Oath be thereupon made in the Manner and Form following; that is to ſay, in caſe ſuch Aſſignment or Tranferrence be of Money payable by any Order at the Receipt of the *Exchequer*, then the ſaid Aſſignment ſhall be regiſtred by an Entry or Notification thereof in the Books kept or to be kept by the Auditor of the Receipt of His Majeſty's *Exchequer*, or the Clerk of the Pells there for that Purpoſe, and the Perſon or Perſons to whom ſuch Aſſignment of or upon any ſuch Order ſhall be made, or the Treaſurer for any Corporation or Body Politick, who are to have the Benefit of ſuch Aſſignment, or ſome other credible Perſon or Perſons employed to make the Bargain or Contract, for which ſuch Aſſignment ſhall be made, and being Privy thereunto, ſhall within the ſaid ten Days make Affidavit before the ſaid Auditor or the Clerk of the Pells in the ſaid Receipt of *Exchequer* (who have hereby Power to adminiſter the ſame) that no Allowance, *Præmium*, Gratuity or Conſideration whatſoever, exceeding the lawful Intereſt, and the ſaid Allowance not exceeding the Rate of ſix Pounds *per Centum*, as aforeſaid, directly or indirectly, or by any Way, Device, Shift, Exchange, Wager, Chevisance, or otherwiſe howſoever, was taken, accepted, gained, gotten, or agreed to be taken, accepted, gained, or gotten, for or in reſpect of ſuch Aſſignment; and in caſe ſuch Aſſignment or Transferrence be of Money payable by any Talley of *Pro* or Aſſignment at the Exciſe Office, or at the General Poſt Office, or in any other publick Office, then ſuch Aſſignment or Transferrence ſhall be regiſtred by an Entry or Notification thereof in the Books to be kept for that Purpoſe by the Commiſſioners of Exciſe, the Poſt Maſter or Poſt Maſters General, or other Chief Officers in any of the ſaid publick Offices for the time being reſpectively; and the Perſon or Perſons to whom ſuch Aſſignment of or upon any ſuch Talley of *Pro* or Aſſignment ſhall be made, or the Treaſurer for any Corporation or Body Politick, or ſome other credible Perſon or Perſons employed to make the Bargain or Contract, for which ſuch Aſſignment ſhall be made, and being privy thereunto as aforeſaid, ſhall within the ſaid ten Days make the like Affidavit, as aforeſaid, before one or more of the ſaid Commiſſioners of Exciſe, and Poſt Maſters General, or other Chief Officers in ſuch publick Office, for the time being, or ſuch Perſons as ſhall be deputed by them reſpectively for this Purpoſe, who have hereby Power to adminiſter the ſame. Rep.

Talley of Pro payable at the Exciſe, or General Poſt Office, &c.

Officers in the Exchequer, Exciſe and Poſt Office, to attend daily for regiſtring Aſſignments, and adminiſtring the Oaths.

LIX. And be it further enacted by the Authority aforeſaid, That the ſaid Auditor of the Receipt, and the Clerk of the Pells, or one of them, and ſome one or more of the ſaid Commiſſioners of Exciſe, Poſt Maſters General, or other Chief Officers in the ſaid publick Offices reſpectively, or their reſpective Deputies, ſhall, from and after the ſaid tenth Day of *June* one thouſand ſix hundred ninety-ſeven, attend daily and every Day, from the Hour of Nine to the Hour of Twelve in the Forenoon (*Sundays* and ſuch Holidays as are uſually obſerved only excepted) for regiſtring or cauſing to be regiſtred the ſaid Aſſignments, and for adminiſtring the ſaid Oaths, and ſhall duly regiſter and adminiſter the ſame, and ſhall, upon the regiſtring of every ſuch Aſſignment, and adminiſtring the ſaid Affidavit relating thereunto, make a Memorandum, as well in their reſpective Books, as upon the reſpective Writings of Aſſignment as aforeſaid, importing that ſuch Affidavit was duly adminiſtred according to this Act; all which they ſhall do and perform, or cauſe to be done or performed, without Fee or Charge, under the Pain of forfeiting treble Damages, beſides Coſts of Suit, to the Party grieved, and to be recovered by Action of Debt or of the Caſe, as aforeſaid.

Penalty on Brokers, &c. taking above 2 s. 6 d. per Cent. for Brokage, &c.

LX. And be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall be employed as a Broker or Brokers, Solicitor or Solicitors, or otherwiſe, in the Behalf of any other Perſon or Perſons, to make or drive any Bargain or Contract for the buying or ſelling of any of the ſaid Orders or Tallies, who ſhall, after the ſaid tenth Day of *June* one thouſand ſix hundred ninety-ſeven, take or receive,

directly

directly or indirectly, any Sum or Sums of Money, or other Reward or Thing, for Broakidge, soliciting, driving, procuring or making such Contract or Bargain, over and above the Sum of two Shillings and Sixpence for the Broakidge, soliciting, driving, or procuring such Contract or Bargain for one hundred Pounds, and so rateably for a greater or lesser Sum, shall forfeit for every such Offence twenty Pounds, to such Person or Persons as will sue for the same, by Action of Debt, or of the Case as aforesaid; and if any Broaker, Solicitor, or Driver of any Bargain or Contract, for any such Tallies or Orders, as aforesaid, shall, after the said tenth Day of *June* one thousand six hundred ninety-seven, drive or make any such Bargain or Contract for any Talley or Order, or any Money due thereupon, in which Contract or Bargain there shall be any *Præmium* or Allowance made, or agreed to be made contrary to this Act, then he or they so offending, shall, for every such Offence, forfeit the Sum of five hundred Pounds, to wit, one third Part thereof to the King, and the other two Thirds thereof to such Person or Persons who will sue for the same, to be recovered as aforesaid; and that every such Broaker, Solicitor, or Driver of such Bargain, who shall be guilty of such Offence, and be thereof convicted, shall be deemed, and is hereby adjudged to be a common Extortioner, and shall suffer such further Pains and Penalties as by the Laws and Statutes of this Realm may be inflicted for common Extortion.

'LXI. And whereas divers Persons have, or before the said tenth Day of *June* one thousand six hundred ninety-seven, may have purchased and bought several Orders of Loan, or Parts thereof, or such 'Tallies, as aforesaid, neglecting to have their Assignments thereof to be duly registred, as the Law directs, and many of them, instead of taking formal Assignments, which might be registred, have accepted 'from the Person or Persons, who should make the same, the indorsing of his or their Names only upon 'such Orders; Be it further enacted and provided by the Authority aforesaid, That where any such Orders of Loan, or Parts thereof, or such Tallies have been actually and *bona fide* purchased and bought before the said tenth Day of *June* one thousand six hundred ninety-seven, and Oath thereof shall be made at any Time or Times within three Months from thence next ensuing, before any of the Officers or Persons hereby authorized to administer the other Oaths concerning the *Præmium* or Allowance, as aforesaid, in all such Cases, the Person or Persons claiming such Orders, or Parts of Orders, or Tallies, by such Assignments not registred, or by such Indorsements, shall not in respect thereof be obliged by virtue of this Act to take the said other Oath concerning the *Præmium*, Reward, or Allowance; any thing herein contained to the contrary notwithstanding.

Orders purchased before 10 June 1697. the Claimers not obliged to take the Oath concerning the Præmium.

LXII. And be it further enacted, That the Affidavit herein before directed shall be in Writing, and remain filed with the respective Officers, before whom the same shall be made.

Affidavit to be in Writing, and filed.

'LXIII. And whereas by an Act of this present Session of Parliament, intituled, *An Act for granting 'an Aid to His Majesty, as well by a Land Tax, as by several Subsidies and other Duties payable for one Year*; 'it is amongst other Things enacted, That it shall and may be lawful to and for the Commissioners of 'His Majesty's Treasury, or any three of them now being, or the High Treasurer, or any three or more 'of the Commissioners of His Majesty's Treasury for the time being, to cause Bills to be made forth at 'the Receipt of *Exchequer*, in such Manner and Form as they shall appoint, for any Sum or Sums of 'Money not exceeding one Million five hundred thousand Pounds, by virtue of that Act, and to issue the 'same to the Uses of the War, in such Proportions as they shall think fit; and that the said Bills shall be 'current to the Receivers or Collectors of any Aids, Taxes, or Supplies, thereby granted, or that should 'be granted for the Service of the War for the Year one thousand six hundred ninety-seven (except for the 'Aid of three Shillings in the Pound) and such other Directions are thereby given, concerning the making, issuing, receiving back, and cancelling, the said Bills, as in and by the said Act, Relation being 'thereunto had, more at large appears:' Now to the end the said Bills so authorized to be issued may be of more general Use, as well for the Occasions of the War, as for the publick Commerce and Trade; Be it further enacted by the Authority aforesaid, That the said Bills, so authorized to be issued, shall be received and taken, not only by Receivers or Collectors of the Taxes or Supplies granted or to be granted for the War for the Year one thousand six hundred ninety-seven, but shall also pass and be current to all and every the Commissioners, Receivers, or Collectors of any Revenue, Aid, Tax, or Supply whatsoever, already granted, or that shall or may be granted, during this present Session of Parliament, either for the War, or any other Use, and also at the Receipt of the *Exchequer* from the said Commissioners, Receivers, or Collectors, or from any other Person or Persons whatsoever making any Payments there to His Majesty upon any Account whatsoever.

8 & 9 W. 3. c. 6.

Exchequer Bills to be taken for Taxes, &c. granted this Parliament, and in all Payments at the Exchequer due to the King.

LXIV. And to the end that all Persons may be the more willing and ready to accept and receive the said Bills in all Manner of Payments; Be it enacted by the Authority aforesaid, That there shall be annexed unto, attend, and go along with, the said Bills, an Interest after the Rate of five Pence a Day for every one hundred Pounds contained therein, and so proportionably for a greater or lesser Sum; which said Interest shall be paid or allowed to the Person who is last possest thereof, to the Day he pays the same into the *Exchequer*, or to any Receivers or Collectors for any Aids, Taxes, Revenues, or Supplies whatsoever.

Bills to bear 5 d. a Day per Cent. Interest till Payment.

LXV. And that no Interest may be allowed on the said former Bills for any longer Time than the same shall be unanswered to His Majesty; it is hereby enacted, That the Person who pays the same into the *Exchequer*, or to any Receivers or Collectors, for any Aids, Taxes, or Revenues, shall at the Time of making such Payment put his Name to the said Bill, and write the Day of the Month, to which Day the Collector or other Person who receives the same to His Majesty's Use shall be allowed again the Interest that he shall have allowed thereupon; and when any of the said Bills, which in Pursuance of this Act shall be received at the *Exchequer*, Custom House, Excise Office, or General Letter Office, or by any of His Majesty's Receivers or Collectors, or for any Revenues, Taxes, or Supplies, shall be applicable to the Satisfaction of Tallies and Orders of Loan, or to any other Uses or Payments whatsoever, and by Reason thereof are not to be immediately cancelled at the said *Exchequer*, or in any other publick Office, then the

Bills paid into the Exchequer, to be signed, &c.

reſpective Tellers in the Receipt of the *Exchequer*, and the Receivers General or Caſhiers of the Cuſtoms, Exciſe, and Poſt Office, or any other Receivers, upon their iſſuing or paying out the ſaid Bills, ſhall ſign the ſame, and add the Day of the Month, and ſo *toties quoties* until the ſaid Bills ſhall or may come or be paid into the *Exchequer* on Account of the proper Funds or Supplies (upon which they are or ſhall be firſt iſſued out) to be cancelled.

Commiſſioners of the Treaſury may contract for lending Money to exchange Exchequer Bills not accepted in Payment.

LXVI. And to the Intent that ſuch Perſon or Perſons, who have or may have, or be intitled to, any Tallies or Orders, on any Branch of the Revenues, or on any Aid, Tax, or Supply, that is or ſhall be appropriated for Repayment and Satisfaction thereof, and ſhall refuſe or be unwilling to accept the ſaid Bills in Payment, may not be obliged to receive the ſame; Be it further enacted, That for the Eaſe, Accommodation, and Satisfaction, of all and every Perſon and Perſons ſo refuſing, or being unwilling to receive the ſaid Bills in Repayment of ſuch Tallies and Orders, it ſhall and may be lawful to and for the Commiſſioners of His Majeſty's Treaſury, or any three of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of His Majeſty's Treaſury for the time being, to covenant and agree, in ſuch Manner as they ſhall think fit, with any Perſons Natives or Foreigners, Bodies Politick or Corporate (with whoſe Abilities they ſhall be well ſatisfied) for the immediate advancing or lending of Money from time to time, as there ſhall be Occaſion, for exchanging ſuch Bills as ſhall be ſo refuſed, or not accepted or taken in Repayment of Tallies and Orders, as aforeſaid: And that ſuch Perſon and Perſons, as ſhall ſo contract and agree with the ſaid Commiſſioners of the Treaſury, or High Treaſurer, to advance and furniſh Money for the exchanging and circulating the ſaid Bills, in ſuch Manner as the ſaid Commiſſioners of the Treaſury or High Treaſurer ſhall appoint, ſhall immediately, upon their paying or advancing any Monies purſuant to their Contracts or Agreements, have for their Security and Satisfaction the ſaid Bills, or ſuch Security as ſhall alſo be agreed upon between the ſaid Commiſſioners of the Treaſury and the ſaid Contractors, and ſhall alſo have and receive as a further Encouragement an Intereſt or Reward not exceeding the Rate of ten Pounds *per Centum per Annum*, for the Sums ſo by them reſpectively contracted or agreed to be furniſhed or advanced, from the Day they become ſeverally obliged, for and during ſo long Time as their ſaid Obligations ſhall be in Force.

Perſons ſo lending Monies, to have the ſaid Bills for Security, and Intereſt at 10 l. per Cent. per Ann.

Contractors Names, &c. to be regiſtred in the Auditor's Office, and Intereſt to be paid quarterly.

LXVII. And for the better aſcertaining ſuch Intereſt to the ſaid Lenders or Contractors; Be it further enacted by the Authority aforeſaid, That the Names of ſuch Lenders or Contractors, and the Dates of their reſpective Contracts, and Sums contracted for, ſhall be regiſtred in the Office of the Auditor of the Recipt of the *Exchequer*, and that the ſaid Intereſt ſhall be paid out of the Supplies granted for carrying on the War againſt *France*, for the Service of the Year one thouſand ſix hundred ninety and ſeven, quarterly, for ſo long Time as the ſaid Contractors ſhall ſtand obliged as aforeſaid.

The King by Proclamation to make known when Exchequer Bills may be exchanged for ready Money.

LXVIII. Provided always, and be it enacted by the Authority aforeſaid, That until ſuch Time as His Majeſty, by His Royal Proclamation to be iſſued by the Advice of His Privy Council, ſhall be pleaſed to publiſh and make known, that the ſaid Commiſſioners of his Majeſty's Treaſury, or three or more of them, or the High Treaſurer for the time being, ſhall (by ſuch Covenants or Agreements made with Perſons of Ability, as aforeſaid) have ſufficiently ſecured and made Proviſion, that all Perſons, who at the ſaid Receipt of *Exchequer*, or at any the ſaid Publick Offices, ſhall have any of the ſaid Bills for Satisfaction of their Tallies or Orders of Loan, or for any other Payments whatſoever, may have ſuch Bills exchanged for ready Money; the ſaid Bills, ſo to be made forth for the ſaid fifteen hundred thouſand Pounds, or any Part thereof, ſhall be current only for the Aids, Taxes, or Supplies, granted or to be granted for the Service of the War, for the Year one thouſand ſix hundred ninety-ſeven, excluſive of the ſaid Aid of three Shillings in the Pound, according to the Tenour and true Meaning of the ſaid former Act in that Behalf; and that after the ſaid Proclamation ſhall be iſſued, and not ſooner, the ſaid Bills ſo authorized to be iſſued, as aforeſaid, ſhall paſs and be current for all Revenues, Aids, Taxes, Supplies, or other Payments to his Majeſty, according to the true Meaning of this preſent Act; any thing herein contained to the contrary notwithſtanding.

7 & 8 W. 3. c. 22.

'LXIX. And whereas by an Act of Parliament made in the ſeventh and eighth Years of the Reign of 'His preſent Majeſty, intituled, *An Act for preventing Frauds, and regulating Abuſes, in the Plantation 'Trade*, it is amongſt other Things therein enacted, That all the preſent Governors and Commanders in 'Chief of any *Engliſh* Colonies or Plantations, ſhall, before the five and twentieth Day of *March* one thou'ſand ſix hundred ninety-ſeven, and all who ſhall be made Governors or Commanders in Chief of the ſaid 'Colonies or Plantations, or any of them, before the entring into their Governments, ſhall take a ſolemn 'Oath to do their utmoſt that the Clauſes, Matters, and Things, contained in one Act of Parliament 12 Car. 2. c. 18. 'made in the twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for en*- 15 Car. 2. c. 7. '*couraging and increaſing of Shipping and Navigation*, and one other Act made in the fifteenth Year of His 7 & 8 W. 3. c. 22. 'ſaid late Majeſty's Reign, intituled, *An Act for Encouragement of Trade*, and alſo the ſaid Act made in the 'ſeventh and eighth Years of the Reign of His preſent Majeſty, intituled, *An Act for preventing Frauds, 'and regulating Abuſes, in the Plantation Trade*, be punctually and *bona fide* obſerved, according to the true 'Intent and Meaning thereof, ſo far as appertains unto the ſaid Governors or Commanders in Chief re'ſpectively: And whereas the Perſons appointed to adminiſter the ſaid Oaths are by ſome Accidents pre'vented from performing the ſame within the Time limited by the ſaid Act;' to the end therefore that the good Intent of the ſaid Act may not be diſappointed for want of Time to put the ſame in Execution, Be it therefore enacted, That further Time ſhall be allowed for adminiſtring the ſaid Oath, and that all preſent Governors and Commanders in Chief of any *Engliſh* Colonies or Plantations, ſhall, before the five

Further Time allowed for adminiſtring and taking the Oaths.

and twentieth Day of *March* one thouſand ſix hundred ninety-eight, and who ſhall hereafter be made Governors or Commanders in Chief of the ſaid Colonies or Plantations, or any of them, ſhall, at their Entrance upon their reſpective Governments, or within the Space of ſix Months after the ſame, take a ſolemn Oath to do their utmoſt, that all the Clauſes, Matters, and Things, contained in the before recited Acts of Parliament, or any of them, heretofore paſſed and now in Force, relating to the ſaid Colonies and Plantations, be punctually and *bona fide* obſerved, according to the true Intent and Meaning thereof (which

Oath ſhall be taken before ſuch Perſon or Perſons as ſhall be appointed by His Majeſty, His Heirs and Succeſſors, who are hereby authorized to adminiſter the ſame) ſo far as appertains to the Governors or Commanders in Chief reſpectively.

Clauſe for Diſcharge of Ralph Williamſon.

'LXX. And whereas the Sum of three thouſand two hundred and eighty Pounds eight Shillings and nine Pence, was actually and *bona fide* received by *Ralph Williamſon*, Receiver General of the fourth Aid of four Shillings in the Pound, in the Counties of *York*, *Durham*, and *Northumberland*, for the ſaid Aid within the Counties aforeſaid, which Sum conſiſting of hammered Monies, is depoſited in the Receipt of His Majeſty's *Exchequer*, but the ſame, or the greateſt Part thereof, is not charged as Money actually paid into the ſaid Receipt;' Be it further enacted by the Authority aforeſaid, That the Tellers in the ſaid Receipt of *Exchequer*, or ſome of them, ſhall forthwith receive the ſaid Money amounting to three thouſand two hundred and eighty Pounds eight Shillings and nine Pence, upon the ſaid Receiver's Account of the ſaid Aid, and ſhall throw down a Bill or Bills for the ſame, according to the Courſe of the *Exchequer*, to the end the ſaid Receiver may have a Talley or Tallies for his Diſcharge, and the ſaid Collectors and other His Majeſty's Subjects in the ſaid Counties may have no further Trouble concerning the ſame.

7 & 8 W. 3. c. 31. EXP. 9 & 10 W. 3. c. 45. 10 & 11 W. 3. c. 18.

'LXXI. And whereas in and by one Act of Parliament made and paſſed in the ſeventh and eighth Years of His Majeſty's Reign, intituled, *An Act for continuing to His Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War againſt* France, *and for eſtabliſhing a National Land Bank, and for taking off the Duties upon Tunnage of Ships and upon Coals*, it is amongſt other Things provided, That if any of thoſe Wares upon drawing are broken, or otherwiſe made unfit for Sale, there ſhall no Duty grow due for the ſame by virtue of that Act, but the Officers ſhall ſee the ſame deſtroyed: And whereas it often happens, that where Tobacco Pipe Makers do make and burn Tobacco Pipes, that at the opening or drawing of the Pots, Kilns, Furnaces or Ovens, wherein the ſame are burnt or nealed, the Tobacco Pipes, or a great Part of them, are unfit for Sale, by Reaſon of ſome Default in the Burning and Nealing thereof, and the deſtroying the ſame by the Officer is of great Loſs to the Maker, when as ſuch Tobacco Pipes may be rendred fit for Sale in caſe they were new burnt or nealed:' For the remedying of which Miſchief be it hereby enacted and declared by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſix hundred ninety-ſeven, if any Tobacco Pipe Makers, upon drawing their Tobacco Pipes out of their Pots, Kilns, Furnaces, or Ovens, ſhall find the ſame, or any Part thereof, unfit for Sale, that it ſhall and may be lawful for ſuch Tobacco Pipe Maker or Makers (on Notice given to the ſaid Officer of his Intention to reburn the ſame) to put ſuch Tobacco Pipes into any Pot, Kiln, Furnace or Oven, to be reburnt or nealed, and on the drawing of the ſame, ſhall then pay the Duty by the ſaid Act charged, or otherwiſe be deſtroyed; and that the ſaid Tobacco Pipe Maker or Makers ſo reburning or nealing ſuch Tobacco Pipes as aforeſaid, ſhall not be liable to any of the Penalties in the ſaid Act mentioned.

Tobacco Pipes found unfit for Sale, may be reburnt, and then the Duty to be paid.

## CAP. XXI.

An Act for laying a Duty upon Leather for the Term of three Years, and making other Proviſion for anſwering the Deficiencies as well of the late Duties upon Coals and Culm, as for paying the Annuities upon the Lottery, and for Lives, charged on the Tunnage of Ships and the Duties upon Salt. [The Money ariſing by this Act being deficient, is ſupplied by 1 Annæ, ſtat. 1. cap. 13.] EXP.

## CAP. XXII.

An Act for granting to His Majeſty certain Duties upon Malt, Mum, Sweets, Cyder and Perry, as well towards carrying on the War againſt *France*, as for the neceſſary Occaſions of His Majeſty's Houſhold, and other Occaſions. [The Money ariſing by this Act being deficient, is ſupplied by 1 Annæ, ſtat. 1. cap. 13. Explained, 9 & 10 W. 3. c. 8.] EXP.

## CAP. XXIII.

### An Act to enforce the Act for the Increaſe and Encouragement of Seamen.

7 & 8 W. 3. c. 21.

'WHEREAS by an Act of Parliament made in the laſt Seſſion of this preſent Parliament, intituled, *An Act for the Increaſe and Encouragement of Seamen*, it is (amongſt other Things) enacted, That for the Relief, Benefit or Advantage, of ſuch regiſtred Mariners or Seamen, Watermen, Fiſhermen, Lightermen, Bargemen, Keelmen or Seafaring Men, who by Age, Wounds, or other Accidents, ſhall be diſabled for future Service at Sea, and ſhall not be in a Condition to maintain themſelves comfortably, and the Children of ſuch diſabled Seamen, and the Widows and Children of ſuch of them as ſhall happen to be ſlain, killed or drowned in Sea Service, ſo far forth as the Hoſpital in the ſaid Act mentioned ſhall be capable to receive them, and the Revenue thereof will extend for or towards their Relief or Support, and according to the Rules, Orders, and Conſtitutions to be ſettled and provided for the ſaid Hoſpital, and the Government and Regulation thereof, every ſuch Seaman, Waterman, Fiſherman, Lighterman, Bargeman, Keelman or Seafaring Man, regiſtred and diſabled as aforeſaid, ſhall, upon Certificate thereof in Manner as directed by the ſaid Statute, be admitted and placed in the ſaid Hoſpital, and ſhall have provided and allowed unto him, during his Life, at the Charges of the ſaid Hoſpital, and out of the Revenues thereof, according to the Rules, Orders, and Conſtitutions, to be provided and ſettled for the ſaid Hoſpital and the Government and Regulation thereof, fitting and convenient Lodging, Meat, Drink, Clothes, and other Neceſſaries and Conveniencies; and alſo the Widows of ſuch Seamen, Watermen, Fiſhermen, Lightermen, Bargemen, Keelmen and Seafaring Men, who ſhall be ſlain, killed or drowned

'drowned in the Sea Service, and the Children of ſuch Seamen, Watermen, Fiſhermen, Lightermen, 'Bargemen, Keelmen and Seafaring Men, ſo ſlain, killed or drowned, and not of Ability to maintain or 'provide comfortably for themſelves, ſhall be received into the ſaid Hoſpital, and there be provided for: 'And foraſmuch as divers Perſons ſo regiſtred and diſabled as aforeſaid, and divers of the Widows and 'Children of ſuch Perſons ſo regiſtred, ſlain, or drowned in Sea Service as aforeſaid, may at one and the 'ſame Time ſtand in Need of, and by virtue of the ſaid Act claim and demand the Bounties, Benefits and 'Advantages aforeſaid, in greater Numbers than the ſaid Hoſpital and Revenues thereof can ſupport and 'maintain;' Be it therefore enacted, *&c.*

"Perſons intitled to the Advantages of *Greenwich* Hoſpital to be received as regiſtred. Thoſe longeſt re- "giſtred to be firſt admitted. [Diſabled Seamen, *&c.* provided for by 2 & 3 Annæ, c. 6. §. 19. and by "9 Annæ, c. 21. §. 63. This Act is repealed as to regiſtring Seamen and the Bounty-money.] Seaman, "*&c.* bringing a Certificate of his Abode, *&c.* may be regiſtred and intitled to the Benefits of the Act 7 "& 8 W. 3. c. 21. Juſtices to enquire and examine on Oath; and, if any Fraud, to certify it to the "Commiſſioners of the Admiralty. Maſters, Mates, and their Wives, &c. may have the Benefit given "to other regiſtred Men, *&c.* Seamen above fifty Years old, having ſerved in the King's Ships ſeven "Years, may be regiſtred, and enjoy the Privileges of the Act. After 10 *April* 1699, none to be regiſtred
2 *R.* 2. *c.* 4. "without giving Reaſons for his Omiſſion."

Commiſſioners may examine Maſters of Ships on Oath as to the Number and Wages, &c. of Perſons ſerving in their Ships, and who are to pay 6 d. per Menſem out of their Wages. By 2 & 3 Annæ, c. 6. §. 7. Poor Boys aſſigned to the Sea are exempt from the 6 d. per Menſem till their Age of 18, and by 10 Annæ, c. 17. §. 1. Perſons employed in Boats ſhall pay it.

VI. And be it further enacted by the Authority aforeſaid, That for the better levying and collecting the Duties of ſix Pence *per Menſem*, given and granted by the ſaid recited Act, for the Revenues and Supplies of the Hoſpital, Charities and Bounties therein mentioned, it ſhall and may be lawful to and for the Commiſſioners appointed for regiſtring of Seamen, or their reſpective Deputies for the time being, for the better Diſcovery of the Pay and Wages due to the Sailors and Perſons who ſerved on Board any the Merchants or private Ships and Veſſels in the ſaid Act mentioned, by Warrant under their Hands and Seals, to cauſe all ſuch Maſters and Commanders of ſuch Ships, not in His Majeſty's Service, to be and appear before them the ſaid Commiſſioners, or the reſpective Deputies, who are hereby impowered and directed, all and every ſuch Maſters and Commanders upon their Oaths to examine, as to the Number, Rates, Salaries, Wages, and Times of Service, of all and every Perſon or Perſons, belonging to or ſerving in ſuch Ships or Veſſels in the ſaid recited Act, and which by the ſaid Act are obliged to pay the ſaid Sum of ſix Pence *per Menſem* out of their Salaries and Wages as aforeſaid; and if ſuch Maſters or Commanders, or any of them ſhall refuſe, when ſo ſummoned or commanded to appear before the ſaid reſpective Perſons hereby impowered to examine them in Manner as aforeſaid, or if they ſhall appear, and obſtinately and wilfully refuſe to give a plain, full, and exact Diſcovery of the Matters aforeſaid, upon their ſeveral Oaths, that then and in every ſuch Caſe, all and every ſuch Offender or Offenders ſhall, for every ſuch Refuſal or Neglect, forfeit the Sum of ten Pounds to the Uſes mentioned in the ſaid recited Act, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, with full Coſts of Suit; provided ſuch Maſters or Commanders be not *Quakers*, or eſteemed *Quakers*.

Farther Proviſions relating to the Payment of 6 d. per Menſem, by 2 Geo. 2. c. 7. and 36.

Quakers to make ſolemn Affirmation inſtead of an Oath.

7 & 8 W. 3. c. 34.

VII. And be it further enacted by the Authority aforeſaid, That every Maſter or Commander of any Ship or Veſſel, mentioned in the ſaid recited Act, being a *Quaker*, may and ſhall be examined before the ſaid Commiſſioners appointed for regiſtring Seamen, or any three or more of them, or their Deputy or Deputies, and the ſaid Commiſſioners or their Deputies may and ſhall, from time to time, take the ſolemn Affirmation and Declaration of ſuch *Quakers* inſtead of their Oath, and in ſuch Manner and Form as by one Act made in the ſeventh and eighth Years of the Reign of His Majeſty is directed, intituled, *An Act that the ſolemn Affirmation and Declaration of the People commonly called* Quakers *ſhall be accepted inſtead of an Oath in the uſual Form:* And ſuch *Quakers* refuſing to appear on ſuch Summons, or to anſwer or make ſuch ſolemn Affirmation or Declaration before the ſaid Commiſſioners, or their Deputy or Deputies, ſhall be deemed Offenders, and be liable to the ſame Penalties and Forfeitures mentioned in this Act for refuſing to appear and be examined upon Oath, or ſwear as aforeſaid; any thing in this Act before to the contrary notwithſtanding.

7 & 8 W. 3. c. 21. *Farther Proviſions relating to Seamen,* 9 & 10 *W.* 3. *c.* 41. 2 *Ann. c.* 6. 4 & 5 *Ann. c.* 19. 10 *Ann. c.* 17. 1 *Geo.* 1. *c.* 25. 2 *Geo.* 2. *c.* 7 & 36. 6 *Geo.* 2. *c.* 25. 8 *Geo.* 2. *c.* 29. 11 *Geo.* 2. *c.* 30. 13 *Geo.* 2. *c.* 3 & 17. 14 *Geo.* 2. *c.* 38. 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10.

'VIII. And whereas ſince the making the ſaid recited Act, divers evil diſpoſed Perſons, ſo regiſtred in 'purſuance of the ſaid Act, have fraudulently lent their Regiſter Certificates to divers Mariners, Seamen, 'Watermen, Fiſhermen, Lightermen, Bargemen, Keelmen, or Seafaring Men, who were not regiſtred 'in purſuance of the ſaid Act, with Intent to keep ſuch Perſons not regiſtred from being impreſſed in His 'Majeſty's Sea Service:' For the preventing of ſuch evil Practices for the future, be it enacted, *&c.*

"Perſons regiſtred lending their Certificates to Seamen, *&c.* to protect them from being impreſt, to be "ſtruck out of the Regiſter, *&c.* Certificate under the Hand of a Mayor or Bailiff of the Cinque Ports "to be ſufficient. EXP."

EXP. 9 W. 3. c. 23. 'For the Statutes relating to Tunnage, &c. ſee the Note on 12 Car. 2. c. 4. 7 & 8 W. 3. c. 20.'

## CAP. XXIV.

An Act for granting to His Majeſty a further Subſidy of Tunnage and Poundage upon Merchandizes imported for the Term of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War againſt *France*. Additional Subſidy of Tunnage on Wines to be paid from 1 *May* 1697, and before 1 *Feb.* 1699. Twelve Pence in every twenty Shillings of Goods imported. Duties on Drugs imported, Spicery, and Linen. Foreign wrought Silks exported in one Year, to have two Thirds repaid.

repaid. Wrought Silks imported not charged with additional Duty. Tobacco of the *English* Plantations, or Wines of the Growth of *France*, *Germany*, &c. the Duties to be levied by Officers of the Customs, and paid into the *Exchequer*. Duties on Sugar from *America* to be drawn back on Exportation. Ginger to pay 2 *s.* *per* 100 wt. After 1 *May* 1697, cut Whalebone imported to be forfeited, and double the Value. Goods imported, and exported again in twelve Months, whole Duties to be repaid without Fee. No Drawback to be allowed on exporting foreign wrought Silks, &c. unless exported in Time; and then the whole Duties to be repaid. Naval Stores for the King's Use not to be charged. [1 *s.* in the Pound.]

## CAP. XXV.

### An Act for licencing Hawkers and Pedlars, for a further Provision for the Payment of the Interest of the Transport Debt for the reducing of *Ireland*.

6 & 7 W. 3. c. 7. For the Continuance of these Duties see 9 & 10 W. 3. c. 27. 12 & 13 W. 3. c. 11. 3 & 4 Ann. c. 4. 5 Annæ, c. 19. 6 Annæ, c. 5. 1 Geo. 1. stat. 1. c. 12. §. 8. 6 & 7 W. 3. c. 7. 7 Ann. c. 25. 4 Geo. 1. c. 6.

'WHEREAS an Act of Parliament was made in the sixth and seventh Years of His Majesty's Reign, intituled, *An Act for granting to His Majesty several additional Duties upon Coffee, Tea, Chocolate, and Spice, towards Satisfaction of the Debts due for Transport Service for the Reduction of* Ireland, in which Provision was made for the Payment of Interest of five Pounds *per Centem* for three Years, for the Principal Sum of three hundred and thirty thousand seven hundred and sixty-nine Pounds ten Shillings seven Pence, then allowed to be due for the said Transport Service for the reducing of *Ireland*, which Duties have proved very deficient to answer such Interest:' We Your Majesty's, &c. E X P.

"From 24 *June* 1697, till 25 *June* 1698, every Hawker, &c. to pay a Duty of 4 *l.* Hawkers to certify the Commissioners how they will trade, and pay down one Moiety of the Duty, and give Bond for the other at six Months End. Two Shillings in the Pound allowed for prompt Payment. Penalty on Hawker, &c. trading without Licence, or refusing to produce it. Commissioners for Transportation to grant Licences to Hawkers, &c. A distinct Account to be kept, and Duties paid into the *Exchequer* weekly, to be applied as directed by 6 & 7 W. 3. c. 7. This Act not to prohibit the selling of News-Papers, &c. nor Goods or Wares by the Makers thereof, nor Tinkers, Coopers, &c. Not to hinder the Sale of Goods in any publick Market. Owners of Ships, &c. to deliver an Account of their Shares, &c. This Act not to give any new Powers to Hawkers, &c. to sell Goods in Cities."

## CAP. XXVI.

### An Act for the better preventing the counterfeiting the current Coin of this Kingdom.

1 *Mar. sess.* 2. c. 6. 14 *El.* c. 3. 1 *Hale's P. C.* 376.

'WHEREAS notwithstanding the good Laws still in Force against the counterfeiting of the Monies and Coins of this Realm, yet the said Offence doth and is like daily to increase, to the manifest Wrong and Injury both of His Majesty and all His loving Subjects, being very much occasioned for want of a due and condign Punishment to be inflicted upon such Artificers and others, who without any lawful Authority do make or use Puncheons, Stamps, Dyes, and other Engines and Instruments, which are commonly used, or may be made use of, in or about the coining of Money:' For Redress of which so great and growing a Mischief, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifteenth Day of *May* one thousand six hundred ninety-seven, no Smith, Engraver, Founder, or other Person or Persons whatsoever (other than and except the Persons employed or to be employed in or for His Majesty's Mint or Mints in the Tower of *London*, or elsewhere, and for the Use and Service of the said Mints only, or Persons lawfully authorized by the Lords Commissioners of the Treasury, or Lord High Treasurer of *England* for the time being) shall knowingly make or mend, or begin or proceed to make or mend, or assist in the making or mending of any Puncheon, Counter Puncheon, Matrix, Stamp, Dye, Pattern, or Mould of Steel, Iron, Silver, or other Metal or Metals, or of Spaud, or fine Founders Earth, or Sand, or of any other Materials whatsoever, in or upon which there shall be, or be made or impressed, or which will make or impress the Figure, Stamp, Resemblance or Similitude of both or either of the Sides or Flats of any Gold or Silver Coin, current within this Kingdom, nor shall knowingly make or mend, or begin or proceed to make or mend, or assist in the making or mending of any Edger or Edging Tool, Instrument, or Engine, not of common Use in any Trade, but contrived for making of Money round the Edges with Letters, Grainings, or other Marks or Figures resembling those on the Edges of Money coined in His Majesty's Mint, nor any Press for Coinage, nor any cutting Engine, for cutting round Blanks by Force of a Screw out of flatted Bars of Gold, Silver, or other Metal, nor shall knowingly buy or sell, hide or conceal, or without lawful Authority or sufficient Excuse for that Purpose, knowingly have in his, her or their Houses, Custody or Possession, any such Puncheon, Counter Puncheon, Matrix, Stamp, Dye, Edger, cutting Engine, or other Tool or Instrument before mentioned; and if any Smith, Engraver, Founder, or other Person or Persons whatsoever, (other than and except as aforesaid) shall offend in any the Matters or Things aforesaid, then all and every such Offender and Offenders, their Counsellors, Procurers, Aiders and Abettors, shall be, and is and are hereby adjudged to be guilty of High Treason, and being of the said Offences, or any of them, convicted or attainted, according to the Order and Course of the Laws of this Realm, shall suffer Death as in case of High Treason.

No Smith, &c. except employed in the Mint, &c. shall make or mend any Dye, &c. to stamp any current Coin of Gold or Silver, nor make any edging Tool, &c. nor coining Press, nor cutting Engine, nor have in their Custody any such.

Offenders, &c. guilty of High Treason, and shall suffer Death.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, from and after the said fifteenth Day of *May*, shall without lawful Authority for that Purpose, wittingly or knowingly convey or assist in the conveying out of His Majesty's Mint in the Tower of *London*, or out of any other

Persons conveying out of the Mint any Puncheon, &c. and

concealing the same, to be guilty of High Treason.

other of His Majesty's Mints, any Puncheon, Counter Puncheon, Matrix, Dye, Stamp, Edger, cutting Engine, Press, or other Tool, Engine or Instrument used for or about the coining of Monies there, or any useful Part of such Tools or Instruments, that then as well the said Person and Persons so offending, their Counsellors, Procurers, Aiders or Abettors, as also all and every Person and Persons knowingly receiving, hiding or concealing the same, shall be, an is and are hereby adjudged to be guilty of High Treason, and being of the said Offences, or any of them, convicted or attainted, according to the Order and Course of the Laws of this Realm, shall suffer Death as in case of High Treason.

Like Penalty on Persons marking the Edges of any counterfeit Coin,

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons (other than the Persons employed in His Majesty's Mint or Mints, or such as shall have Authority from the Lords Commissioners of the Treasury, or Lord High Treasurer of *England* for the time being) shall after the said fifteenth Day of *May* mark on the Edges any the current Coin of this Kingdom, or if any Person or Persons whatsoever shall mark on the Edges any of the diminished Coin of this Kingdom, or any counterfeit Coin resembling the Coin of this Kingdom, with Letters or Grainings, or other Marks or Figures like unto those on the Edges of Money coined in His Majesty's Mint, every such Offence shall be and is hereby adjudged to be High Treason, and the Offender and Offenders therein, his and their Counsellors, Procurers, Aiders and Abettors, being thereof convicted or attainted according to the Order and Course of the Laws of this Realm, shall suffer Death as in case of High Treason.

or colouring, gilding, &c. any Coin resembling the current Coin.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, after the said fifteenth Day of *May*, shall colour, gild, or case over with Gold or Silver, or with any Wash or Materials producing the Colour of Gold or Silver, any Coin resembling any the current Coin of this Kingdom, or any round Blanks of base Metal, or of coarse Gold or coarse Silver of a fit Size and Figure to be coined into counterfeit milled Money resembling any the Gold or Silver Coin of this Kingdom, or if any Person or Persons shall gild over any Silver Blanks of a fit Size and Figure to be coined into Pieces resembling the current Gold Coin of this Kingdom, all and every such Person and Persons so offending, their Counsellors, Procurers, Aiders and Abettors, shall be, and is and are hereby adjudged to be guilty of High Treason, and being convicted or attainted thereof, according to the Order and Course of the Laws of this Realm, shall suffer Death as in case of High Treason.

Puncheon, Dye, &c. found in the Possession of any Person not employed in the Mints, may be seized and produced in Evidence.

V. And be it further enacted by the Authority aforesaid, That if any Puncheon, Dye, Stamp, Edger, cutting Engine, Press, Flask, or other Tool, Instrument or Engine, used or designed for coining or counterfeiting Gold or Silver Monies, or any Part of such Tool or Engine, shall, at any Time after the said fifteenth Day of *May*, be hid or concealed in any Place, or found in the House, Custody, or Possession of any Person or Persons whatsoever, not then employed in the coining of Money in some of His Majesty's Mints, nor having the same by some lawful Authority, that then it shall and may be lawful to and for any Person or Persons whatsoever, discovering the same, to seize, and he and they are hereby required to seize the same, and to carry them forthwith to some Justice of Peace of the County, City, or Place where the same shall be so seized, and by him secured, to be produced in Evidence against any Person or Persons who shall or may be prosecuted for any such Offence, in some Court of Justice proper for the Determination thereof, and after such Time as they or any of them shall have been produced in Evidence, as well the same so produced, as the other so seized, and not made use of in Evidence, and every of them, shall forthwith, by Order of that Court where such Offender or Offenders shall be tried, or by Order, and in the Presence of such or some other Justice of the Peace, in case there be no such Trial, be totally defaced and destroyed; and if, after the said fifteenth Day of *May*, any counterfeit or unlawfully diminished Money shall be produced in any Court of Justice, either in Evidence against any Person or Persons for any Offence relating to the counterfeiting or unlawfully diminishing of Money, or otherwise, that then, or immediately after Evidence given, the Judge or Judges of such Court shall cause such Monies to be cut in Pieces in open Court, or in the Presence of some Justice of the Peace, and then to be delivered to or for such Person or Persons to whom the same of Right shall appertain.

Counterfeit Money, &c. produced in Evidence or otherwise, to be afterwards cut in Pieces.

Persons blanching Copper for Sale, or mixing blanched Copper with Silver, &c. or taking or paying counterfeit milled Money, &c.

to be guilty of Felony.

'VI. And whereas several Mixtures of Metals have been invented in Imitation of Gold and Silver, and 'blanched Copper is principally made use of in Imitation of Silver, and seldom, if ever, for any honest or good Purpose;' Be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, after the said fifteenth Day of *May*, shall blanch Copper for Sale, or mix blanched Copper with Silver, or knowingly buy or sell, or offer to Sale, blanched Copper alone, or mixed with Silver, or shall knowingly and fraudulently buy or sell, or offer to Sale, any malleable Composition or Mixture of Metals or Minerals, which shall be heavier than Silver, and look, and touch, and wear like Standard Gold, but be manifestly worse than Standard, or shall take, receive, pay, or put off, any counterfeit milled Money, or any milled Money whatsoever unlawfully diminished, and not cut in Pieces, at or for a lower Rate or Value than the same by its Denomination doth or shall import, or was coined or counterfeited for, that then all and every such Person and Persons shall be deemed and adjudged guilty of Felony, and, being thereof convicted or attainted, according to the Order and Course of the Laws of this Realm, shall suffer Death as in case of Felony.

Attainder by this Act not to make Corruption of Blood, &c.

By what Evidence Offenders may be convicted.

VII. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any thing therein contained, or any Attainder or Attainders of any Person or Persons for any Offence or Offences made Treason or Felony by this Act, shall not in any wise extend, or be judged, interpreted, or expounded, to make any Corruption of Blood to any the Heir or Heirs of any such Offender or Offenders, or to make the Wife of any such Offender to lose or forfeit her Dower of or in any Lands, Tenements, or Hereditaments, or her Title, Action, or Interest to the same; and that all and every Person or Persons that shall at any Time after the said fifteenth Day of *May* be accused or impeached of any the Offences made Treason or Felony by this Act, shall or may be indicted, arraigned, tried, convicted, or attainted, by such like Evidence, and in such Manner and Form, as now are, or may by the Laws of this Realm be had or used against any Offender

Offender or Offenders for counterfeiting the King's Money; any thing in this Act contained, or any other Law or Statute to the contrary notwithstanding.

VIII. And for the rendring more effectual an Act made in the sixth and seventh Years of His Majesty's Reign, intituled, *An Act to prevent counterfeiting and clipping the Coin of this Kingdom*; Be it enacted by the Authority aforesaid, That all and every the Crimes and Offences, specified and mentioned in the said Act, may be heard and determined upon Indictment or Presentment either in His Majesty's Court of *King's Bench*, or before the Justices of *Oyer* and *Terminer*, or Justices of Assize, or general Gaol Delivery. Offences in 6 & 7 W. 3. c. 17. may be heard in the King's Bench, or at a Gaol Delivery.

IX. Provided always, and be it enacted, That this Act shall continue and be in Force until the End of the next Session of Parliament, and no longer; and that no Prosecution shall be made for any Offence against this Act, unless such Prosecution be commenced within three Months after such Offence committed. [This Act made perpetual by 7 *Annæ*, cap. 25. sect. 3. and by sect. 2. the Makers or Menders of Tools are to be prosecuted within six Months.] Prosecution to be in three Months. By 9 & 10 W. 3. c. 21. §. 1. any Person may deface counterfeit Money. *See further* 1 *Ann. stat.* 1. *c.* 9. *and* 15 *Geo.* 2. *c.* 28.

## CAP. XXVII.

### An Act for the more effectual Relief of Creditors in Cases of Escapes, and for preventing Abuses in Prisons and pretended privileged Places.

'WHEREAS by reason of the many grievous Extortions and ill Practices of such Persons who 'have for several Years past respectively executed the Offices of Marshal of the *King's Bench*, War- 'den of the *Fleet*, and Keeper of the *Marshalsea*, *Newgate*, and other Prisons, and by several pretended 'privileged Places within this Realm, both Creditors and Debtors have been notoriously abused, and the 'good Intents of the Law wholly eluded:' For Reformation thereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand six hundred ninety-seven, all Prisoners, either upon Contempt or Mesne Process, or in Execution, who are or shall be committed to the Custody of the Marshal of the *King's Bench* Prison, or Warden of the *Fleet*, shall be actually detained within the said Prisons of the *King's Bench* and *Fleet*, or the respective Rules of the same, until they shall be from thence discharged by due Course of Law; and if at any Time from and after the said first Day of *May*, the said Marshal or Warden, or any other Keeper or Keepers of any Prison, shall permit and suffer any Prisoner committed to their Custody, either on Mesne Process or in Execution, to go or be at large out of the Rules of their respective Prisons (except by virtue of some Writ of *Habeas Corpus*, or Rule of Court, which Rule of Court shall not be granted but by Motion made or Petition read in open Court) every such going or being out of the said Rules shall be adjudged and deemed, and is hereby declared to be an Escape. 14 *El. c.* 5. 4 *W. & M. c.* 2. *sect.* 14. Prisoners in the King's Bench or Fleet to be detained there or in the Rules. Keeper suffering them to go at large without Habeas Corpus deemed an Escape. For the Mint see 9 Geo. 1. c. 28.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May*, every Person or Persons obtaining Judgment in any Action of Escape against the said Marshal or Warden, or their respective lawful Deputy or Deputies, shall and may have, not only the several Remedies already by Law allowed for obtaining Satisfaction thereon, but the Judges of the respective Courts where such Judgment shall be obtained (upon Oath before them made by the Person or Persons obtaining such Judgment, that the same was obtained without Fraud or Covin, and that the Debt of the Prisoner making such Escape was a true and real Debt and unsatisfied) shall, upon Motion made to them in open Court for that Purpose, sequester the Fees and Profits of the Office of Marshal or Warden, or so much, or such Part or Proportion thereof, as the said Court wherein such Motion shall be made shall think fit and reasonable, with respect to the Debt or Debts due from such Prisoner or Prisoners so escaping, and in the first Place apply the same towards Satisfaction of the Debt or Debts due from the Prisoner or Prisoners who escaped, together with all Costs and Damages recovered in such Action of Escape. Upon Judgment in Action of Escape, Marshal or Warden's Fees to be sequestered for Satisfaction. Mod. Cases in Law 350.

III. And to the end that such Satisfaction may not be deferred by any Writ of Error brought for Delay only, be it enacted, That if the said Marshal or Warden, or their respective Deputy or Deputies, shall at any Time after the said first Day of *May* sue forth any Writ or Writs of Error to reverse any Judgment given in any Action of Escape, such Marshal or Warden, or their respective Deputy or Deputies, shall be obliged to put in special Bail, or in Default thereof no Execution shall be stayed, nor any Sequestration of the Profits delayed. Marshal, &c. suing a Writ of Error to reverse Judgment, to put in special Bail.

'IV. And whereas it is notorious that divers great Sums of Money and other Rewards have been given 'to, and actually received by, the several Persons executing the respective Offices of Marshal and Warden, 'and other Keepers of the several Prisons within this Kingdom, to assist or permit Prisoners in their Cus- 'tody to escape, in open Defiance and Contempt of the Laws of this Realm:' For preventing the like Evil Practice for the Time to come, Be it further enacted, That if any Marshal or Warden, or their respective Deputy or Deputies, or any Keeper of any other Prison within this Kingdom, shall take any Sum of Money, Reward, or Gratuity whatsoever, or Security for the same, to procure, assist, connive at, or permit any such Escape, and shall be thereof lawfully convicted, the said Marshal or Warden, or their respective Deputy or Deputies, or such other Keeper of any Prisons as aforesaid, shall for every such Offence forfeit the Sum of five hundred Pounds, and his said Office, and be for ever after incapable of executing any such Office. Penalty on the Marshal, &c. taking any Reward to connive at Prisoner's Escape.

V. Provided always, That this Act, nor any thing therein contained, shall extend, or be construed to extend to make void such Securities, or any of them, as shall at any Time or Times hereafter be given by any Prisoner or Prisoners for his or their Lodging or Lodgings without the aforesaid Prisons, or either of them, within the Rules of the said Prisons of *King's Bench* and *Fleet*, or either of them, so as such Security This Act not to void Securities given for Lodging within the Rules of the said Prisons.

rity or Securities be not taken for the Enlargement of any Priſoner or Priſoners out of or beyond the Rules of the ſaid Priſons of *King's Bench* and *Fleet*, or either of them reſpectively.

No retaking on freſh Purſuit to be given in Evidence on Action of Eſcape, unleſs ſpecially pleaded; nor any ſpecial Plea, unleſs upon Oath that the Eſcape was without Conſent of the Marſhal, &c.

VI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May*, no retaking on freſh Purſuit ſhall be given in Evidence on the Trial of any Iſſue in any Action of Eſcape againſt the ſaid Marſhal or Warden, or their reſpective Deputy or Deputies, or againſt any other Keeper or Keepers of any other Priſon or Priſons as aforeſaid, unleſs the ſame be ſpecially pleaded, nor ſhall any ſpecial Plea be taken, received, or allowed, unleſs Oath be firſt made in Writing by the Marſhal or Warden, or their reſpective Deputy or Deputies, or by ſuch other Keeper or Keepers of any other Priſon or Priſons as aforeſaid, againſt whom ſuch Action ſhall be brought, and filed in the proper Office of the reſpective Courts, that the Priſoner for whoſe Eſcape ſuch Action is brought did without his Conſent, Privity, or Knowledge make ſuch Eſcape; and if ſuch Affidavit ſhall at any Time afterwards appear to be falſe, and the Marſhal or Warden, or other Keeper or Keepers of any other Priſon or Priſons, ſhall be convicted thereof by due Courſe of Law, ſuch Marſhal or Warden, or other Keeper or Keepers of any other Priſon or Priſons, ſhall forfeit the Sum of five hundred Pounds.

Priſoner in Execution eſcaping, may be retaken by any new Capias.

VII. And be it further enacted and declared by the Authority aforeſaid, That if at any Time after the ſaid firſt Day of *May*, any Priſoner who is or ſhall be committed in Execution to either or any of the ſaid reſpective Priſons, ſhall eſcape from thence by any Ways or Means howſoever, the Creditor or Creditors, at whoſe Suit ſuch Priſoner was charged in Execution at the Time of his Eſcape, ſhall or may retake ſuch Priſoner by any new *Capias*, or *Capias ad ſatisfaciendum*, or ſue forth any other Kind of Execution on the Judgment, as if the Body of ſuch Priſoner had never been taken in Execution.

Keeper refuſing to ſhew Priſoner, it ſhall be an Eſcape.

VIII. And be it further enacted by the Authority aforeſaid, That if the ſaid Marſhal or Warden for the time being, or their reſpective Deputy or Deputies, or other Keeper or Keepers of any other Priſon or Priſons, ſhall, after one Day's Notice in Writing given for that Purpoſe, refuſe to ſhew any Priſoner committed in Execution to the Creditor at whoſe Suit ſuch Priſoner was committed or charged, or to his Attorney, every ſuch Refuſal ſhall be adjudged to be an Eſcape in Law.

Penalty on Marſhal, &c. refuſing to give a Note whether a Perſon be Priſoner, or not.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever, deſiring to charge any Perſon with any Action or Execution, ſhall deſire to be informed by the ſaid Marſhal or Warden, or their reſpective Deputy or Deputies, or by any other Keeper or Keepers of any other Priſon or Priſons, whether ſuch Perſon be a Priſoner in his Cuſtody, or not, the ſaid Marſhal or Warden, or ſuch other Keeper or Keepers of any other Priſon or Priſons, ſhall give a true Note in Writing thereof to the Perſon ſo requeſting the ſame, or to his lawful Attorney, upon Demand at his Office for that Purpoſe, or in Default thereof ſhall forfeit the Sum of fifty Pounds; and if ſuch Marſhal or Warden, or their reſpective Deputy or Deputies exerciſing the ſaid Office, or other Keeper or Keepers of any other Priſon or Priſons, ſhall give a Note in Writing that ſuch Perſon is an actual Priſoner in his or their Cuſtody, every ſuch Note ſhall be accepted and taken as a ſufficient Evidence that ſuch Perſon was at that Time a Priſoner in actual Cuſtody.

Such Note to be ſufficient Evidence.

Conveyances of the King's Bench and Fleet Priſons, &c. to be inrolled.

X. And be it further enacted by the Authority aforeſaid, That on or before the four and twentieth Day of *June* one thouſand ſix hundred ninety-ſeven, all and every the Conveyances, Grants, and Mortgages of the Inheritance of the aforeſaid Priſons of *King's Bench* and *Fleet*, or either of them, and of the Priſon-houſes, Lands, Tenements, Buildings, and other Hereditaments to the ſaid Priſons of *King's Bench* and *Fleet* or either of them reſpectively belonging, or in any wiſe appertaining, and all Leaſes thereof, and the reſpective Titles of the Marſhal of the *King's Bench* and Warden of the *Fleet* Priſons thereunto, or of him or them in whom the Inheritance or Inheritances of, in, and to the ſaid Priſons, and Priſon-houſes, and Premiſſes, or either of them, now are, and all Truſts and Declarations of Truſts thereunto, or unto either of them relating, ſhall be inrolled *(viz.)* that of the Marſhal of the *King's Bench* in the *King's Bench* Court, and that of the Warden of the *Fleet* in the Court of *Common Pleas* at *Weſtminſter*; and that all future Conveyances, Grants, and Mortgages, of the Inheritance of the ſaid Priſons of *King's Bench* and *Fleet*, or of either of them, or of any Part of either of them, and all Leaſes thereof, and all Truſts and Declarations of Truſt thereunto or unto either of them relating, ſhall be ſo inrolled in the reſpective Courts, as aforeſaid, within ſix Months next after the executing of every or any ſuch Conveyances, Grants, Mortgages, or Leaſes, or ſuch Truſts or Declarations of Truſts thereunto or unto either of them relating, or of any of them; and if any ſuch Conveyances, Grants, or Mortgages, of the Inheritance of the ſaid Priſons of *King's Bench* or *Fleet*, or either of them, or of any Part of either of them, or any ſuch Truſts or Declarations of Truſt thereunto or unto either of them relating, or any Leaſes of the ſaid Premiſſes, be not ſo inrolled within the Times limited as aforeſaid, in the ſaid Courts reſpectively, as aforeſaid, that then and in ſuch Caſe, as well the preſent as all future Conveyances, Grants, and Mortgages of every of them, and the Inheritance of the ſaid Priſons of *King's Bench* and *Fleet*, or either of them, or of any Part of either of them, and all Leaſes thereof, and all Truſts and Declarations of Truſts thereunto, or unto any of them relating, ſhall be and are hereby declared to be utterly void and of none Effect, as if the ſame had never been executed; any Law, Statute, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding.

Future Conveyances, &c. to be inrolled in 6 Months after Execution thereof, or elſe to be void.

Office of Marſhal and Warden of the King's Bench and Fleet to be executed by thoſe who have the Inheritance of the ſaid Priſons, or their Deputies, &c.

XI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May*, the ſaid Offices of Marſhal of the *King's Bench* Priſon, and Warden of the *Fleet*, and each of them, ſhall be executed by the ſeveral Perſons to whom the Inheritance of the Priſons, Priſon-houſes, Lands, Tenements, and other Hereditaments, of the ſaid Priſons of *King's Bench* and *Fleet*, or either of them, ſhall then belong or appertain reſpectively, in his or their reſpective proper Perſon or Perſons, or by his or their ſufficient Deputy or Deputies; for which Deputy or Deputies, and for all Forfeitures, Eſcapes, and other Miſdemeanors, in their reſpective Offices by ſuch Deputy or Deputies permitted, ſuffered, or committed, the ſaid Perſon or Perſons, in whom the aforeſaid Inheritances reſpectively are or ſhall then be, ſhall be anſwerable, and the Profits and aforeſaid Inheritances of the ſaid ſeveral Offices ſhall be ſequeſtred, ſeized, or extended to make Satisfaction for ſuch Forfeitures, Eſcapes, and Miſdemeanors reſpectively, as if permitted,

ſuffered, or committed by the Perſon or Perſons themſelves, or either of them, in whom the reſpective Inheritances of the ſaid Priſons ſhall then be.

'XII. And whereas the Way of proceeding againſt the Warden of the *Fleet* Priſon by Bill in the Courts 'of *Common Pleas* and *Exchequer* at *Weſtminſter* is found to be very dilatory;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May*, it ſhall and may be lawful to and for any Perſon or Perſons, having Cauſe of Action againſt the Warden of the *Fleet* Priſon, upon Bill filed in the ſaid Courts of *Common Pleas* or *Exchequer* againſt the ſaid Warden, and a Rule being given to plead thereto, to be out eight Days at moſt after filing ſuch Bill, to ſign Judgment againſt the ſaid Warden of the *Fleet*, unleſs he plead to the ſaid Bill within three Days after ſuch Rule is out.

On Bill filed againſt the Warden, and a Rule given to plead, Judgment to be ſigned, unleſs pleaded to.

XIII. And for the more eaſy and quick obtaining of Judgment againſt any Perſon or Perſons who now is or hereafter ſhall be a Priſoner or Priſoners in the aforeſaid Priſon of the *Fleet*; Be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May*, it ſhall and may be lawful to and for any Perſon or Perſons, who hath or ſhall have any Cauſe of Action againſt any Priſoner or Priſoners, who now is, or are, or hereafter ſhall be committed to the ſaid Priſon of the *Fleet*, after filing or entring of a Declaration in ſuch Action with the proper Officer, to deliver a Copy of ſuch Declaration or Declarations to any ſuch Defendant or Defendants in any perſonal Action or Actions, or to the Turnkey or Porter of the ſaid *Fleet* Priſon, and, after Rule given thereupon to plead, to be out at eight Days at moſt after Delivery of ſuch Copy of Declaration or Declarations, and Affidavit made of ſuch Delivery before the Lord Chief Juſtice, or one other of the Juſtices of the *Common Pleas*, or before the Lord Chief Baron, or ſome other of the Barons of the Coif of the *Exchequer* at *Weſtminſter*, of the Delivery of ſuch Declaration or Declarations to the Defendant or Defendants in ſuch Action or Actions, or to the Turnkey or Porter of the ſaid *Fleet* Priſon, as aforeſaid, to ſign Judgment in ſuch Action or Actions againſt ſuch Defendant or Defendants, as if ſuch Defendant or Defendants had been actually charged at the Bar of the *Common Pleas* or *Exchequer* with ſuch Action or Actions; any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding.

Copy of Declaration delivered to Priſoner, &c. and Affidavit made thereof, Plaintiff to ſign Judgment.

'XIV. And whereas great Sums of Money have been and are ſtill taken of the Priſoners of the aforeſaid 'Priſons of *King's Bench* and *Fleet*, and other Priſons, under Pretence of Chamber Rent, although the ſaid 'Priſoners have not had the actual Poſſeſſion of any Chamber within the ſaid Priſons, or any of them:' For the avoiding of that Inconvenience for the future be it enacted, That from and after the ſaid firſt Day of *May*, no Priſoner or Priſoners ſhall pay, or be compellable to pay any Chamber Rent for any Chamber within either or any of the ſaid Priſons, for any longer Time than he or they is or are actually in Poſſeſſion of the ſaid Chamber or Chambers, and that during ſuch Time as he or they is or are actually in Poſſeſſion of any ſuch Chamber or Chambers within either or any of the ſaid Priſons as aforeſaid, ſuch Priſoner or Priſoners ſhall not pay above the Sum of two Shillings and ſix Pence *per* Week for any ſuch Chamber; and if the Marſhal of the *King's Bench* Priſon, Warden of the *Fleet*, or Keeper or Keepers of any other Priſon or Priſons, as aforeſaid, ſhall take or demand any greater Sum or Sums of Money for the Uſe of ſuch Chamber, than the Sum of two Shillings and ſix Pence *per* Week, he or they ſo taking or demanding ſhall in ſuch Caſe, for every ſuch Offence, forfeit the Sum of twenty Pounds.

No Priſoner to pay Chamber Rent longer than while in actual Poſſeſſion, nor pay above 2 s. 6 d. per Week.

Penalty on demanding more.

'XV. And for the preventing for the future the many notorious and ſcandalous Practices uſed in many 'pretended privileged Places in and about the Cities of *London* and *Weſtminſter*, and Borough of *Southwark* 'in the County of *Surrey*, by obſtructing the Execution of legal Proceſs there, and thereby defrauding and 'cheating great Numbers of People of their honeſt and juſt Debts;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May*, it ſhall and may be lawful for any Perſon or Perſons, who have or hath any Debt or Debt, Sum or Sums of Money due or owing to him from any Perſon or Perſons who now is, or hereafter ſhall be and reſide within the *White Friers*, *Savoy*, *Saliſbury Court*, *Ram Alley*, *Mitre Court*, *Fuller's Rents*, *Baldwin's Gardens*, *Montague Cloſe*, or the *Minories*, *Mint*, *Clink*, or *Deadman's-Place*, upon legal Proceſs taken out againſt ſuch Perſon or Perſons, to demand and require the Sheriffs of *London* and *Middleſex*, Head Bailiff of the Liberty of the Duchy of *Lancaſter*, or High Sheriff of the County of *Surrey*, or Bailiff of the Liberty of the Borough of *Southwark* for the time being (as the Caſe ſhall require, if the Plaintiff think it requiſite) or their reſpective Deputy or Deputies, Officer or Officers, to take, and they are hereby enabled reſpectively to take the *Poſſe Comitatus*, or ſuch other Power as to him or them or any of them ſhall ſeem requiſite, and enter the ſaid pretended privileged Places, and any or either of them (as the Caſe ſhall require) and to arreſt, and in caſe of Reſiſtance or Refuſal to open the Doors, to break open any Door or Doors to arreſt ſuch Perſon or Perſons upon any Meſne or other Proceſs, Extent or Execution, or to ſeize the Goods of any ſuch Perſon or Perſons upon any Execution or Extent; and if the ſaid Sheriff or Sheriffs, Head Bailiff, or their Deputy or Deputies, Officer or Officers, or either or any of them ſhall neglect or refuſe (upon ſuch Requeſt) with ſuch Force to do their beſt Endeavours for the executing of ſuch Proceſs, Execution or Extent, he or they ſo neglecting or refuſing to execute ſuch Proceſs, Execution or Extent, ſhall forfeit to the Plaintiff or Plaintiffs in ſuch Action the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; and if in the executing of ſuch Proceſs, Execution or Extent, any Perſon or Perſons ſhall oppoſe or reſiſt any ſuch Officer or Officers, or any of them, or any who ſhall be aiding or aſſiſting to him, them, or any of them, in the executing of ſuch Proceſs, Execution or Extent, he or they ſo offending ſhall, for every Time he or they ſhall ſo offend, forfeit the Sum of fifty Pounds, and moreover ſhall be by ſome Juſtice of Peace committed to the common Gaol of ſuch County, City or Place where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize until the next Aſſizes, Seſſions of *Oyer* and *Terminer*, and general Gaol Delivery, to be held for ſuch County, City or Place; and ſuch Offender or Offenders being of ſuch Offence or Offences duly convicted, every ſuch Offender ſhall ſuffer and undergo ſuch Impriſonment, and be ſet in the Pillory, as the Court where ſuch Conviction ſhall be ſhall think fit; and if any Reſcous ſhall be made of any Priſoner

Pretended privileged Places.

Sheriffs, &c. may take Poſſe Comitat' and arreſt in the ſaid privileged Places, on Proceſs, Extent, or Execution.

Penalty on Sheriff, &c. neglecting or refuſing to execute ſuch Proceſs;

and on thoſe who oppoſe Officers in executing the ſame.

Penalty for reſcuing a Priſoner.

taken by any ſuch Officer or Officers as aforeſaid, upon any ſuch Proceſs, Execution or Extent, within the Limits of any the before mentioned pretended privileged Places, by any Perſon or Perſons whatſoever, ſuch Perſon or Perſons, ſo making ſuch Reſcous, or aiding, aſſiſting or abetting the ſame, and being thereof lawfully convicted, ſhall reſpectively forfeit to the Plaintiff in any ſuch Action the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts at *Weſtminſter*, in which Action, Bill, Plaint or Information, no Eſſoin, Privilege, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and if after ſuch Recovery had againſt any Perſon or Perſons for ſuch Reſcous, or for aiding, aſſiſting or abetting the ſame, the Perſon or Perſons againſt whom ſuch Recovery ſhall be had, ſhall refuſe or neglect to pay to the Plaintiff in ſuch Action, or to his, her or their Executors, Adminiſtrators or Aſſigns, the Sum or Sums recovered, with full Coſts of Suit, within one Month after Judgment ſigned upon ſuch Recovery, and Demand made, that then the Perſon or Perſons ſo refuſing or neglecting as aforeſaid, upon producing a Copy of the Judgment upon which ſuch Recovery ſhall be had, and Oath made that the Money recovered is not paid, ſhall, by Order of ſuch Court wherein the ſaid Perſon or Perſons was or were ſo convicted, of or for any ſuch Reſcous, or for aiding, aſſiſting or abetting the ſame, be tranſported by the Sheriff or Sheriffs of the County, City or Place where ſuch Conviction ſhall happen to be, to one of His Majeſty's Plantations beyond the Seas, there to remain for the Space of ſeven Years; and if the Perſon or Perſons ſo tranſported, ſhall return again to this Kingdom within the Space of ſeven Years, he, ſhe or they ſo returning, ſhall be and is hereby adjudged guilty of Felony, and ſhall not be allowed the Benefit of Clergy, but ſhall ſuffer and forfeit as in Caſes of Felony where Clergy is not allowed; and if any Perſon or Perſons, inhabiting within either or any of the aforeſaid pretended privileged Places, ſhall receive, conceal or harbour any Perſon or Perſons, who ſhall have made any Reſcous as aforeſaid, he, ſhe or they ſo receiving, concealing or harbouring any ſuch Perſon or Perſons, knowing or having had Notice that ſuch Perſon or Perſons had been guilty of ſuch Offence, being thereof convicted by due Courſe of Law, ſhall be, by Order of that Court where ſuch Conviction ſhall happen to be, by the Sheriff or Sheriffs of the County, City or Place where the Offence was committed, tranſported to ſome or one of His Majeſty's Plantations beyond the Seas, there to remain for the Space of ſeven Years, unleſs ſuch Perſon or Perſons ſhall, within the Space of one Month next after ſuch Conviction, pay to the Plaintiff or Plaintiffs in ſuch Action or Suit, the full Debt or Duty for which ſuch Action or Suit was brought, with full Coſts; and if he, ſhe or they ſhall return into this Kingdom within the ſaid Space of ſeven Years, he, ſhe or they ſo returning, ſhall be and is hereby adjudged guilty of Felony, and ſhall not be allowed the Benefit of Clergy, but ſhall ſuffer and forfeit as in Caſes of Felony, where Clergy is not allowed.

Perſon harbouring or concealing Reſcuer, to be tranſported for 7 Years, unleſs he pay the Debt and Coſts.

Felony to return from Tranſportation.

Penalties how to be diſpoſed of.

XVI. And be it further enacted, That the ſeveral Penalties before in and by this Act inflicted, and not particularly diſpoſed of, ſhall go one Half to His Majeſty, His Heirs and Succeſſors, and the other Half to him or them that will ſue for the ſame, to be recovered as aforeſaid.

This Act to be a general Law: and Perſons ſued for executing the ſame may plead the General Iſſue, &c.

XVII. And for the Prevention of Diſputes touching this Act, be it enacted by the Authority aforeſaid, That the ſame, and every Clauſe and Thing therein contained, ſhall be deemed, adjudged, and taken to be a general Law, and that it ſhall not be needful to ſhew or ſet forth the ſame or any Clauſe thereof in Pleading, and that the ſame, and all Clauſes therein, ſhall be conſtrued moſt largely and beneficially for the preventing of all the Miſchiefs, Abuſes, Eſcapes, and other Inconveniencies herein provided againſt; and further, that if any Perſon or Perſons ſhall at any Time be ſued for putting in Execution any Power or Authority given by this Act, ſuch Perſon and Perſons ſhall and may plead the General Iſſue, and give in Evidence this Act, and the ſpecial Matter; and if the Plaintiff or Plaintiffs in ſuch Action ſhall be nonſuit, or a Verdict given for the Defendant or Defendants, or if the Plaintiff or Plaintiffs diſcontinue their Action, or if upon Demurrer Judgment ſhall be given for the Defendant or Defendants, every ſuch Defendant or Defendants ſhall have his or their Double Coſts.

Defendant to have Double Coſts.

Right of Martha Johnſon, &c. ſaved.

XVIII. Saving unto *Martha Johnſon* Widow, *Thomas Johnſon*, and *John Johnſon*, Sons of the ſaid *Martha*, and *Frances* her Daughter, their Heirs, Executors, Adminiſtrators and Aſſigns, all ſuch Right, Title, Eſtate, Equity, Intereſt and Demand, as ſhe or they now have, or ſhall or may have, challenge or claim, of, in or unto all or any the Houſes and Shops belonging to the Office of the Warden of the *Fleet*, or to the Priſon of the *Fleet*, herein before contained, as fully and effectually, to all Intents and Purpoſes, as ſhe or they had before the making of this Act, as if this Act had never been had or made.

This Act not to prejudice the Securities made by William Lenthall Eſq; to Sir John Cutler, &c.
4 Co. 31, 82.

XIX. Provided nevertheleſs, That nothing in this Act contained ſhall extend to prejudice, impeach, or leſſen any Security or Securities for any Sum or Sums of Money made or given, by or out of the ſaid Office of Marſhal of the *Marſhalſea* of the Court of *King's Bench*, or the Profits thereof, by *William Lenthall* Eſquire, to Sir *John Cutler* Baronet deceaſed, or to *Edmund Boulter* Eſquire, Executor of the ſaid Sir *John Cutler*, or to any other Perſon or Perſons in truſt for them or either of them, or to ſubject the ſaid Office, or the Profits thereof, or the Perſon or Perſons in whom the ſame are or ſhall be veſted, to any of the Forfeitures or Penalties in this Act contained, other than ſuch as they are or may be liable unto before the making of this Act, until ſuch Sum or Sums of Money, ſecured thereby, ſhall be fully ſatisfied and paid; any thing in this Act contained to the contrary thereof notwithſtanding.

Right of Anthony Smith ſaved.

XX. Saving unto *Anthony Smith* Mariner, His Heirs, Executors, Adminiſtrators and Aſſigns, all ſuch Right, Title, Eſtate, Equity, Intereſt and Demand, as he or they now have, or ſhall or may have, challenge or claim, of, in or unto the Office of Warden of the *Fleet*, or the Priſon of the *Fleet*, or all or any of the Houſes and Shops belonging to the Office of Warden of the *Fleet*, or to the Priſon of the *Fleet*, or herein before contained (by virtue of two Decrees in *Chancery*, the one of them made the two and twentieth Day of *June* one thouſand ſix hundred eighty-three, and the other of them the ſix and twentieth Day of *January* one thouſand ſix hundred eighty-five, whereby four hundred twenty-five Pounds, and the Intereſt thereof, was and is decreed to be paid to the ſaid *Anthony Smith* out of the ſaid Office, Houſes, Shops and Appurtenances, after a Mortgage made thereof by *Thomas Bromhall* unto *Henry Norwood* Eſquire was ſatisfied)

ſatisfied) as fully and effectually to all Intents and Purpoſes, as he or they had before the making of this Act, and as if this Act had never been had or made.

XXI. Provided nevertheleſs, That nothing in this Act contained ſhall be deemed, conſtrued or adjudged to take away, leſſen, charge or prejudice the Right, Title or Intereſt of *Thomas Norwood*, ſurviving Executor of *Henry Norwood*, as for, touching or concerning a Debt of two thouſand one hundred fifty and three Pounds, and Intereſt, ſecured to the ſaid *Henry Norwood*, by virtue of a Mortgage of the Office of Warden of the *Fleet* Priſon, bearing Date the twenty-third Day of *November* in the Year of our Lord one thouſand ſix hundred ſeventy and ſix, or ſo much thereof as is juſtly due thereupon; nor to take away, leſſen or prejudice the Right, Title or Intereſt of *John Clements* of the *Middle Temple*, *London*, Gentleman, as for, touching or concerning a Debt of two thouſand two hundred ninety-nine Pounds, and Intereſt, ſecured to the ſaid *John Clements*, in truſt for himſelf and others, by virtue of a Mortgage of the ſaid Office of Warden, bearing Date the third Day of *May* one thouſand ſix hundred ſeventy and eight, or ſo much thereof as is juſtly due thereupon. Right of Thomas Norwood not to be prejudiced, nor of John Clements.

XXII. And be it further enacted by the Authority aforeſaid, That all and every Deputation or Deputations, Grant or Grants, at any Time heretofore made or executed by *William Lenthall* Eſquire, of the ſaid Office of Marſhal of the *Marſhalſea* of the ſaid Court of *King's Bench*, is and are hereby declared void and of none Effect; and that all and every ſucceeding Marſhal ſhall from time to time, and at all Times hereafter, be conſtituted and appointed by the ſaid *William Lenthall*, his Heirs and Aſſigns, by and with the Conſent in Writing under the Hand and Seal of *Edmund Boulter* Eſquire, his Executors, Adminiſtrators and Aſſigns, until the Debt owing by the ſaid *William Lenthall* to the ſaid *Edmund Boulter*, Executor of Sir *John Cutler* Baronet deceaſed, be ſatisfied. Deputations granted by William Lenthall made void, and ſucceeding Marſhals to be conſtituted by him with the Conſent of Edmund Boulter.

*Farther Proviſions concerning Priſoners, &c.* 11 & 12 *W.* 3. *c.* 19. 1 *Ann. ſtat.* 2. *c.* 6. 5 *Ann. c.* 9. 9 *Geo.* 1. *c.* 28. 11 *Geo.* 1. *c.* 22. 11 *Geo.* 2. *c.* 20. 26 *Geo.* 2. *c.* 31. 27 *Geo.* 2. *c.* 3 & 17. *and* 32 *Geo.* 2. *c.* 28.

## CAP. XXVIII.

### An Act for the better Obſervation of the Courſe anciently uſed in the Receipt of *Exchequer*.

"FOR the better Obſervation of the Courſe anciently uſed in the Receipt of the *Exchequer*, and the good, ſure, and regular Methods eſtabliſhed, enacted, or appointed to be obſerved and kept by the reſpective Officers and Miniſters of the ſaid Receipt, in all Matters concerning Receipts, Payments, or other Buſineſs to be there tranſacted or performed, whereupon the preſerving and improving of the publick Credit do chiefly depend;" Be it enacted and declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That from and after the twentieth Day of *April* one thouſand ſix hundred ninety-ſeven, from time to time, as any Sum or Sums of Money whatſoever ſhall be brought to the Receipt of the *Exchequer* to be there paid, either by way of Loan or Advance, or for or upon Account of any Tax, Aid, Impoſition, Revenue, or any other Cauſe or Occaſion whatſoever, the reſpective Teller or Tellers of the ſaid Receipt, into whoſe Office or Offices the ſame ſhall be brought or tendred, as ſoon as the ſaid Sum or Sums of Money ſhall be ſo brought or tendred, if the Officers and Miniſters belonging to the Talley Court in the ſaid Receipt be then attending, or elſe as ſoon as the ſame Officers and Miniſters ſhall be attending for the levying a Talley or Tallies for the ſame, ſhall without Delay receive the ſaid Money ſo brought or tendred, and weighing the ſame in entire Sums or otherwiſe, and making due Entry of the Weight and Tale thereof (according to the ancient Courſe) ſhall throw down or cauſe to be thrown down a Bill or Bills written upon Parchment, and ſigned by ſuch Teller or Tellers, into the ſaid Talley Court, whereby a Talley or Tallies (according to the Nature of the Payment) may be duly levied for the Diſcharge or Safety of the King's Subjects or others who ſhall make ſuch Payments, and whereby the ſaid Teller or Tellers may plainly and fairly be charged with the Sum or Sums ſo by him or them received, as Money in his or their Cuſtody being and remaining within the ſaid Receipt of *Exchequer*; and that any ſuch Teller or Tellers, into whoſe Office or Offices any Sum or Sums of Money ſhall be brought or tendred to be lent or paid to the King as aforeſaid, or any Clerk, Subſtitute, or Perſon employed or to be employed by any ſuch Teller or Tellers in the Buſineſs of his or their Office or Offices, ſhall not for ſuch Money ſo brought or tendred give any Note importing a *Depoſitum*, or any other private Note, Obligation, or Security whatſoever, to prevent or hinder the due charging thereof in the *Exchequer* as aforeſaid, upon Pain that any Teller who ſhall offend againſt this Act, by neglecting, delaying or refuſing to receive, and duly to charge himſelf with ſuch Money as ſhall be brought or tendred to be lent or paid to the King as aforeſaid, or by giving any private Note, Obligation or Security for any ſuch Money, whereby to prevent or hinder the due charging thereof in the *Exchequer*, as this Act requires, ſhall for ſuch Offence forfeit his Office, and be diſabled to ſerve His Majeſty, His Heirs or Succeſſors, in the ſame or any other Office or Place of Truſt whatſoever, and moreover for every ſuch Offence ſhall forfeit and loſe double Damages to the King, or the Party who ſhall ſuffer by ſuch Neglect, Delay, Refuſal, Prevention or Hindrance, beſides full Coſts of Suit, to be recovered as is herein after mentioned; and that all and every the Clerks, Subſtitutes, or Perſons employed or to be employed by any ſuch Teller in the Buſineſs of his or their Office or Offices, who ſhall offend againſt this Act, by giving any private Note, Obligation or Security, for any ſuch Money ſo brought or tendred to be lent or paid to the King, whereby or by Means whereof the due charging the ſame, or any Part thereof, in the *Exchequer* ſhall be prevented or hindred, ſhall for every ſuch Offence forfeit and loſe double the Sum for which ſuch private Note, Obligation or Security ſhall be given (to wit) one Moiety thereof to the King, and the other Moiety to ſuch Perſon and Perſons as will inform and ſue for the ſame, and ſhall alſo for any ſuch Offence be removed and expelled from the ſaid Receipt.

Tellers of the Exchequer, on Receipt of Money on Loan, &c. to throw down a Bill into the Talley Court for a Talley to be ſtruck for the ſame, and be charged with the Sum received.

Penalty on Teller, &c. not duly charging himſelf with Monies lent or paid to the King.

Penalty on Tellers Clerks offending againſt this Act.

II. And

No Teller to charge himself with Receipt of Monies, but when Officers of the Talley Court are present, nor throw down a Bill for a Talley to be struck until the Money be actually received. 10 & 11 W. 3. c. 22. §. 14. Exception.

II. And be it enacted and declared by the Authority aforesaid, That from and after the said twentieth Day of *April* one thousand six hundred ninety-seven, no Teller in the said Receipt of *Exchequer* shall charge himself by his Bill with the Receipt of any Monies in the *Exchequer*, but at such Times as the Officers of the Talley Court, their Deputies, or Substitutes, shall be there present, to levy a Talley or Tallies for the same; nor shall any Teller, or other Person employed by him, throw down, or cause to be thrown down into the said Court, any Bill or Bills, owning or purporting the Receipt of any Sum or Sums of Money from any Lender of Money, Receiver, or any other Person or Persons whatsoever, upon which Bill or Bills a Talley or Tallies are to be levied, according to the Course of the said Receipt, unless such Teller respectively, or his Clerks, or Persons employed by him, shall have actually received, and have then in his Office the very Money which shall be specified in such Bill or Bills respectively, except in such Cases where Tallies are or shall be levied by the special Warrants or Directions of the Commissioners of the Treasury, or so many of them as shall be appointed to be a *Quorum* for the time being, or of the Treasurer of the *Exchequer* for the time being, or where the Person for whom any Talley or Tallies shall be levied, or to whom such Money shall be directed to be issued, shall at the same Time, or on the same Day of throwing down the said Bill or Bills, give a Discharge according to the Course of the *Exchequer*, upon some Order or Debenture for the Money for which such Bill shall be so thrown down, pursuant to the like Warrant or Directions to be had and received for that Purpose; upon Pain that any Teller who shall offend against this Act, by charging himself by his Bill at such Times as the Officers of the Talley Court, their Deputies or Substitutes, shall not be there present as aforesaid, or by throwing down his Bill or Bills, without first receiving and having the Money therein specified in his Office as aforesaid (except in such Cases as are before excepted) shall for such Offence incur the like Forfeiture of Office and Disability as are before mentioned, and for every such Offence shall forfeit and lose double the Sum so unduly charged by him (to wit) one Moiety thereof to the King, and the other Moiety to such Person or Persons as will inform and sue for the same; and if such Offence shall be committed by any Clerk or Substitute of such Teller, then such Clerk or Substitute, for every such Offence, shall forfeit double the Sum so unduly charged, in like Manner, and shall be removed and expelled from the said Receipt.

Penalty on Teller or Deputy offending.

Penalty on Tellers Clerk, &c.

III. And to the end that none of His Majesty's Treasure, which shall be charged in the Receipt of the *Exchequer*, and ought to be there remaining, may be made use of or disposed without sufficient and lawful Authority in that Behalf, it is hereby also enacted and declared by the Authority aforesaid, That no Teller in the said Receipt of *Exchequer*, or any Clerk or Substitute of such Teller, after the Bill or Bills of such Teller shall be thrown down into the said Talley-Court, to charge him with any Sum or Sums of Money which ought to be in his Office, shall dispose, lend, pay, issue, make use of, or by any Way or Device whatsoever shall trust or depart with such Money, or any Part thereof, out of his Office, without an Order or Debenture for the same to be first made forth and directed by the Auditor of the said Receipt for the time being, and recorded by the Clerk of the Pells for the time being, and taking a Receipt to discharge the King, according to the ancient Course and Practice of the said Receipt, under the like Forfeitures, Disability, and Penalties to be incurred by such Tellers, their Clerks, and Substitutes respectively, for so doing, as are by this Act provided and to be inflicted for unduly charging any Money before it is actually received and in the Office, as aforesaid.

No Teller, &c. to dispose of any Money out of his Office, without an Order from the Auditor of the Receipt, &c.

Officers of the Talley-Court to attend daily, Sundays and Holidays excepted; and in case of Sickness, his Room to be supplied.

IV. And that the King's Service, or the Business of particular Persons, to be transacted at the said Receipt from time to time, may not be delayed or prejudiced, Be it further enacted and declared by the Authority aforesaid, That from and after the said twentieth Day of *April* one thousand six hundred ninety-seven, the Chamberlains or Deputy Chamberlains, and such other Officers, Ministers, Clerks, and Deputies, as do belong to the Talley Court, and are necessary for the levying of Tallies, shall daily, except upon *Sundays*, and such other Holidays as have been commonly observed at the Receipt of *Exchequer*, constantly attend there in their several Places, at least from eight of the Clock in the Forenoon, till one of the Clock in the Afternoon in every Year from *Lady-day* to *Michaelmas*, and from nine of the Clock in the Forenoon till one of the Clock in the Afternoon in every Year from *Michaelmas* to *Lady-day*, without absenting themselves from the same, unless they respectively be sick, or have Leave of Absence, to be obtained from the Commissioners of the Treasury, or the Treasurer or Under Treasurer of the *Exchequer* for the time being; in which Cases of Sickness, or Leave of Absence, the Room or Place of such Person sick, or having Leave to be absent, shall be sufficiently supplied in the mean Time as hath been accustomed; upon Pain that any such Officer, Minister, Clerk, or Deputy, absenting himself contrary to this Act, whereby the Business of the King, or of any others in the said Receipt, shall be delayed or obstructed, shall be liable to answer and make good, as well to the King as to the Party that shall suffer any Loss or Damage by such Delay or Obstruction, double Damages, besides full Costs of Suit; and that the Auditor of the said Receipt, and Writer of the Tallies and Counter Tallies, the Clerk of the Pells, the four Tellers, and other the Officers and Ministers of the said Receipt for the time being, shall severally by themselves, at all Times when their own personal Attendance is necessary and required by the ancient Practice and Usage there, and by themselves, or their respective Deputies, Clerks, or Substitutes, at such Times, and for such Matters, wherein they or any of them may act by a Deputy, Clerk, or Substitute, give such due and constant Attendance in their respective Places, as that His Majesty, His Heirs or Successors, or any other Person or Persons, who are to receive Money, or have other lawful Occasions there, may not be delayed or prejudiced, for want of the due Attendance of such Officers, Ministers, Deputies, Clerks, or Substitutes respectively, under the like Penalty of answering double Damages, besides full Costs of Suit, as aforesaid.

Penalty on Officer absenting without Leave.

Penalty on Officers of Exchequer not giving due Attendance.

51 H. 3. st. 5.

Auditors first Clerk, Clerk of the Pells, and Tellers Officers, to take an Oath.

'V. And in Regard the Business of the said Receipt is very much increased of late Years, and that a considerable Trust is reposed in the Chief Clerks there;' It is hereby further enacted by the Authority aforesaid, 'That the first Clerk in the Offices of the Auditor of the Receipt, the Clerk of the Pells, and of the four Tellers aforesaid, and every of them (who are and shall be appointed by those Officers respectively, with the Approbation of the Commissioners of the Treasury, or the Treasurer of the *Exchequer* for the time

time being) shall be sworn, and take their Corporal Oaths, for the due, just, and faithful Performance of all Matters and Things to be done and performed by such Clerks in the said Offices respectively; and the Oaths to that Effect shall and may be administred by the Commissioners of the Treasury, or any of them, or by the Treasurer or Under Treasurer of the *Exchequer*, or by the Barons of the Court of *Exchequer*, or any of them, for the time being.

Money not to be paid out of the Exchequer, but by the King's Authority.

VI. And be it further enacted and declared by the Authority aforesaid, That none of the Monies which are, or hereafter shall be or remain, in the Receipt of the *Exchequer*, shall be thence issued or paid, or be deemed to be lawfully issued or paid, but by or in Pursuance of some sufficient Grant or Authority from His Majesty, His Heirs or Successors, or from some of His Royal Predecessors, under the Great Seal of *England*, or by virtue of some sufficient Authority under the Privy Seal of His Majesty, His Heirs or Successors, or pursuant to some Act or Acts of Parliament in that Behalf and not otherwise.

A Table to be set up at the Door of the Auditor's Office, shewing the Repayment of the Loans.

VII. And for the better Satisfaction of such Persons as have lent, or shall hereafter lend, any Monies upon the Credit of any Tax, Aid, Imposition, or Revenue already granted, or hereafter to be granted, to His Majesty, His Heirs or Successors, it is hereby further enacted, That there shall be a Table or Tables made and set up continually at the Door of the Auditor of the said Receipt by him or his Clerks, shewing how far the Officers there have proceeded in the Repayment of Loans made upon the Credit of such Taxes, Aids, Impositions, or Revenues, and how far the Monies which shall be paid into the *Exchequer* by the respective Receivers thereof do extend from time to time to discharge Principal and Interest upon the said Taxes, Aids, Impositions, or Revenues respectively, whereby all Persons concerned at all such Times when the Office ought to be open, may without Trouble or Difficulty see what Progress is daily made in the Repayment of Loans upon the several Registers kept pursuant to any Act of Parliament in that Behalf.

Auditor to inroll all Letters Patents, &c. draw Orders for issuing the King's Money, and keep Entries thereof.

Also to certify the Tellers Accounts weekly, make out Imprest Certificates, and transmit the Rolls, &c.

VIII. And be it further enacted by the Authority aforesaid, That the said Auditor of the Receipt for the time being shall from time to time (for his just and lawful Fees) duly enter or inroll all Letters Patents, and Letters of Privy Seal, for issuing of the King's Treasure, and shall draw the Orders, or make the Debentures for the issuing thereof, as he shall be from time to time required by the Commissioners of the Treasury, or the Treasurer of the *Exchequer*, for the time being, and shall keep Entries thereof in Books to be provided and fairly written for that Purpose, and shall weekly take the Tellers Accounts, and make Certificate to the said Commissioners of the Treasury, or the Treasurer for the time being, of all Receipts, Issues, and Remains of the King's Money there, and shall make out the Imprest Certificates from time to time, of all Monies there issued upon Account, or by way of Imprest, and shall transmit the ordinary Imprest Rolls half yearly to the King's Remembrancer, in order to the charging or prosecuting of Accomptants, and shall half yearly (to wit) at *Easter* and *Michelmas*, make out and transmit to the said Commissioners of the Treasury, or the Treasurer for the time being, the Declaration of the Receipts, Issues, and Remains, at the *Exchequer* for every half year successively; all which Matters and Things, and all other Matters and Things belonging to the Office or Duty of the said Auditor of the Receipt, shall be faithfully and carefully done and performed by the Auditor of the Receipt for the time being, in such Manner as hath been anciently accustomed; and that the said Clerk of the Pells for the time being, shall also from time to time (for his just and lawful Fees) duly inroll or record all Letters Patents, and Letters of Privy Seal, for issuing of the King's Treasure, and truly and fairly enter and record all Receipts and Issues at the said *Exchequer*, and shall also take the Tellers weekly Accounts, and make Certificates to the said Commissioners of the Treasury, or Treasurer for the time being, weekly, of the Receipts, Issues, and Remains, of the King's Money there, and shall carefully examine all the Imprest Certificates and Imprest Rolls, and make out and transmit to the said Commissioners of the Treasury, or the Treasurer for the time being, Declarations of the Receipts, Issues, and Remains, within every half Year; and shall therein, and in all other Matters and Things appertaining to the Office of the Clerk of the Pells, faithfully and carefully observe, and cause to be observed, the ancient Course and Method of the said Receipt; and that they the said Auditor of the Receipt, and Clerk of the Pells, and all other Officers and Ministers of the said Receipt, and their Deputies, Clerks, and Substitutes respectively, shall, in the Matters aforesaid, and in all other Matters and Things concerning their Offices, demean themselves according to their respective Duties, and be answerable for the same, as well to our Sovereign Lord the King, as to any Person or Persons who may suffer or be injured by any Neglect or Failure therein.

Duty of the Clerk of the Pells, &c.

Officers of the Receipt, Clerks, &c. to demean themselves according to their Duties.

Penalties, how to be recovered.

IX. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures for any Offence against this Act, shall and may be recovered by Action of Debt, or of the Case, Bill, Suit, or Information, in any of His Majesty's Courts of Record, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance, shall be granted or allowed.

This Act not to lessen the Power of the Treasury over the Officers of the Receipt,

X. Provided always, That this Act, or any thing herein contained, shall not extend to lessen or diminish the lawful Power, Order, Rule, or Government, which the said Commissioners of the Treasury, and the Treasurer for the time being, have and ought to have over the Officers and Ministers of the said Receipt, or any other lawful Power which the said Commissioners of the Treasury, or Treasurer for the time being, have and ought to have in the Execution of their Places or Trusts respectively; any thing herein contained to the contrary notwithstanding.

nor to alter Receipts or Payments by Exchequer Bills.

XI. Provided also, That this Act, or any thing herein contained, shall not extend to alter or change any Method of Receipts or Payments by Bills of Credit in the *Exchequer*, allowed or to be allowed by Parliament; any thing herein contained to the contrary notwithstanding.

Money to be kept in Chests under three Locks. Keys, by whom to be kept.

XII. And be it further enacted and declared by the Authority aforesaid, That all the Money in the said Receipt shall be kept in Chests under three different Locks, with Keys to each Chest, and that the Tellers, or their Clerks respectively, shall keep but one of the said Keys to each of the said Chests, and that another Key of each Chest shall be kept by the Clerk of the Pells for the time being, and that the other Key of each Chest shall be kept by the eldest of the two Deputy Chamberlains, who are employed in the striking of Tallies.

No Debentures to be paid the same Day they are sent up to the Clerk of the Pells, except Orders for the Navy, &c. Tellers to have Money left with them every Morning for satisfying the Debentures for that Day.

lies for the time being; and that no Orders or Debentures shall be paid the same Day in which they are sent up from the Auditor's Office to the Clerk of the Pells (except Orders for the Navy, Ordnance, Forces, or for Monies registred upon some of the publick Registers) to the end the Clerk of the Pells, or his senior Clerk in his Absence, the Tellers, or their Clerks, and the Deputy Chamberlains, may know at the opening of the Chest or Chests in the Morning what Money to take out for the Service of that Day; and that the said Clerk of the Pells and Deputy Chamberlains every Morning (*Sundays* and Holidays excepted) at their first coming to the *Exchequer*, shall go up to the Tellers, or their Clerks, and having first taken Notice of what Debentures or Orders are directed for Payment, and lie ready to be satisfied, shall forthwith cause the respective Chest or Chests to opened in their Presence, and so much Money to be taken out, and left with the Tellers, or their Clerks, as will satisfy the said Debentures or Orders so directed, and ready to be satisfied, and the rest to be safe locked up again; and that every Day before their Departure they shall return to the same Offices, and see all the Money which was received that Day (except what shall have been paid away by Debentures or Orders recorded with the Clerk of the Pells) to be first weighed in the Bags, that so it may be seen or guessed very near, whether the Teller or his Clerk puts in and takes out his Money truly, and a Ticket expressing the Content to be put into each Bag, and so to be secured in the said Chests, under the three Locks aforesaid; and in case Money locked up in the said Chests be directed to be issued for the Navy, Ordnance, Forces, or upon any of the said publick Registers, so that the Payments must not be deferred till the Chests are opened the next Morning, then the said Clerk of the Pells and Deputy Chamberlains, upon such Occasion, shall go up forthwith to the Tellers Offices, and see the Chests opened for that Money, and the publick Service dispatched without Delay, and the Chests to be secured again in Manner as aforesaid; and when the said Clerk of the Pells, by reason of Sickness, cannot attend, or shall have Leave of Absence, it is hereby appointed, That his eldest Clerk shall keep his Keys of the said Chests, and when the said Deputy Chamberlain shall happen to be sick, or have any Leave to be absent, then his Keys of the said Chests shall be kept by his Fellow the other Deputy Chamberlain; and that no Money shall be taken out of the said Chests, but in the Presence and View of the said respective Teller (or his Clerk) and of the Clerk of the Pells, or (in case of Sickness, or Absence with Leave, as aforesaid, of his eldest Clerk, and likewise of the eldest Deputy Chamberlain, or (in case of his Sickness, or Absence with Leave as aforesaid) of the other Deputy Chamberlain, in the Manner and Form before mentioned.

Money to be weighed, and then secured in the Chests.

Payments not to be deferred.

Clerk of the Pells, &c. not attending, eldest Clerk, &c. to keep the Keys.

No Money to be taken out, but in Presence of the Teller, &c.

XIII. And be it enacted by the Authority aforesaid, That the Auditor of the Receipt by himself, or his Chief Clerk, from and after the twentieth Day of *April* one thousand six hundred ninety-seven, do at least once in every eight and twenty Days call the proper Officers of the said Receipt together, and visit every Teller's Cash, and by numbering the Bags, opening them, or some of them promiscuously, and (if he things it necessary) by weighing or telling the Money, or any Part thereof, do see that the respective Tellers have, in real Money, the Remains wherewith he charges them, and that he do, as frequently as he thinks fit, but at least once in every three Months, carefully examine the Tellers Vouchers for the Payments which he allows them in his weekly Certificates.

Auditor once in 28 Days to visit every Teller's Cash, and once in 3 Months examine their Vouchers. 1 Geo. 1. c. 29.

*Farther Provisions relating to Exchequer and Exchequer Bills,* 9 *W.* 3. *c.* 2 & 3. 16 *Geo.* 2. *c.* 12. 23 *Geo.* 2. *c.* 26. 33 *Geo.* 2. *c.* 1, 18, 21, & 23. 1 *Geo.* 3. *c.* 18 & 20.

## CAP. XXIX.

PR. An Act for the Repair of the Piers of *Bridlington*, alias *Burlington*, in the East Riding of the County of *York*. A Farthing *per* Chaldron on Coals loaden at *Newcastle*, &c. to be paid till 1 *May* 1704; for rebuilding *Burlington* Pier. The Monies raised by this Act to be laid out for repairing the Pier. Justices for the East Riding of *Yorkshire* once a Year may inspect the Book, and make Orders for the better Management of the Duties. Commissioners may convey the Duties as Security for Money borrowed. Commissioners to survey and inspect the Repairs of the said Pier, and certify the same to the Justices, who are to sess the Lands mentioned in the Grant of King *James* I. to the Earl of *Holderness*, and on Non-payment to distrain. [Continued by 5 Geo. 1. cap. 10. §. 2. for 25 Years from June 1730.]

## CAP. XXX.

An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom.

43 *El. c.* 2. Persons coming to inhabit in any Parish or Place, and bringing with them a Certificate under the Churchwardens Hands, &c. owning them to be Inhabitants of such other Parish, &c. the said other Parish to provide for them whenever they ask Relief of the Parish to which such Certificate was given.

'FORASMUCH as many poor Persons chargeable to the Parish, Township or Place, where they 'live, meerly for Want of Work, would in any other Place where sufficient Employment is to be had, 'maintain themselves and Families, without being burthensome to any Parish, Township or Place, but 'not being able to give such Security as will or may be expected and required upon their coming to settle 'themselves in any other Place, and the Certificates that have been usually given in such Cases having 'been oftentimes construed into a Notice in Hand Writing, they are for the most Part confined to live in 'their own Parishes, Townships or Places, and not permitted to inhabit elsewhere, though their Labour 'is wanted in many other Places, where the Increase of Manufactures would employ more Hands;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That if any Person or Persons whatsoever, that from and after the first Day of *May*, which shall be in the Year of our Lord one thousand six hundred ninety seven, shall come into any Parish or other Place there to inhabit and reside, shall at the same Time procure, bring and deliver to the Churchwardens or Overseers of the Poor of the Parish or Place where any such Person shall come and inhabit, or to any or either of them, a Certificate under the Hands and Seals of the Churchwardens and Overseers of the Poor of any other Parish, Township or Place, or the major Part of them, or under the Hands and Seals of the Overseers of the Poor of any

any other Place where there are no Churchwardens, to be atteſted reſpectively by two or more credible Witneſſes, thereby owning and acknowledging the Perſon or Perſons mentioned in the ſaid Certificate to be an Inhabitant or Inhabitants legally ſettled in that Pariſh, Townſhip or Place, every ſuch Certificate, having been allowed of and ſubſcribed by two or more of the Juſtices of the Peace of the County, City, Liberty, Borough or Town Corporate, wherein the Pariſh or Place, from whence any ſuch Certificate ſhall come, doth lie, ſhall oblige the ſaid Pariſh or Place to receive and provide for the Perſon mentioned in the ſaid Certificate, together with his or her Family, as Inhabitants of that Pariſh, whenever he, ſhe, or they ſhall happen to become chargeable to, or be forced to aſk Relief of the Pariſh, Townſhip or Place, to which ſuch Certificate was given; and then, and not before, it ſhall and may be lawful for any ſuch Perſon, and his or her Children, though born in that Pariſh, not having otherwiſe acquired a legal Settlement there, to be removed, conveyed and ſettled, in the Pariſh or Place from whence ſuch Certificate was brought.

Explained by 9 & 10 W. 3. c. 11 and 12. Anne, ſtat. 1. c. 18. § 2.

'Such Witneſs to ſwear to the Execution of Certificates, &c.' 3 Geo. 2. c. 29. §. 8.

And ſhall not be removed before. *Vin. V.* 16. 414. *Burr, V.* 2. 201.

II. And to the end that the Money raiſed only for the Relief of ſuch as are as well Impotent as Poor, may not be miſapplied and conſumed by the idle, ſturdy and diſorderly Beggars; Be it further enacted by the Authority aforeſaid, That every ſuch Perſon as from and after the firſt Day of *September* one thouſand ſix hundred ninety-ſeven, ſhall be upon the Collection, and receive Relief of any Pariſh or Place, and the Wife and Children of any ſuch Perſon cohabiting in the ſame Houſe (ſuch Child only excepted, as ſhall be by the Churchwardens and Overſeers of the Poor permitted to live at Home, in order to have the Care of and attend an impotent and helpleſs Parent) ſhall upon the Shoulder of the Right Sleeve of the uppermoſt Garment of every ſuch Perſon, in an open and viſible Manner, wear ſuch Badge or Mark as is herein after mentioned and expreſſed, that is to ſay, a large Roman P. together with the firſt Letter of the Name of the Pariſh or Place whereof ſuch poor Perſon is an Inhabitant, cut either in red or blue Cloth, as by the Churchwardens and Overſeers of the Poor it ſhall be directed and appointed: And if any ſuch poor Perſon ſhall at any Time neglect or refuſe to wear ſuch Badge or Mark, as aforeſaid, and in Manner as aforeſaid, it ſhall and may be lawful for any Juſtice of the Peace of the County, City, Liberty, or Town Corporate, where any ſuch Offence ſhall be committed, upon Complaint to him for that Purpoſe to be made, to puniſh every ſuch Offender for every ſuch Offence, either by ordering of his or her Relief or uſual Allowance on the Collection to be abridged, ſuſpended, or withdrawn, or otherwiſe by committing of any ſuch Offender to the Houſe of Correction, there to be whipt and kept to hard Labour, for any Number of Days not exceeding one and twenty, as to the ſaid Juſtice in his Diſcretion it ſhall ſeem moſt meet; and if any ſuch Churchwarden or Overſeer of the Poor, from and after the ſaid firſt Day of *September*, ſhall relieve any ſuch poor Perſon not having and wearing ſuch Badge or Mark, as aforeſaid, being thereof convicted, upon the Oath of one or more credible Witneſs or Witneſſes, before any Juſtice of the Peace of the County, City, Liberty, or Town Corporate, where any ſuch Offence ſhall be committed, ſhall forfeit for every ſuch Offence the Sum of twenty Shillings, to be levied by Diſtreſs and Sale of the Goods of every ſuch Offender, by Warrant under the Hand and Seal of any ſuch Juſtice; one Moiety thereof to be to the Uſe of the Informer, and the other to the Poor of the Pariſh where the Offence ſhall be committed.

Perſons receiving Alms to wear a Badge on the Shoulder of the Right Sleeve.

Penalty on refuſing to wear the Badge.

Penalty on Churchwarden, &c. relieving poor Perſons not wearing ſuch Badge.

III. And for the more effectual preventing of vexatious Removals and frivolous Appeals; Be it further enacted by the Authority aforeſaid, that the Juſtices of the Peace of any County or Riding, in their General or Quarter-Seſſions of the Peace, upon any Appeal before them there to be had, for and concerning the Settlement of any poor Perſon, or upon any Proof before them there to be made, of Notice of any ſuch Appeal to have been given by the proper Officer to the Churchwardens or Overſeers of the Poor of any Pariſh or Place (though they did not afterwards proſecute ſuch Appeal) ſhall, at the ſame Quarter-Seſſions, award and order to the Party for whom and in whoſe Behalf ſuch Appeal ſhall be determined, or to whom ſuch Notice did appear to have been given, as aforeſaid, ſuch Coſts and Charges in the Law, as by the ſaid Juſtices in their Diſcretion ſhall be thought moſt reaſonable and juſt, to be paid by the Churchwardens, Overſeers of the Poor, or any other Perſon, againſt whom ſuch Appeal ſhall be determined, or by the Perſon that did give ſuch Notice, as aforeſaid; and if the Perſon ordered to pay ſuch Coſts ſhall happen to live in any County, Riding, City, or Town Corporate, or elſewhere, out of the Juriſdiction of the ſaid Court, it ſhall and may be lawful for any Juſtice of the Peace of the County, Riding, City, Liberty, or Town Corporate, wherein ſuch Perſon ſhall inhabit, and every ſuch Juſtice is hereby required, upon Requeſt to him for that Purpoſe to be made, and a true Copy of the Order for the Payment of ſuch Coſts produced, and proved by ſome credible Witneſs upon Oath, by Warrant under his Hand and Seal to cauſe the Money mentioned in that Order to be levied by Diſtreſs and Sale of the Goods of the Perſon that is ordered and ought to pay the ſame; and if no ſuch Diſtreſs can or may be had, to commit ſuch Perſon to the common Gaol of that County or Liberty, there to remain by the Space of twenty Days.

Juſtices on Appeal to them concerning the Settlement of any poor Perſon to award Coſts.

Perſon ordered to pay Coſts living out of the Juriſdiction, Juſtice of the County, &c. where ſuch Perſon inhabits, may cauſe the Money to be levied; if no Diſtreſs, Offender to be committed to Gaol.

'IV. And whereas ſome Doubts have ariſen touching the Settlement of unmarried Perſons, not having 'Child or Children, lawfully hired into any Pariſh or Town for one Year;' Be it therefore enacted and declared by the Authority aforeſaid, That no ſuch Perſon ſo hired as aforeſaid, ſhall be adjudged or deemed to have a good Settlement in any ſuch Pariſh or Townſhip, unleſs ſuch Perſon ſhall continue and abide in the ſame Service during the Space of one whole Year.

Single Perſons not deemed to have a good Settlement in any Pariſh under 1 Year's Continuance. 43 Eliz. c. 2.

'V. And whereas by an Act made in the three and fortieth Year of the Reign of Queen ELIZABETH, 'intituled, *An Act for the Relief of the Poor*, it is amongſt other Things enacted, That it ſhall be lawful for the Churchwardens and Overſeers of the Poor of any Pariſh, or the greater Part of them, by 'the Aſſent of two Juſtices of the Peace, whereof one to be of the *Quorum*, to bind poor Children Apprentices, where they ſhall ſee convenient; but there being Doubts whether the Perſons to whom ſuch 'Children are to be bound, are compellable to receive ſuch Children as Apprentices, that Law hath failed 'of its due Execution;' Be it therefore enacted and declared by the Authority aforeſaid, That where any

Poor Children bound Apprentices pursuant to the Act 43 Eliz. c. 2. those to whom they are bound, to provide for them according to the Indenture signed by the Justices, &c. Penalty on Offender. Persons to whom poor Children are bound, being aggrieved, may appeal to the Justices.

poor Children shall be appointed to be bound Apprentices, pursuant to the said Act, the Person or Persons, to whom they are so appointed to be bound, shall receive and provide for them, according to the Indenture signed and confirmed by the two Justices of the Peace, and also execute the other Part of the said Indentures; and if he or she shall refuse so to do, Oath being thereof made by one of the Churchwardens, or Overseers of the Poor, before any two of the Justices of the Peace for that County, Liberty, or Riding, he or she for every such Offence shall forfeit the Sum of ten Pounds, to be levied by Distress and Sale of the Goods of any such Offender, by Warrant under the Hands and Seals of the said Justices, the same to be applied to the Use of the Poor of that Parish or Place where such Offence was committed; saving always to the Person, to whom any poor Child shall be appointed to be bound an Apprentice as aforesaid, if he or she shall think themselves aggrieved thereby, his or her Appeal to the next General or Quarter-Sessions of the Peace for that County or Riding, whose Order therein shall be final, and conclude all Parties.

Appeal against any Order for Removal of poor Person to be determined at the Quarter Sessions.

VI. And be it further enacted by the Authority aforesaid, That from and after the first Day of *May* one thousand six hundred ninety-seven, the Appeal against any Order for the Removal of any poor Person from out of any Parish, Township, or Place, shall be had, prosecuted, and determined, at the General or Quarter-Sessions of the Peace for the County, Division, or Riding, wherein the Parish, Township, or Place, from whence such poor Person shall be removed, doth lie, and not elsewhere; any former Law or Statute to the contrary thereof in any wise notwithstanding.

This Act not to make void Churchwardens, &c.

VII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to make void any Promise or Engagement already made by the Churchwardens or Overseers of the Poor of any Parish, Township, or Place, to receive and take back any Persons, in case they should become poor, and want Relief.

Promise to take back any Person in case of Poverty, nor to hinder Justices of Peace at St. Albans from hearing Appeals for settling their Poor.

VIII. Provided, That this Act, nor any thing therein contained, shall be construed to hinder the Justices of the Peace within the Liberty of Saint *Albans*, from hearing and determining any Appeals for the Settlement of the Poor in their Quarter-Sessions, as they might have done before the making of this Act; any thing therein contained to the contrary in any wise notwithstanding.

[By 9 Geo. 1. c. 7. §. 7. The like Provision is made for the Borough St. *Peter* and Hundred of *Nassa Borough* in *Northamptonshire*.]

*Farther Provisions concerning Poor*, 9 & 10 *W.* 3. *c.* 11. 12 *Ann. stat.* 1. *c.* 18. 5 *Geo.* 1. *c.* 8. 9 *Geo.* 1. *c.* 7. 2 *Geo.* 2. *c.* 28. 3 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 3, 37 & 38, *and* 31 *Geo.* 2. *c.* 11.

## CAP. XXXI.

### An Act for the easier obtaining Partitions of Lands in Coparcenary, Joint Tenancy, and Tenancy in Common.

31 *H.* 8. *c.* 1. 32 *H.* 8. *c.* 32.

'WHEREAS the Proceedings upon Writs of Partition between Coparceners by the Common Law or Custom, Joint Tenants, and Tenants in Common, are found by Experience to be tedious, chargeable, and oftentimes ineffectual, by reason of the Difficulty of discovering the Persons and Estates of the Tenants of the Manors, Messuages, Lands, Tenements, and Hereditaments, to be divided, and the defective or dilatory executing and returning of the Process of Summons, Attachment, and Distress, and other Impediments, in making and establishing of Partitions, by reason of which divers Persons having undivided Parts or Purparts are greatly oppressed and prejudiced, and the Premisses are frequently wasted and destroyed, or lie uncultivated and unmanured, so that the Profits of the same are totally or in a great Measure lost:' For Remedy whereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand six hundred ninety-seven, after Process of *Pone* or Attachment returned upon a Writ of Partition, Affidavit being made by any credible Person of due Notice given of the said Writ of Partition to the Tenant or Tenants to the Action, and a Copy thereof left with the Occupier, or Tenant or Tenants, or if they cannot be found, to the Wife, Son or Daughter (being of the Age of one and twenty Years or upwards) of the Tenant or Tenants, or to the Tenant in actual Possession, by virtue of any Estate of Freehold, or for Term of Years, or uncertain Interest, or at Will, of the Manors, Lands, Tenements or Hereditaments, whereof the Partition is demanded (unless the said Tenant in actual Possession be Demandant in the Action) at least forty Days before the Day of Return of the said *Pone* or Attachment, if the Tenant or Tenants to such Writ, or any of them, or the true Tenant to the Messuages, Lands, Tenements and Hereditaments as aforesaid, shall not in such Case, within fifteen Days after Return of such Writ of *Pone* or Attachment, cause an Appearance to be entred in such Court where such Writ of *Pone* or Attachment shall be returnable, then in Default of such Appearance, the Demandant having entred his Declaration, the Court may proceed to examine the Demandant's Title, and Quantity of his Part and Purpart, and accordingly, as they shall find his Right, Part and Purpart to be, they shall for so much give Judgment by Default, and award a Writ to make Partition, whereby such Proportion, Part and Purpart may be set out severally; which Writ being executed after eight Days Notice given to the Occupier, or Tenant or Tenants of the Premisses, and returned, and thereupon final Judgment entred, the same shall be good, and conclude all Persons whatsoever after Notice as aforesaid, whatever Right or Title they have, or may at any Time claim to have in any of the Manors, Messuages, Lands, Tenements and Hereditaments, mentioned in the said Judgment and Writ of Partition, although all Persons concerned are not named in any of the Proceedings, nor the Title of the Tenants truly set forth.

*Vin. V.* 14. 470 to 539.

After Process of Pone or Attachment returned on Writ of Partition,

If the Tenant do not enter an Appearance within 15 Days,

Court may proceed to examine the Demandant's Title,

give Judgment by Default, and award a Writ to make Partition.

II. Provided

II. Provided always, That if such Tenant or Person concerned, or either of them, against whom, or their Right or Title, such Judgment by Default is given, shall, within the Space of one Year after the first Judgment entred, or in case of Infancy, Coverture, *Non sanæ Memoriæ*, or Absence out of the Kingdom, within one Year after his, her or their Return, or the Determination of such Inability, apply themselves to the Court by Motion where such Judgment is entred, and shew a good and probable Matter in bar of such Partition, or that the Demandant hath not Title to so much as he hath recovered, then in such Case the Court may suspend or set aside such Judgment, and admit the Tenant and Tenants to appear and plead, and the Cause shall proceed according to due Course of Law, as if no such Judgment had been given: And if the Court, upon hearing thereof, shall adjudge for the first Demandant, then the said first Judgment shall stand confirmed, and be good against all Persons whatsoever, except such other Persons as shall be absent or disabled as aforesaid; and the Person or Persons so appealing, shall be awarded thereupon to pay Costs, or if within such Time or Times aforesaid, the Tenants or Persons concerned, admitting the Demandant's Title, Parts and Purparts, shall shew to the Court an Inequality in the Partition, the Court may award a new Partition to be made, in Presence of all Parties concerned (if they will appear) notwithstanding the Return and filing upon Record the former, which said second Partition returned and filed shall be good and firm for ever against all Persons whatsoever, except as before excepted.

If Tenant or other shall in one Year after Judgment entred, or in case of Infancy, &c. shew a good Matter in bar of such Partition, &c. the Court may set aside such Judgment.

Person appealing to pay Costs.

III. And be it further enacted by the Authority aforesaid, That no Plea in Abatement shall be admitted or received in any Suit for Partition, nor shall the same be abated by reason of the Death of any Tenant.

No Plea in Abatement to be admitted.

IV. And be it further enacted by the Authority aforesaid, That when the High Sheriff, by reason of Distance, Infirmity, or any other Hindrance, cannot conveniently be present at the Execution of any Judgment in Partition, in such Case the Under Sheriff, in Presence of two Justices of the Peace of the County where the Lands, Tenements or Hereditaments to be divided do lie, shall and may proceed to Execution of any Writ of Partition, by Inquisition in due Form of Law, as if the High Sheriff were then personally present; and the High Sheriff thereupon shall, and is hereby enabled and required to make the same Return, as if he were personally present at such Execution: And in case such Partition be made, returned and filed, he or they that were Tenant or Tenants of any of the said Messuages, Lands, Tenements and Hereditaments, or any Part or Purpart thereof, before they were divided, shall be Tenant or Tenants for such Part set out severally to the respective Landlords or Owners thereof, by and under the same Conditions, Rents, Covenants and Reservations, where they are or shall be so divided, and the Landlords and Owners of the several Parts and Purparts so divided and allotted as aforesaid shall warrant and make good unto the respective Tenants, the said several Parts severally, after such Partition, as they are or were bound to do by any Copy, Leases or Grants of their respective Parts before any Partition made; and in case any Demandant be Tenant in actual Possession to the Tenant to the Action for his Part and Proportion, or any Part thereof, in the Messuages, Lands, Tenements and Hereditaments, to be divided by virtue of a Writ of Partition as aforesaid, for any Term of Life, Lives or Years, or uncertain Interest, the said Tenant shall stand and be possessed of the said Purparts and Proportions for the like Term, and under the same Conditions and Covenants, when it is set out severally in pursuance of this or any other Act, Statute or Law to that Purpose.

Where High Sheriff cannot be present at the Execution of a Judgment in Partition, Under Sheriff in Presence of two Justices may proceed thereupon.

Tenants before the Division to be Tenants under the same Conditions, &c.

And Landlords to make good to their Tenants their said Parts, as before Partition made.

V. And be it further enacted by the Authority aforesaid, That the respective Sheriffs, their Under Sheriffs and Deputies, and in case of Sickness or Disability in the High Sheriff, all Justices of Peace, within their respective Divisions, shall give due Attendance to the executing such Writ of Partition, unless reasonable Cause be shewn to the Court upon Oath, and there allowed of, or otherwise be liable every of them to pay unto the Demandant such Costs and Damages as shall be awarded by the Court, not exceeding five Pounds, for which the Demandant or Plaintiff may bring his Action in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege or Wager of Law shall be allowed, nor any more than one Imparlance; and in case the Demandant shall not agree to pay unto the Sheriffs or Under Sheriffs, Justices and Jurors, such Fees as they shall respectively demand for their Pains and Attendance in the Execution of the same, and returning thereof, then the Court shall award what each Person shall receive, having Respect to the Distance of the Place from their respective Habitations, and the Time they must necessarily spend about the same, for which they may severally bring their Actions as aforesaid.

Sheriffs, Under Sheriffs, &c. to give due Attendance for executing Writs of Partition.

Demandant not paying Sheriff, &c. his Fees, Court to award the same.

VI. Provided always, That this Act shall continue for seven Years, and from thence to the End of the next Session of Parliament, and no longer. [Made perpetual by 3 & 4 Annæ, cap. 18. sect. 2.]

This Act to continue for 7 Years. *See 7 Ann. c. 18.*

## CAP. XXXII.

An Act to restrain the Number and ill Practice of Brokers and Stock Jobbers. From 1 *May* 1697 no Person to act as a Broker in *London* or *Westminster*, or Bills of Mortality, without Licence of the Lord Mayor of *London*, &c. Broker on Admittance to take an Oath. Lord Mayor, &c. to administer the Oath. Broker in three Months after Admittance to take the Oaths 1 W. & M. st. 1. c. 8. and subscribe the Association, 7 & 8 W. 3. c. 27. and enter into an Obligation. Number of Brokers not to exceed 100. Admittance Fees not to exceed 40 s. Brokers Names and Places of Abode to be affixed on the *Royal Exchange*, and in *Guildhall*, *London*. Penalty on Person acting as a Broker, if not admitted according to this Act, and on Persons employing them. Penalty on Person not being a Sworn Broker, who shall act in discounting Tallies, *Exchequer* Bills, &c. Sworn Broker to keep a Register Book, and to enter all Contracts, &c. within three Days after made, &c. Broker shall not take more than 10 *s. per Cent.* Brokage. Broker after Admittance to carry about him a Silver Medal of the King's Arms, &c. with the Broker's Name, &c. Penalty on Broker dealing for himself, &c. or making any Gain, &c. over and above the Brokage allowed by this Act. Policies, Contracts, &c. entred into, on which any *Præmium*

EXP. Continued by 12 & 13 W. 3. c. 32. See 1 Jac. 1. c. 21. 6 Ann. c. 16. 1 *Ld. Raym.* 673.

shall be given to accept any Share, &c. in Joint Stock, Tallies, &c. to be void; except such Policies, &c. as are to be performed in three Days. Penalty on Sworn Broker not making Discovery of other Persons acting as such. This Act to continue for three Years. Person buying or selling Cattle, Corn, &c. not to be esteemed a Broker. Sworn Brokers from 1 *May* 1697, &c. not to drive any Bargain for Tallies, &c. on any Fund granted by Parliament, unless licenced by the Treasury.

## CAP. XXXIII.

### An Act to make perpetual and more effectual an Act, intituled, *An Act to prevent Delays at the Quarter Sessions of the Peace.*

Act 5 & 6 W. & M. c. 11. made perpetual.

'WHEREAS an Act made in the fifth and sixth Years of the Reign of King WILLIAM and the late Queen MARY, intituled, *An Act to prevent Delays of Proceedings at the Quarter-Sessions of the Peace*, which was to continue and be in Force for three years, and from thence to the End of the next Session of Parliament, by Experience hath been found useful and beneficial;' Therefore for continuing the same, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and is hereby continued, and shall be in Force and made perpetual.

Party prosecuting any Certiorari to remove an Indictment may find two Manucaptors to enter into a Recognizance, &c.

II. And for the making the Purpose and Design of the said Act more effectual, Be it enacted by the Authority aforesaid, That from and after the one and twentieth Day of *April*, which shall be in the Year of our Lord one thousand six hundred ninety-seven, the Party or Parties prosecuting any *Certiorari*, to remove any Indictment or Presentment from the Quarter or General Sessions of the Peace, may find two sufficient *Manucaptors*, who shall enter into a Recognizance before any one of His Majesty's Justices of the Court of *King's Bench*, in the same Sum, and under the same Condition, as is required by the said Act, whereof Mention shall be made on the Back of such Writ, under the Hand of the Justice taking the same, which shall be as effectual and available to all Intents and Purposes, to stay or supersede any further Proceedings upon any Indictment or Presentment, for the Removal of which the said Writ of *Certiorari* shall be granted, as if the Recognizance had been taken before any one of the Justices of the Peace of the County or Place where such Indictment was found, or Presentment made; and also it shall be added to the Condition of every Recognizance taken by virtue of this and the said Act, that the Party or Parties prosecuting such Writ of *Certiorari*, shall appear from Day to Day in the said Court of *King's Bench*, and not depart until he or they shall be discharged by the said Court.

Party to appear daily in the King's Bench Court until discharged.

*By* 13 *Geo.* 2. *c.* 18. *sect.* 5. *no Certiorari to be granted to remove any Conviction unless moved for within six Calendar Months after such Conviction.*

## CAP. XXXIV.

### An Act for the lessening the Duty upon Tin and Pewter exported, and granting an Equivalent for the same by a Duty upon Drugs.

'WHEREAS upon due Consideration of the great Abatement in the Price of Tin since the Book of Rates was settled, it has been found just to reduce the Duty payable on the Exportation thereof to a more reasonable Par with other Goods of the Product of *England*;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the tenth Day of *May* one thousand six hundred ninety-seven, there shall be paid on an Entry of Tin to be exported for every hundred Weight, containing one hundred and twelve Pounds of such Tin unwrought, the Sum of three Shillings, and for every hundred Weight of Tin wrought, commonly called *Pewter*, containing one hundred and twelve Pounds, the Sum of two Shillings, and so in Proportion for any greater or lesser Quantity of either, and no more; any thing in the Book of Rates to the contrary notwithstanding.

Tin exported to pay 3 s. per 100 wt. Wrought Tin called Pewter 2 s. per 100 wt.

11 Car. 2. c. 4.

'II. And whereas by an Act made in the twelfth Year of the late King CHARLES the Second, intituled, *A Subsidy granted to the King of Tunnage and Poundage, and other Sums of Money, payable upon Merchandizes exported and imported*; which Act is to have Continuance until the first Day of *August* one thousand seven hundred and six, it is provided, That all Drugs, imported directly from the Place of their Growth in *English* built Shipping, be rated one third Part of what is charged in the said Book of Rates, and no more:' Now for a full Recompence to such Persons who may have any Loan upon the said Duty on Tin so taken off as aforesaid; Be it further enacted by the Authority aforesaid, That from the said tenth Day of *May* the Subsidy to be received for all Drugs, imported directly from the Place of their Growth in *English* built Shipping, shall be according to the full Value on the respective Species enumerated in the Book of Rates, and not according to the said Abatement, and for all Drugs otherwise imported treble such full Value; any thing in the said recited Act to the contrary notwithstanding.

Drugs imported in English Shipping to pay the full Value, otherwise imported treble the Value; Dyers Drugs excepted. Duties on Drugs are continued by 6 Annæ, c. 22. for 4 Years, and made perpetual by 7 Annæ, c. 7. §. 26.

III. Provided always, That nothing in this Act contained shall extend to the laying a further Duty on any Sort of Drugs used in Dying. 8 Geo. 1, c. 15. §. 10.

## CAP. XXXV.

### An Act for raising the Militia for the Year one thousand six hundred ninety-seven, although the Month's Pay formerly advanced be not repaid. EXP.

CAP.

## CAP. XXXVI.

### An Act for the further Encouragement of the Manufacture of Luſtrings and Alamodes within this Realm, and for the better preventing the Importation of the ſame.

'WHEREAS it hath been always found of great Advantage to encourage the ſetting up and making of new Manufactures within this Realm, whereby the Exportation of Money to procure foreign Commodities is prevented, the Wealth of the Kingdom increaſed, and the Poor are employed: And whereas there are great Quantities of Alamodes and Luſtrings conſumed by His Majeſty's Subjects, which till of late Years were imported from foreign Parts, and thereby the Treaſure of this Nation much exhauſted, but are now manufactured in *England* by the Royal Luſtring Company, to as great Perfection as in any other Country, whereby many thouſands may be employed: And whereas Proviſion hath been made by divers Laws for the Encouragement of the ſaid Manufacture, and for preventing the Importation of ſuch Foreign Silks without paying the Duties charged thereon, which have been frequently eluded by the ſubtil Practices of evil-diſpoſed Perſons:' For Remedy thereof, and for the further Encouragement of the ſaid Manufacture, be it enacted, and it is hereby enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Perſon or Perſons, who ſhall import any foreign Alamodes or Luſtrings, from Parts beyond the Seas, into any Port or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, without paying the Rates, Cuſtoms, Impoſitions, and Duties, that ſhall be due and payable for the ſame at ſuch Importation, or ſhall import any Alamodes or Luſtrings prohibited by Law to be imported, or ſhall by way of Inſurance or otherwiſe undertake or agree to deliver, or in purſuance of any Undertaking, Agreement, or Inſurance, ſhall deliver, or cauſe to be delivered, any ſuch Goods or Merchandize, and every Perſon or Perſons who ſhall agree to pay any Sum or Sums of Money, *Præmium*, or Reward for inſuring or conveying any ſuch Goods or Merchandize, or ſhall knowingly receive or take the ſame into his, her, or their Houſe, Shop, or Warehouſe, Cuſtody or Poſſeſſion, ſuch Perſon or Perſons ſhall and may be proſecuted for any the Offences or Matters aforeſaid, in any Action, Suit, or Information, and thereupon a *Capias* in the firſt Proceſs, ſpecifying the Sum of the Penalties ſued for, ſhall and may iſſue, and ſuch Perſon or Perſons ſhall be obliged to give ſufficient Bail and Security by natural-born Subjects, Perſons naturalized, or Denizens, to the Officer ſerving or executing the Writ or Proceſs on or againſt him, her, or them, to appear in the Court out of which ſuch Writ or Proceſs did iſſue, at the Day of the Return of ſuch Writ or Proceſs, to anſwer ſuch Suit or Proſecution, and ſhall at the Time of ſuch Appearance give ſufficient Bail or Security by ſuch Perſons as aforeſaid, in the ſaid Court, to anſwer and pay all the Forfeitures and Penalties incurred for ſuch Offence, in caſe he, ſhe, or they ſhall be convict thereof, or to yield his, her, or their Bodies to Priſon.

19 *II.* 7. *c.* 21.

Perſons importing foreign Alamodes or Luſtrings, without paying the Cuſtoms, &c.

may be proſecuted, and a Capias thereupon be iſſued, &c.

'II. And whereas by an Act made in the fourth and fifth Years of King WILLIAM and Queen MARY, intituled, *An Act for continuing ſeveral Acts therein mentioned, and for charging certain Joint Stocks*, a Penalty of five hundred Pounds is laid upon Perſons inſuring to import prohibited Goods, or Goods without paying Duties and Cuſtoms, and alſo a Penalty of five hundred Pounds upon any Perſon who ſhall be ſo inſured:' For the more eaſy and certain Recovery of the ſame it is hereby further enacted, That it ſhall and may be lawful for any Perſon or Perſons to ſue for or proſecute, and to recover the ſaid Penalty by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law, ſhall be allowed, nor more than one Imparlance.

4 & 5 W. & M. *c.* 15.

Penalty in the Act 4 & 5 W. & M. *c.* 15. for inſuring prohibited Goods, may be ſued and recovered by Action of Debt, &c.

III. And be it further enacted by the Authority aforeſaid, That all Black Alamodes and Luſtrings whereſoever manufactured, which ſhall be found in the Cuſtody or Poſſeſſion of any Perſon or Perſons, not marked and ſealed with the Mark and Seal or Marks and Seals of the Cuſtom-Houſe, or of the Royal Luſtring Company, ſhall and are hereby declared and adjudged to be forfeited, and ſhall or may be ſeized as forfeited, whether the ſame have been before ſuch Seizure bought and ſold, or not, and the Perſon, in whoſe Cuſtody or Poſſeſſion the ſame ſhall be found, ſhall incur all the Penalties contained in a Clauſe relating to Alamodes and Luſtrings now in force, in a certain Act made in the ſixth and ſeventh Years of the Reign of His preſent Majeſty, intituled, *An Act for granting to His Majeſty certain Duties upon Glaſs Wares and Earthen Bottles, Coals, and Culm, for the carrying on the War againſt* France.

Black Alamodes and Luſtrings not having the Cuſtom-Houſe or Royal Luſtring Company's Marks, to be forfeited.

Perſon in whoſe Cuſtody found, liable to the Penalties in 6 & 7 W. 3. *c.* 18. §. 28.

IV. And be it further enacted by the Authority aforeſaid, That no Alamodes and Luſtrings, that from and after the tenth Day of *April* one thouſand ſix hundred ninety-ſeven, ſhall be ſeized and forfeited by virtue of any Law now in force, ſhall be conſumed or uſed in this Kingdom, but ſhall be exported again, and not ſold otherwiſe than on Condition to be exported: And for preventing their Conſumption in *England*, the ſame ſhall immediately on Seizure be carried to the Cuſtom-Houſe Warehouſe in *London*, and there ſuch as are forfeited ſhall be ſold by Inch of Candle, on Condition to be exported, and not delivered to the Buyer or any other Perſon, but only to be carried on Ship-board in order to Exportation, and not until ſufficient Security be given, that the ſame and every Part thereof ſhall be exported, and not landed again in any Part of *England*, Dominion of *Wales*, or the Town of *Berwick* upon *Tweed*; which Security ſhall be diſcharged by Certificate from the Chief Magiſtrate or Officer of the Place or Port where ſuch Goods ſhall be landed, or by Oath made that the ſame were loſt at Sea, and not otherwiſe.

Alamodes and Luſtrings ſeized and forfeited, to be exported again; on Seizure to be carried to the Cuſtom-Houſe, and there ſold. Security to be given for Exportation, &c.

'V. And foraſmuch as there is no Reaſon that any of His Majeſty's Subjects ſhould have Luſtrings and Alamodes at a cheaper Rate than the Inhabitants of this Kingdom, or that it ſhould be more profitable to export foreign Luſtrings and Alamodes beyond the Seas, than ſuch as are made in this Kingdom, which would happen, in caſe the Exporter be allowed to draw or receive back, on Exportation, all or any Part of the Duties paid or payable on the ſaid Commodities on Importation of the ſame;' Be it further enacted

On Exportation of foreign Luſtrings, &c. Exporter to receive no Drawback, &c.

by the Authority aforeſaid, That on Exportation of foreign Luſtrings or Alamodes, the Exporter ſhall not be intitled to receive any Drawback, or be repaid the Duties, Cuſtoms, or Impoſitions paid, payable, or ſecured, on Importation of the ſame, or any Part thereof; any Law, Statute, Cuſtom, or Uſage, to the contrary notwithſtanding.

Perſons imbezelling, &c. any Silk delivered to be wrought up, and alſo Buyers, Receivers, &c. to be liable to the Penalties in the Acts 13 & 14 Car. 2. c. 15. & 20 Car. 2. c. 6.

'VI. And whereas the Silk Manufacturers are obliged, from time to time, to deliver to their Agents, 'Journeymen, Warpers and Winders, great Quantities of Silk to work up, which is often by them em-'bezelled, ſold, or pawned, to the great Detriment of the Silk Manufacturers of this Kingdom;' Be it enacted by the Authority aforeſaid, That all and every Perſon or Perſons whoſoever, that ſhall imbezel, pawn, ſell, or detain any of the Silk ſo delivered, or after the ſame is wrought up, and alſo all and every Receiver and Receivers, Buyer and Buyers, or ſuch as take to pawn any of the ſaid Goods, ſhall be ſubject and liable to all the Penalties, Forfeitures, and Puniſhments contained, mentioned, and provided, in one Act of Parliament made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for regulating the Trade of Silk Throwing*; and in another Act made in the twentieth Year of the ſaid King CHARLES the Second, intituled, *An Act to regulate the Trade of Silk Throwing.*

Weavers having Alamodes and Luſtrings by them not ſealed, upon Proof on Oath they were manufactured in England, may have them ſealed gratis at the Luſtring Company's Warehouſe, &c.

'VII. And whereas ſeveral Weavers have certain Pieces of Black Alamodes and Luſtrings by them, 'which have not been ſealed by the Officers of the Cuſtoms, or Royal Luſtring Company, and are liable 'by Law to be forfeited, if ſold unſealed, as aforeſaid, and the ſaid Weavers would alſo thereby incur 'other Penalties;' yet in Commiſeration of their Condition, it is hereby further enacted by the Authority aforeſaid, That all and every ſuch Pieces of Alamodes and Luſtrings, as do or ſhall appear upon Oath made in Writing before any Juſtice of the Peace by one or more credible Witneſſes (who have never been proſecuted for importing Goods without paying the Duties charged on the ſame, or for importing Goods prohibited by Law to be imported) to be manufactured within this Realm, on or before the tenth Day of *April* one thouſand ſix hundred ninety-ſeven, ſhall be brought to the Royal Luſtring Company's Warehouſe, and the Evidence of their being manufactured within this Kingdom being there produced, ſhall be marked and ſealed *gratis* by the ſaid Company, before the firſt Day of *May* one thouſand ſix hundred ninety-ſeven, and be lawful to be ſold, as if manufactured by the ſaid Company.

Weavers to give a weekly Account to whom they ſold ſuch Goods ſo ſealed.

VIII. And for preventing the Sale of other Alamodes and Luſtrings under the Colour of theſe ſo marked and ſealed, as aforeſaid; Be it further enacted by the Authority aforeſaid, That the ſaid Weavers ſhall give an Account weekly to the ſaid Company, to whom they have ſold ſuch Goods ſo ſealed and marked as aforeſaid, under the Penalty of double the Value of ſuch Goods ſo ſold, for every ſuch Omiſſion, to be recovered in the ſame Manner as other the Penalties inflicted by this Act are directed and appointed to be recovered, and that the ſaid Company ſhall keep a Regiſter of the ſaid Sales.

*Farther Proviſions relating hereto,* 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9 & 20. 26 *Geo.* 2. *c.* 21.

## CAP. XXXVII.

An Act for explaining and enforcing the Act for paving and cleanſing the Streets within the Cities of *London* and *Weſtminſter*, and Borough of *Southwark*, and weekly Bills of Mortality, and Streets adjoining thereunto; and for widening the Street at the South End of *London Bridge*.

2 W. & M. ſ. 2. c. 8.

'WHEREAS by an Act made in the ſecond Year of the Reign of His Majeſty and the late Queen 'MARY, intituled, *An Act for paving and cleanſing the Streets in the Cities of* London *and* Weſtmin-'ſter, *and Suburbs and Liberties thereof, and Out Pariſhes in the County of* Middleſex, *and in the Borough of* 'Southwark, *and other Places within the weekly Bills of Mortality in the County of* Surrey, *and for regulating* 'the Markets therein mentioned, there are ſeveral Omiſſions which hinder the Intentions of the ſaid Act;' For Remedy whereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the tenth Day of *April* one thouſand ſix hundred ninety-ſeven, all and every Perſon and Perſons inhabiting in the ſaid Pariſhes of *Middleſex* and *Weſtminſter*, and in the Liberties thereof, and in the Borough of *Southwark*, or in any of the Streets and Lanes, or Alleys, comprized within the weekly Bills of Mortality, and the Town of *Kenſington*, ſhall twice in every Week (that is to ſay) on every *Wedneſday* and *Saturday* at the leaſt, between the Hours of Six and Nine of the Clock in the Forenoon, ſweep and cleanſe, or cauſe to be ſwept and cleanſed, all the Streets, Lanes, Alleys, and publick Places, before their reſpective Houſes, Buildings, and Walls, and the Buildings and Walls of Churches and other publick Places, to the end the Dirt and Soil in the ſaid Streets may be heaped ready for the Scavenger to carry away, upon Pain to forfeit ten Shillings for every Offence, to be recovered as other the Penalties and Forfeitures in and by the ſaid recited Act are ordered and directed.

Perſons inhabiting within the Bills of Mortality, to cauſe the Streets, &c. to be ſwept twice a Week.

Penalty on Offender.

Forfeitures how to be applied.

II. And be it further enacted by the Authority aforeſaid, That if any Conviction upon this or the ſaid Act ſhall be by the View or Knowledge of any one or more Juſtice or Juſtices of the Peace, then one Half of the Penalty therein mentioned ſhall be to the Relief of the Poor, and the other Moiety (if for a Default of Pavement) to be employed for and towards the repairing, paving, and cleanſing the ſaid Streets and Places, to be paid to the Scavenger of the ſaid Place, and by them employed for that Uſe, or otherwiſe to the Relief of the Poor, as in and by the ſaid recited Act is ordered and directed.

Juſtices to cauſe both Sides of the Streets or Lanes, &c. to be paved as well without the Bills of Mortality as within.

III. And be it further enacted by the Authority aforeſaid, That in caſe any Place within the Bills of Mortality aforeſaid ſhall be by the Juſtices of the Peace ordered to be paved, and the other Side or Part of the ſaid Street, Lane, or Place, be out of the ſaid Bills of Mortality, that in that Caſe it ſhall and may be lawful for the ſaid Juſtices of Peace to cauſe the ſaid other Part or Side of the ſaid Street, Lane, and Place, to be alſo paved by the reſpective Inhabitants next adjoining, under the ſame Penalty, and in the ſame

Manner, to all Intents and Purposes, as if the same had been within the said Bills of Mortality; any thing in the said recited Act, or any other Act whatsoever to the contrary in any wise notwithstanding.

'IV. And whereas by the said Act made in the second Year of the Reign of His now Majesty and the late Queen Mary, intituled, *An Act for paving and cleansing the Streets in the Cities of* London *and* West-minster, *and Suburbs and Liberties thereof, and Out Parishes in the County of* Middlesex, *and in the Borough of* Southwark, *and other Places within the weekly Bills of Mortality in the County of* Surrey, *and for regulating the Markets therein mentioned*, the breeding, feeding, and keeping any Sort of Swine within the Backsides of paved Streets of the said Cities, Borough or Parishes, where the Houses are contiguous, is prohibited, on Pain of forfeiting all such Swine, which nevertheless hath not prevented the same, but that the Inhabitants of the said Cities and Borough are still much annoyed, and the Health and Lives of many Families endangered by the unwholsome Savour of such Swine, which are still in great Numbers kept within the Backsides of several paved Streets of the said Cities and Borough:' For Remedy whereof be it enacted by the Authority aforesaid, That the said Act, and the Clause therein against the breeding, feeding, and keeping of Swine, shall be from and after the said tenth Day of *April* one thousand six hundred ninety-seven, effectually put in Execution against all Persons whatsoever who shall presume to breed, feed, or keep any Manner of Swine, within any Part of the Houses or Backsides of the paved Streets or Lanes of the said Cities, Borough or Parishes, so far as the contiguous Buildings of them or any of them shall extend, or within the Space of fifty Yards thereof.

2 W. & M. ff. 2, c. 8. §. 20.

Clause in the Act aforesaid against breeding or feeding of Swine, to be put in Execution.

V. And be it further enacted by the Authority aforesaid, That where there is any Liberty, Precinct or Vill, in any Parish or Parishes within the weekly Bills of Mortality, that uses to repair their own Highways, and that are or shall be unable to repair the same, and also to perform the Days Works which they are liable to do to the other Highways within the Parish or Parishes wherein such Liberty, Precinct or Vill lieth, then from and after the said tenth Day of *April* one thousand six hundred ninety-seven, it shall and may be lawful to and for the Justices of the Peace, at their Special Sessions to be held every four Months for the Consideration of the Highways, to allow or appoint so many or such a Proportion of the Days Works, as are yearly to be performed by the respective Inhabitants of any such Liberty, Precinct or Vill, as the said Justices in their Discretions shall think fit, to be employed by the same Inhabitants of such Liberty, Precinct or Vill, in the repairing of the same Highway or Highways, within any such Liberty, Precinct or Vill, which Days Works so to be allowed or appointed, the Inhabitants of the same Liberty, Precinct or Vill, shall do and perform accordingly, and then only the Residue of the Days Works as such Inhabitants are liable to do, shall be employed in repairing of the other Highways within the Parish or Parishes wherein such Liberty, Precinct or Vill lieth; any Act, Statute, Usage or Custom to the contrary in any wise notwithstanding.

If any Liberty, Precinct, &c. in the weekly Bills of Mortality be unable to repair their own Highways, and perform the Days Work, the Justices may allow so many Days Works as they think fit for repairing the same, &c.

VI. And it is hereby further enacted and declared, for avoiding any Doubt touching the paving, repairing and amending so much of the ancient Highway now built on both Sides thereof, leading from *Tattenham Court* near St. *Giles*'s Pound towards *Tiburn*, That so much of the said ancient Way shall be hereafter repaired, paved, and maintained by such Person and Persons as have heretofore used to repair, pave or maintain the same, under the Penalties aforesaid; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Highway leading from Tattenham Court towards Tiburn to be paved by such as heretofore used to pave the same.

'VII. And whereas the Mayor, Commonalty, and Citizens of the City of *London*, have of late Years, with great Charge and Difficulty, pulled down and new built all the Houses upon *London Bridge*, and caused the Street or common Passage over the same to be opened and enlarged; which good and publick Intention is not yet perfected by reason of certain Tenements on or near the South End of the said Bridge, which yet continue a great Annoyance and Prejudice to Trade and Commerce, by occasioning frequent Stops, and to the endangering the Lives of many Passengers;' Be it enacted by the Authority aforesaid, That Sir *Robert Clayton*, Sir *William Ashhurst*, Sir *Richard Onslow* Baronet, *Denzill Onslow* Esquire, *Anthony Bowyer* Esquire, *Charles Cox* Esquire, *John Arnold* Esquire, *Samuel Lewyn* Esquire, *Thomas Wymondesall* Esquire, *William Gulston* Esquire, *Francis Wilkinson* Esquire, *Thomas Roffey* Esquire, *John Riches* Esquire, Sir *John Fleet*, Sir *John Parsons*, Sir *James Houblon*, Sir *Richard Levett*, *Spencer Cooper* Esquire, *Joseph Scriven* Esquire, or any eleven of them, shall have full Power and Authority, and are hereby impowered to treat and agree with the Owners and Occupiers of any such Houses as they shall judge fit to be removed, rebuilt, or pulled down, or any Part of them, and upon Payment of such Sum or Sums of Money so agreed upon, are hereby authorized to appoint Workmen to pull down the said Houses, or cause the said Owners or Occupiers to rebuild accordingly; and this Act shall be sufficient to indemnify the said Commissioners, and all Persons authorized by them, against the Owner or Owners, or Occupiers, and the Heirs, Executors, Administrators or Assigns of any of the said Owners or Occupiers, as if the same had been sold by Deed, Feoffment, Bargain and Sale, or other Assurance in the Law, and done by Fine and Recovery, or any other Way whatsoever; and if there shall be any Persons, Bodies Corporate or Collegiate, that shall wilfully refuse to treat and agree as aforesaid, or through Disability by Nonage, Coverture or Special Intail, or other Impediment, cannot, that in such Cases the said Commissioners are hereby authorized, by virtue of this Act, to issue out a Warrant or Warrants to the Sheriffs of *London* or *Surrey* for the time being, as the Case shall require, (who are hereby required accordingly) to impanel and return a Jury before the Commissioners, or any eleven of them, which Jury, upon their Oaths, to be administred by the said Commissioners, are to inquire and assess such Damage and Recompence as they shall judge fit to be awarded to the Owners and Occupiers or either of them of any such Houses, or any Part thereof, as well in Respect to his or their Loss in Trade, as his or their respective Interest and Estates in the said Houses, as by the said Commissioners shall be adjudged fit to be pulled down for the Purposes aforesaid; and such Verdict of the Jury, and Judgment of the said Commissioners thereupon, and the legal Payment or Tender of the Sum or Sums of Money so awarded and adjudged, shall be binding to all Intents and Purposes against the said Parties, their Heirs, Executors, Administrators and Assigns, and others claiming any

Commissioners Names.

Commissioners impowered to treat with the Owners of such Houses on London Bridge as they shall think fit to be pulled down, &c.

Act to indemnify the Commissioners against the Owners, &c.

In case of wilful Refusal to treat, or through Disability by Nonage, &c.

Sheriffs of London or Surrey to return a Jury to assess Damage and Recompence, &c.

Verdict of the Jury to be binding.

And a full Authority to the

Commissioners to cause the said Houses to be removed.

any Title or Interest in the said Houses, or in the Ground whereon they stand, or thereunto belonging, and shall be a full Authority for the said Commissioners, or any eleven of them, to cause the same to be executed, and the said Houses accordingly to be removed and pulled down, or any Part of them.

Commissioners to take their Oaths for executing the Trust reposed in them by this Act.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be enabled to act as a Commissioner, to the Intents and Purposes aforesaid, until he shall have first taken his corporal Oath before the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the time being, for the due and impartial Execution of the Trust by this Act reposed in him. [See 2 Geo. 2. cap. 11.]

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## Anno Regni GULIELMI III. nono.

'AT the Parliament begun at *Westminster* the two and twentieth Day of *November*, *Anno Dom.* 1695. in the seventh Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c. And from thence continued by several Prorogations and Adjournments to the third * Day of *December* 1697, being the third Session of this present Parliament.'

* On the Roll it is to the fifth Day of July, 1698.

## CAP. I.

### An Act against corresponding with the late King JAMES and His Adherents.

EXP.

'WHEREAS upon the Conclusion of Peace between His Majesty and the *French* King, it is become necessary for the carrying on a Trade and Commerce between *England* and *France*, that the Subjects of each Kingdom should have the Freedom of going and coming out of and into the said Kingdoms respectively: And whereas such Persons who have been in Arms against His Majesty, or have been engaged in traiterous Conspiracies against his Sacred Person and Government, and other disaffected Persons, may take Advantage, and be encouraged from thence to form and carry on treasonable Designs and Practices against His Majesty's Royal Person and Government, unless some Provision be made for Prevention thereof;' Be it therefore, &c.

"King's Subjects who have since 11 *December* 1688, gone into *France* without Licence, or borne Arms in "the *French* King's Service, or under the late King *James*, and shall return into *England* without Licence, "guilty of High Treason. Subjects aiding or holding Correspondence with the late King *James*, &c. or "remitting Money for his Use, guilty of High Treason."

3 & 4 W. & M. c. 13.

'IV. And whereas by an Act made at a Session of Parliament held in the third and fourth Years of the Reign of His present Majesty and the late Queen MARY, intituled, *An Act against corresponding with their Majesties Enemies*, it was amongst other Things enacted, That if any of their Majesties Subjects should from and after the tenth Day of *March* in the Year of our Lord one thousand six hundred ninety-one, without Licence from their Majesties, voluntarily go or repair, or imbark in any Vessel with an Intent to go into *France*, or any Dominions of the *French* King, and should be upon full Proof convicted thereof, he should be taken, deemed, and adjudged to be guilty of High Treason, and should suffer such Penalties as in case of High Treason: And whereas some Doubt hath arisen whether the said Clause be still in Force:' Therefore for avoiding all Disputes thereupon, Be it declared by the Authority aforesaid, That the said Clause was intended to have Continuance only during the late War with *France*; and that the said Clause and every Part thereof is now determined and of no Force.

Clause determined.

"Persons returning without Licence, &c. unless they obtain Licence to stay, guilty of High Treason. "Persons accepting Pardons or Grants of Honour, &c. from the late King *James*, guilty of High Treason. Pardons, &c. to be delivered up; and in Default guilty of High Treason. Persons not punishable for Grants so delivered up. Grant of Estate forfeited by this Act void."

## CAP. II.

### An Act to prevent the further Currency of any hammered Silver Coin of this Kingdom, and for recoining such as is now in being, and for the making out new Exchequer Bills, where the former Bills are or shall be filled up by Indorsements.

8 & 9 W. 3. c. 2.

'WHEREAS by an Act made in the last Session of this present Parliament, intituled, *An Act for the further remedying the ill State of the Coin of the Kingdom*, it was amongst other Things enacted, That from and after the first Day of *December* one thousand six hundred ninety-six, no hammered Silver Coin of this Kingdom should be current in any Payment whatsoever (except only such as were therein before mentioned) otherwise than by Weight only, after the Rate of five Shillings and two Pence for every Ounce of Sterling Silver: And whereas by one other Act made in the same Session of Parliament, intituled, *An Act for granting an Aid to His Majesty, as well by a Land Tax, as by several Subsidies, and other Duties payable for one Year*, it was amongst other Things enacted (to the end that such hammered Silver Coin might be made current in all Payments at the said Rate of five Shillings and two Pence by the Ounce) That from and after the first Day of *February* one thousand six hundred ninety-six, the Tender

8 & 9 W. 3. c. 6.

'of

'of all such hammered Silver Money (except in such Payments where the same were by the said first recited 'Act directed to be received at a greater Value) in any Payment or Payments whatsoever, to be made by 'any Person or Persons, Bodies Politick or Corporate, to any other Person or Persons, Bodies Politick or 'Corporate, at the Rate of five Shillings and two Pence for every Ounce *Troy*, should be, and be deemed 'to be a good and sufficient Tender in Law: And that the Refusal thereof in any such Payment or Pay-'ments should be, and be adjudged to be a Refusal of so much of the lawful Coins of this Kingdom, as 'fully and effectually, as if any such Tender and Refusal be had and made of the lawful and current Coins 'of this Realm; which said Clauses and Provisions, though necessary at the Time of the enacting thereof, 'may nevertheless hereafter prove very prejudicial, and of evil Consequence;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That from and after the tenth Day of *January* in the Year of our Lord one thousand six hundred ninety-seven, no hammered Silver Coin of this Kingdom shall be reputed or esteemed to be the lawful Coin of this Realm, nor be current in any Payment whatsoever, at any Rate or Value whatsoever, either by Weight or otherwise, nor shall the Tender of any such hammered Silver Money, at any Time from and after the said tenth Day of *January*, be, or be deemed to be a good and sufficient Tender in Law, nor the Refusal thereof in any Payment whatsoever be or adjudged to be a Refusal, of so much of the lawful Coins of this Kingdom; any thing in the said recited Acts, or either of them contained, to the contrary notwithstanding.

No hammered Silver Coin esteemed lawful, nor current in any Payment, &c.

II. Provided, and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to carry into any of His Majesty's Mints in the Tower of *London*, or in the Cities of *Bristol*, *Exeter*, *Chester*, *Norwich*, and *York*, before the first Day of *March* one thousand six hundred ninety-seven, any old hammered Money, in order to be recoined; and the respective Master or Worker of any such Mint, or his Deputy, is hereby authorized and required to receive the said old hammered Money, and to cause the same forthwith to be melted down, and recoined into the lawful Coins of this Kingdom, and to pay back the same so recoined on or before the five and twentieth Day of *March* one thousand six hundred ninety-eight, to the several Importers, in such Manner and Method as is now used in His Majesty's Mint in the Tower of *London*.

Old hammered Money may be recoined.

'III. And whereas in and by an Act made and passed in the Session of Parliament which was holden at '*Westminster*, in the eighth Year of His Majesty's Reign, intituled, *An Act for granting an Aid to His Ma-'jesty, as well by a Land Tax, as by several Subsidies and other Duties payable for one Year*, it was amongst 'other Things enacted, That the Commissioners of His Majesty's Treasury, or any three of them, might 'cause Bills to be made forth at the Receipt of the Exchequer, for any Sum or Sums of Money, not ex-'ceeding one million five hundred thousand Pounds, by virtue of that Act, which were to be current in 'such Manner and Form as in the said Act, and in several other Acts of the said Session of Parliament, are 'mentioned: And in and by another Act made and passed in the aforesaid Session, intituled, *An Act for 'granting to His Majesty a further Subsidy of Tunnage and Poundage upon Merchandize imported for the Term 'of two Years and three Quarters, and an additional Land Tax for one Year, for carrying on the War against* 'France; it was enacted, That the Commissioners of His Majesty's Treasury, or any three of them, 'might cause further Bills to be made forth at the said Receipt of the Exchequer for any Sum or Sums not 'exceeding twelve hundred thousand Pounds, to have like Currency as the Bills before mentioned, as by 'the said several Acts (Relation being thereunto had) may more fully appear: And whereas several of the 'Bills above mentioned have been paid into the publick Receipts for Revenues, Taxes, and Aids, and 'issued out again several Times, by which they have been subject to so many Indorsements that they will 'admit of no further Indorsements to be made thereupon, and consequently will not be so current in Pay-'ments as before, which Inconveniency will daily increase, unless some proper Remedy be provided;' Be it further enacted by the Authority aforesaid, That in respect to such of the said Bills as are or shall from time to time be filled up with Indorsements, it shall and may be lawful to and for the Commissioners of His Majesty's Treasury, or any three of them now being, or for the High Treasurer, or any three or more of the Commissioners of His Majesty's Treasury for the time being, to cause new Bills to be made forth at the Receipt of the Exchequer, to be delivered from time to time to such Person or Persons as shall demand the same in lieu of such Bills as shall be brought in filled up with Indorsements, which old Bills shall be cancelled and kept apart from all other Bills whatsoever; and such new Bills shall, in all Respects, have the like Currency, and there shall be inflicted the same Punishment for forging or counterfeiting the same, and they shall be subject to the same Rules, Methods, and Continuance, as by the said former Acts are provided in respect to the Bills thereby made forth, or any of them; and such new Bills respectively shall bear the same Numbers, Dates, Principal Sums, and Rate of Interest *per Diem*, as were borne on the old Bills brought in so to be cancelled respectively; and as to the Interest that shall have incurred on the said old Bills to the Days of their being brought in to be renewed, the intire Sum of such Interest shall be so computed, as to take off and abate what did accrue whilst they lay in the Hands of any of His Majesty's Receivers or Collectors, or in His Majesty's Exchequer, and shall be written upon the said new Bills; any thing in the said former Acts contained to the contrary notwithstanding.

8 & 9 W. 3. c. 6.

8 & 9 W. 3. c. 24.

New Bills may be made forth at the Exchequer, in lieu of those filled up with Indorsements.

Old Bills to be cancelled.

*See further concerning Exchequer Bills, &c.* 16 *Geo.* 2. *c.* 12. 23 *Geo.* 2. *c.* 26. 33 *Geo.* 2. *c.* 1, 18. 21 & 23. 1 *Geo.* 3. *c.* 13 & 20.

## CAP. III.

EXP. 8 & 9 W. 3. c. 20.

An Act to give further Time for the administring of Oaths relating to Tallies and Orders, and for the easier Dispatch of publick Business in the Exchequer, and in the Bank of *England*. Purchasers of Orders or Tallies, &c. who have neglected to register their Assignments, &c. may do the same. Persons claiming Orders of Loan, &c. not obliged to take the Oath concerning the *Præmium*, &c. Any Number of Tallies, &c. as follow in Course, may be cancelled; and Officer may give as few Tallies in lieu

thereof as desired. No one new Order to contain more than 5,000*l.* The Principal and Interest to be paid in Course.

'IV. And whereas by the Act before recited or mentioned, it was also enacted, That the Monies, which 'from time to time should become due and payable by virtue of any Talley or Orders subscribed into the 'Capital Stock of the Governor and Company of the Bank of *England* by virtue of the said Act, as soon as 'conveniently might be, after the same should be received out of the Exchequer or any publick Office by 'the said Governor and Company, their Officers, Servants, and Agents, and at farthest once in every four 'Months, should be divided by the said Governor and Company among the Members of the whole Corpo-'ration, rateably and in Proportion to their several and respective Parts, Shares, and Interests in the said 'Capital Stock, for the particular, proper, and only Use and Behoof of the said Members, separately and 'in their private and personal Capacities, as by the said Act, Relation being thereunto had, may appear: 'And whereas since the enlarging the Capital Stock of the said Governor and Company of the Bank of '*England*, by Subscription of Tallies and Orders pursuant to the said Act, the making Dividends of such 'Monies at the End of every four Months is found to be very inconvenient, and a great Interruption to the 'Business of Transfers, Payments, and other Occasions of Persons dealing with the said Bank;' Be it therefore enacted and declared by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, or their Successors, shall not be obliged to make Dividends of the Monies, which from time to time shall become due or payable to, and be received by the said Governor and Company by virtue of the Tallies and Orders which have been so subscribed into the Capital Stock of the said Governor and Company of the Bank of *England*, pursuant to the said Act of Parliament, once in every four Months: But the said Governor and Company, and their Successors, are hereby required and enjoined from and after the five and twentieth Day of *March*, which shall be in the Year of our Lord one thousand six hundred ninety-eight, to make such Dividends of the said Monies once in every six Calendary Months at the least, unto the Members of the said Corporation, according to their respective Shares and Interests in the said Capital Stock of the said Governor and Company; any thing in the aforesaid Act to the contrary notwithstanding.

Governor and Company of the Bank to make Dividends once in six Months. 12 & 13 W. 3. c. 12. §. 14.

## CAP. IV.

EXP. An Act for continuing the Imprisonment of *Counter*, and others, for the late horrid Conspiracy to assassinate the Person of His Sacred Majesty. [Continued by 10 & 11 W. 3. c. 13.]

## CAP. V.

An Act for satisfying and discharging the Arrears of several Annuities, which incurred between the seventeenth Day of *May* one thousand six hundred ninety-six, and the seventeenth Day of *May* one thousand six hundred ninety-seven.

'FOR raising and discharging the Sum of two hundred fifty-five thousand six hundred sixty three Pounds five Shillings and eight Pence, which remains due and unpaid to satisfy, clear, and pay off the several Annuities or Sums of Money, which between the seventeenth Day of *May* one thousand six hundred 'ninety-six, and the seventeenth Day of *May* one thousand six hundred ninety-seven, incurred and became 'due, and ought to have been paid as well out of five seventh Parts of the late Duties of Tunnage of Ships 'and other Vessels, and out of two seventh Parts of the same Duties, as also out of certain Duties charged 'upon Salt;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, having any Estate for one Life, of and in any Annuity purchased or obtained at the Rate of one hundred Pounds for every fourteen Pounds *per Annum*, upon the several Acts of Parliament mentioned in an Act made and passed in the Parliament which was holden at *Westminster* in the sixth and seventh Years of His Majesty's Reign (intituled, *An Act for enabling such Persons as have Estates for Life in Annuities payable by several former Acts therein mentioned, to purchase and obtain further and more certain Interests in such Annuities, and, in Default thereof, for admitting other Persons to purchase and obtain the same, for raising Money for carrying on the War against* France) or any of them, at any Time before the five and twentieth Day of *March* one thousand six hundred ninety-eight, to advance and pay into the Receipt of His Majesty's Exchequer so much Money as every or any such Annuity, being computed for four Years, doth or shall amount unto (that is to say) Every such Person shall and may pay to His Majesty's Use for every one hundred Pounds that was paid for the single Life in any Annuity of fourteen Pounds *per Annum*, the Sum of six and fifty Pounds more, for changing or converting the same into a certain Term for the Residue which shall be then to come of ninety-six Years, to be reckoned from the five and twentieth Day of *January* one thousand six hundred ninety-five, or for a further Interest for the Residue of the said Term of ninety-six Years, to take Effect after the said Estate for Life, and in the same Proportion for higher or larger Annuities.

Persons intitled to Annuities for Life, at 14 l. per Cent. per Ann. 6 & 7 W. 3. c. 5.

may for every 100 l. paid for a single Life, advance 56 l. more for converting the same into a Term certain, for the Residue of 96 Years.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons, being intitled to any Estate for one Life in being, in any such present Annuity or Annuities, as aforesaid, or such as they shall nominate, shall not, before the said five and twentieth Day of *March* one thousand six hundred ninety-eight, advance and pay into the Receipt of Exchequer, such Rate or Consideration Money as is before mentioned, for changing such his, her, or their Estate for Life into a Term certain, or for a future Interest, as aforesaid, that then and in every such Case it shall and may be lawful to and for any Person or Persons whatsoever,

Persons not paying in the said Consideration Money by 25 March 1698.

ſoever, Natives or Foreigners, having or not having any Property or Intereſt in ſuch Eſtate for Life, at any Time or Times after the ſaid five and twentieth Day of *March* one thouſand ſix hundred ninety-eight, and on or before the tenth Day of *April* one thouſand ſix hundred ninety-eight, to contribute, advance, and pay, into the ſaid Receipt of Exchequer, ſo much Money as any ſuch Annuity being computed for four Years doth and ſhall amount to; that is to ſay, For every one hundred Pounds that was paid for the ſingle Life, in an Annuity of fourteen Pounds a Year, there ſhall be paid, in all the Caſes laſt mentioned, the like Sum of ſix and fifty Pounds for an Intereſt for the then Reſidue of the ſaid Term of ninety-ſix Years, to be reckoned as aforeſaid, and to be charged with, and ſubject to the preſent Eſtate for Life of and in the ſame Annuities reſpectively, and there ſhall be paid a Rate or Conſideration in the ſame Proportion, for Annuities exceeding fourteen Pounds a Year; and that all and every the Perſon and Perſons ſo paying the Conſideration Money, as aforeſaid, ſhall immediately, upon Payment of their Monies, be intitled by this Act to ſuch Annuity or Annuities ſo to be purchaſed; and the ſame ſhall be charged upon ſuch reſpective Fund or Revenue in the ſaid former Act mentioned, as if the Conſideration Money ſo to be contributed or advanced for the ſame had been actually advanced or contributed within the reſpective Times limited by the ſaid former Act.

any other may purchaſe the ſame.

Perſons on Payment intitled to the ſaid Annuities, &c.

III. Provided always, and it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons, who are or ſhall be intitled to any Arrears incurred between the ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſix, and the ſeventeenth Day of of *May* one thouſand ſix hundred ninety-ſeven, upon the ſaid ſeveral Annuities which were charged upon the ſaid Tunnage Duties, or upon the ſaid Duties on Salt, and are hereby intended to be provided for, ſhall, upon their Orders, Tallies, or Lottery Tickets, for ſuch Arrears, diſcharge His Majeſty in the Exchequer, of ſo much as the Conſideration Money to be paid by him or them reſpectively, for purchaſing a further Term or Intereſt as aforeſaid, ſhall amount unto, that then and in every ſuch Caſe, all and every the Perſon and Perſons ſo diſcharging His Majeſty of the Value of the Conſideration Money, as aforeſaid, ſhall immediately, upon ſuch Diſcharge given and entred in the Receipt of His Majeſty's Exchequer (which the proper Officers there are hereby required to enter and regiſter accordingly, without Fee or Charge) be intitled by this Act to ſuch Annuity or Annuities ſo to be purchaſed; and the ſame ſhall be charged upon ſuch reſpective Fund or Revenue in the ſaid former Act mentioned, as if the ſaid Conſideration Money was actually paid in the lawful Coins of this Realm.

Or on diſcharging the King of ſo much Arrears as the Conſideration Money amounts to, &c.

IV. And it is hereby enacted, That all and every the Directions, Powers and Clauſes in the ſaid former Act contained, for or concerning the levying of Tallies, the making forth of Orders, or for making Tranſferrences or Aſſignments, or for the apportioning or applying the Monies ariſing by the ſaid Funds or Revenues, or any of them, or for appointing, ſettling or eſtabliſhing any other Matter or Thing, for or in relation to the reſpective Annuities thereby purchaſed or obtained, ſhall be, and are by force and virtue of this Act revived, and ſhall be duly obſerved, practiſed and put in Execution, for and in reſpect of ſuch Annuities as ſhall be purchaſed or obtained upon this Act, as fully and effectually as if the ſame Powers, Directions and Clauſes were here again expreſſed and particularly repeated.

Powers in the Act 6 & 7 W. 3. c. 5. revived.

V. And be it further enacted by the Authority aforeſaid, That all the Monies which ſhall come into the Receipt of His Majeſty's *Exchequer*, of or for the ſaid Contributions for further or more certain Eſtates in the ſaid Annuities to be purchaſed as aforeſaid, ſhall be iſſued and applied, and the ſame are hereby appropriated to and for the Payment and Satisfaction of the Arrears of the ſeveral Annuities which are charged upon the five ſeventh Parts of the ſaid Tunnage Duties, and upon the two ſeventh Parts of the ſaid Tunnage Duties, and upon the ſaid Duties upon Salt, and which are or ſhall be incurred or become payable out of thoſe Funds reſpectively from the ſaid ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſix, to the ſaid ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſeven, ſo that a proportionable Part of the Contributions, ſo ariſing in Money, ſhall be applied to make good each of thoſe Funds, according to the Sum of the Arrears incurred within the Time aforeſaid, which ſhall from time to time be remaining unpaid thereupon, and ſhall not be diverted to any other Uſe, Intent, or Purpoſe whatſoever, upon Pain that any Officer offending therein ſhall for ſuch Offence forfeit his Office, and double the Value of every Sum of Money ſo diverted or miſapplied.

Monies how to be applied.

'VI. And whereas by virtue of an Act of Parliament made in the fourth Year of the Reign of His preſent Majeſty and of the late Queen of bleſſed Memory, intituled, *An Act for granting to their Majeſties certain Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages, in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds towards carrying on the War againſt* France, and of divers other ſubſequent Acts of Parliament, ſeveral Perſons are intitled to have and receive certain yearly Annuities, Rents, or Payments, out of the ſaid Duties of Exciſe granted by the ſaid Act firſt mentioned, payable quarterly, wherein no Benefit of Survivorſhip is to be had;' Be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *March* one thouſand ſix hundred ninety-ſeven next enſuing, no Officer or Officers appointed to pay the ſaid Annuities ſhall pay off any quarterly Payment of the ſaid Annuities upon any Order or Orders whatſoever, until all and every Perſon or Perſons intitled to ſuch Annuities and Payments ſhall or may have had and received, his, her or their Annuities and Payments for the precedent Quarter, for which publick Notice ſhall be given by hanging the ſame up in the moſt convenient publick Place in the ſaid Office, that the laſt precedent Quarter is either fully paid, or that the Money is ready in the Office for the Payment of ſuch as have not timely brought their reſpective Orders to be directed, or have not thought fit to call for their Money; and in caſe any Officer ſhall offend herein by making any Payment contrary to the Tenor hereof, or in any other Manner than as aforeſaid, every ſuch Officer ſhall forfeit his Office, and ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds to ſuch Perſon or Perſons who ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege of Parliament, or other Privilege, Wager of Law,

4 & 5 W. & M. c. 3.

No Annuities payable quarterly out of the Duties of Exciſe ſhall be paid off, until the precedent Quarter be firſt diſcharged, &c. whereof publick Notice to be given.

Penalty on Officer offending.

Law, Injunction, or Order of Reſtraint, or more than one Imparlance, ſhall be granted or allowed; and in the ſaid Action the Plaintiff upon Recovery ſhall have his full Coſts.

## CAP. VI.

### An Act that all Retailers of Salt ſhall ſell by Weight.

7 & 8 W. 3. c. 31.

'WHEREAS by an Act made at the Parliament, held in the ſeventh and eighth Years of the Reign of His preſent Majeſty, intituled, *An Act for continuing to His Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes and other Earthen Wares, for carrying on the War againſt* France, *and for eſtabliſhing a National Land Bank, and for taking off the Duties upon Tunnage of Ships and upon Coals*, it was enacted amongſt other Things, That all Perſons ſelling Salt (except foreign Salt) made for uſe, ſhould after the Time therein limited, ſell the ſame after the Rate of ſix and fifty Pound Weight to the Buſhel, and not otherwiſe, and ſo in Proportion for a greater or leſſer Quantity; and that every Perſon offending therein, ſhall forfeit the Sum of five Pounds to the Informer, to be recovered in ſuch Manner as is therein expreſſed: And whereas ſeveral Doubts and Difficulties are made and have ariſen upon the Interpretation of the ſaid Clauſe, and other preceding Clauſes in the ſaid Act, touching the Meaſure of Salt, whereby the Badgers and Retailers of Salt have made great Advantages and Gain to themſelves, and uſed great Deceit and Wrong to the Buyers, contrary to the true Meaning of the ſaid Act;' For the explaining and clearing of the ſaid Doubts and for Remedy and Prevention of any Deceit by Retailers of Salt for the future, be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Badger, Retailer, or other Perſon or Perſons whatſoever, making or dealing in Salt, or buying Salt to ſell again, ſhall, from and after the five and twentieth Day of *March* one thouſand ſix hundred ninety-eight, ſell or put to Sale, exchange or otherwiſe diſpoſe of any Salt to any Perſon or Perſons, or in any County, City or Place whatſoever, within the Kingdom of *England*, Dominion of *Wales*, and the Town of *Berwick* upon *Tweed*, otherwiſe than by Weight, after the Rate of ſix and fifty Pound Weight to the Buſhel, and not by Meaſure, or in any other Manner, and ſo in Proportion for a greater or leſſer Quantity, and that every Perſon offending therein, ſhall for every ſuch Offence forfeit the Sum of five Pounds to the Informer who ſhall proſecute for the ſame.

No Badger, Retailer, &c. ſhall ſell Salt otherwiſe than by Weight, after the Rate of 56lb. Weight to the Buſhel.

Penalty.

Farther provided for by 1 Annæ, ſtat. 1. c. 21. §. 28. Juſtices of Peace to hear and determine Offences.

II. And be it further enacted by the Authority aforeſaid, That the Forfeitures and Offences made and committed againſt this Act, or any thing therein contained, ſhall be heard, adjudged, and determined by any two or more Juſtices of the Peace reſiding near to the Place where ſuch Forfeiture ſhall be made, or Offence committed, who are hereby required to hear, adjudge, and determine the ſame; and if the Party finds him or herſelf aggrieved by the Judgment given by the ſaid Juſtices, the ſaid Party ſhall and may appeal to the Juſtices of Peace at the next General Quarter-Seſſions of the Peace to be held for the County, City or Borough, within which the ſaid Forfeiture was made, and the Offence committed; who are hereby alſo impowered and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; and all Juſtices of the Peace are hereby authorized and required, upon Complaint or Information exhibited or brought to them, or any of them, of any Forfeiture made or Offence committed contrary to this Act, to ſummon the Party accuſed; and, upon his or her Appearance or Contempt, to proceed to the Examination of the Matter of Fact; and, upon due Proof made thereof by the Oath of two or more credible Witneſſes (which Oath any two or more Juſtices of the Peace have hereby Power to adminiſter) or by the voluntary Confeſſion of the Party, to give Judgment or Sentence, according as in and by this Act is directed, and to award and iſſue out Warrants under their Hands and Seals for the levying of ſuch Forfeitures, as by this Act is impoſed, upon the Goods and Chattels of the Offender; and to cauſe Sale to be made of the ſaid Goods and Chattels, if the ſame ſhall not be redeemed within ſix Days, rendring to the Party the Overplus, if any be; and for want of ſufficient Diſtreſs to impriſon the Party offending until Satisfaction be made for the Forfeitures.

Party aggrieved may appeal, &c.

Forfeitures to be levied on Offender's Goods.

For want of Diſtreſs, Offender to be impriſoned.

III. And for preventing of Delays, which may happen through the Neglect or Default of any of the Officers appointed for the collecting the ſaid Duty, to the great Loſs and Damage of ſuch Perſons as ſhall ſhip off or carry by Land any Salt; Be it further enacted by the Authority aforeſaid, That when ever any Salt ſhall be entred to be put on Board any Boat, Ship, or Veſſel, or carried by Land, and the Duty paid or ſecured to be paid, together with all Monies then or before that Time due and payable, by Bond or otherwiſe, upon Account of Salt before that Time delivered, the Officer with whom ſuch Salt ſhall be entred, and the Duty paid, or ſecured to be paid, as aforeſaid, ſhall, upon due Notice, by himſelf or a ſufficient Deputy, in the Day Time, between Sun riſing and Sun ſetting, attend the weighing out ſuch Salt, without any Loſs or Hindrance of Time to the Perſon or Perſons that ſhall ſhip off or carry the ſame; and in caſe he ſhall neglect or refuſe ſo to do, he ſhall for every ſuch neglect or Default forfeit the Sum of forty Shillings, to be ſued for, recovered, levied, and received, or mitigated, by the ſame Means, Rules, Ways, and Methods, as the other Penalties and Forfeitures in this Act mentioned and contained are directed to be recovered.

Salt entred and Duty paid, &c.

Officer to attend the weighing out ſuch Salt.

Penalty on Officer neglecting.

*Farther Proviſions relating hereto*, 10 & 11 *W.* 3. *c.* 22. 1 *Ann. ſtat.* 1. *c.* 21. 4 *Ann. c.* 12. 5 *Ann. c.* 29. 6 *Ann. c.* 12. 9 *Ann. c.* 23. 12 *Ann. ſtat.* 2. *c.* 2. 5 *Geo.* 1. *c.* 18. 8 *Geo.* 1. *c.* 4 & 16. 11 *Geo.* 1. *c.* 30. 3 *Geo.* 2. *c.* 20. 5 *Geo.* 2. *c.* 6. 8 *Geo.* 2. *c.* 12. 14 *Geo.* 2. *c.* 22. 26 *Geo.* 2. *c.* 3 & 32.

CAP.

## CAP. VII.

### An Act to prevent the Throwing or Firing of Squibbs, Serpents, and other Fire Works.

'WHEREAS much Mischief hath lately happened by throwing, casting, and firing of Squibbs, Serpents, Rockets, and other Fire Works, some Persons having thereby lost their Lives, others their Eyes, others have had their Lives in great Danger, and several other Damages have been sustained by many Persons, and much more may thereby happen, if not speedily prevented:' For Remedy whereof for the future be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the five and twentieth Day of *March* one thousand six hundred ninety-eight, it shall not be lawful for any Person or Persons of what Age, Sex, Degree, or Quality soever, to make or cause to be made, or to sell or utter, or offer or expose to Sale, any Squibbs, Rockets, Serpents, or other Fire Works, or any Cases, Moulds, or other Implements for the making any such Squibbs, Serpents, Rockets, or other Fire Works, or for any Person or Persons to permit or suffer any Squibbs, Serpents, Rockets, or other Fire Works, to be cast, thrown, or fired from, out of, or in his, her, or their House or Houses, Lodgings or Habitations, or from, out of, or in any Part or Place thereto belonging or adjoining, into any publick Street, Highway, Road, or Passage, or for any Person or Persons, of what Degree, Quality, or Age soever, to throw, cast, or fire, or to be aiding or assisting in the throwing, casting, or firing of any Squibbs, Serpents, Rockets, or other Fire Works, in or into any publick Street, House, Shop, River, Highway, Road, or Passage, and that every such Offence shall be, and is hereby adjudged to be, a common Nusance.

From 25 March 1698. no Person whatsoever shall make, sell, &c. Squibbs, Rockets, Serpents, &c. or Cases, Moulds, &c. for making such Squibbs.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons, of what Age, Sex, Degree, or Quality soever, from and after the said five and twentieth Day of *March*, shall make or cause to be made, or shall sell, give, or utter, or offer or expose to Sale, any Squibbs, Rockets, Serpents, or other Fire Works, or any Cases, Moulds, or other Implements for the making of any such Squibbs, Rockets, Serpents, or other Fire Works, that then every such Person or Persons so offending, and being thereof convicted before one or more Justice or Justices of the Peace of the County, Limit, Division, Corporation, Liberty, or Chief Magistrate of the Place, where such Offence shall be committed, either by the Confession of the Party or Parties so offending, or the Oath of two Witnesses (which Oath the said Justice or Justices of Peace, or Chief Magistrate, is and are hereby impowered and required to administer) shall for every such Offence forfeit the Sum of five Pounds: And if any Person or Persons whatsoever, from and after the said five and twentieth Day of *March*, shall permit or suffer any Squibbs, Serpents, Rockets, or other Fire Works to be cast, thrown or fired from, out of, or in his, her or their House or Houses, Shops, Dwelling, Lodging or Habitation, or from, out of, or in any Part thereof, or Place thereto belonging or adjoining, into any publick Street, Highway, Road or Passage, or any other House or Place whatsoever, that then every such Person or Persons so as aforesaid last offending, and being thereof as aforesaid convicted, shall for every such Offence forfeit the Sum of twenty Shillings; the said several Forfeitures to be levied by Distress and Sale of the Goods and Chattels of every such Offender, by Warrant under the Hand and Seal of the said Justice or Justices of the Peace, or Chief Magistrate, before whom such Conviction or Convictions shall be as aforesaid made; the one Half of the said Forfeitures to be to the Use of the Poor of the Parish where every such Offence shall be committed, and the other Half to the Use of him or them who shall prosecute, and cause such Offender or Offenders to be as aforesaid convicted.

Penalty on Person throwing or firing Squibbs, &c. or suffering them, &c. to be thrown or fired from their Houses.

Forfeitures how to be levied and applied.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons of what Age, Sex, Degree or Quality soever, from and after the said five and twentieth Day of *March*, shall throw, cast or fire, or be aiding or assisting in the throwing, casting or firing of any Squibbs, Rockets, Serpents or other Fire Works, in or into any publick Street, House, Shop, River, Highway, Road or Passage, that then every Person so offending, and being thereof as aforesaid convicted, shall for every such Offence forfeit the Sum of twenty Shillings to the Uses aforesaid; and if the Person or Persons so as aforesaid last offending, shall not immediately (upon his, her or their being thereof as aforesaid convicted) pay to the said Justice or Justices of the Peace, or Chief Magistrate, before whom such Conviction shall be as aforesaid made, the said Forfeiture or Forfeitures, for the Uses aforesaid, that then every such Justice or Justices of the Peace, or Chief Magistrate, is and are hereby impowered and required, by Warrant under his or their Hands and Seals, to commit every such Person or Persons, so as aforesaid last offending, to the House of Correction within the County, Division, Limit, Corporation, or Liberty, where such Offence as is last mentioned shall be committed, there to remain to be set and kept to hard Labour, without Bail or Mainprize, for any Time not exceeding one Month, unless such Offender as is last mentioned shall sooner pay such Forfeiture or Forfeitures to the said Justice or Justices of the Peace, or Chief Magistrate.

Offender not paying Forfeiture to be committed to the House of Correction, and kept to hard Labour.

IV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Master, Lieutenant, or Commissioners of His Majesty's Ordnance for the time being, or any other Person or Persons to be by them or any of them authorized, to give Orders and Directions for the making any Sorts of Fire Works, to be used and fired according to such Orders and Directions as shall be from time to time given by the said Master, Lieutenant, or Commissioners of His Majesty's Ordnance, or any other Person or Persons to be by them for that Purpose authorized; any thing herein contained to the contrary thereof in any wise notwithstanding.

Officers of the Ordnance, &c. may order the making of Fire Works, &c.

V. Provided always, and be it enacted, That it shall and may be lawful to and for the Artillery Company of the City of *London*, or any other Artillery Company or Society of Persons lawfully met together for the Use and Exercise of Arms, the Trained Bands, the Militia of this Kingdom respectively, to make and use any Sorts of Fire Works in the Exercise and Practice of Arms and Warlike Exploits only, in such Manner

Artillery Company of London, &c. may use any Sorts of Fire Works in the Exercise of.

Arms, &c. as before the making this Act.

Manner as they are or any of them might lawfully have done before the making of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Persons sued may plead the General Issue, &c.

VI. And be it further enacted by the Authority aforesaid, That if any Person be at any Time sued for putting in Execution this Act, or any the Powers therein contained, that then such Person so sued shall and may plead the General Issue of Not guilty, and give the Special Matter in Evidence; and if the Plaintiff in such Suit or Action be nonsuit, or a Verdict pass for the Defendant, or if such Plaintiff discontinue his Action, or if upon a Demurrer Judgment be given for the Defendant, every such Defendant shall have his full Treble Costs, to be paid by such Plaintiff, and the like Execution for the same, as in any Case where Costs are given at Law for the Defendant.

## CAP. VIII.

8 & 9 W. 3. c. 22.

An Act for explaining an Act made the last Session of Parliament, for granting to His Majesty certain Duties upon Malt, Mum, Sweets, Cyder, and Perry. Duties arising by the said Act shall be appropriated to the Uses mentioned therein, *&c.* until the said Loans and Bills, *&c.* be paid. Rules in the Act 1 W. & M. st. 2. c. 1. revived. EXP.

## CAP. IX.

EXP.

An Act for rendring the Laws more effectual for preventing the Importation of Foreign Bone Lace, Loom Lace, Needle Work, Point and Cut Work. [Repealed by 11 & 12 W. 3. Cap. 11.]

## CAP. X.

EXP.

An Act for granting to His Majesty the Sum of one million four hundred eighty four thousand and fifteen Pounds one Shilling eleven Pence three Farthings, for disbanding Forces, paying Seamen, and other Uses therein mentioned.

## CAP. XI.

An Act for explaining an Act made the last Session of Parliament, intituled, *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom.*

8 & 9 W. 3. c. 30.

'WHEREAS in and by a certain Act made in the last Session of this present Parliament, intituled, *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom*, it was, amongst other Things therein contained, enacted, That if any Person or Persons whatsoever, that from and after the first Day of *May* in the Year of our Lord one thousand six hundred ninety-seven, shall come into any Parish or Place, there to inhabit and reside, should at the same Time procure, bring, and deliver to the Churchwardens, or Overseers of the Poor of the Parish or Place where any such Person should come to inhabit, or to any or either of them, a Certificate under the Hands and Seals of the Churchwardens and Overseers of the Poor of any other Parish, Township, or Place, or the major Part of them, or under the Hands and Seals of the Overseers of the Poor of any other Place where there are no Churchwardens, to be attested respectively by two or more credible Witnesses, thereby owning and acknowledging the Person or Persons, mentioned in the said Certificate, to be an Inhabitant or Inhabitants legally settled in that Parish, Township, or Place; every such Certificate, having been allowed of and subscribed by two or more of the Justices of the Peace of the County, City, Liberty, Borough or Town Corporate, wherein the Parish or Place from whence any such Certificate shall come doth lie, shall oblige the said Parish or Place to receive and provide for the Person mentioned in the Certificate, with his or her Family, as Inhabitants of that Parish, whenever he, she or they shall happen to become chargeable to, or be forced to ask Relief of the Parish, Township or Place, to which such Certificate was given; and that then and not before, it should and might be lawful for any such Person, and his or her Children, though born in that Parish, not having otherwise acquired a legal Settlement there, to be removed, conveyed, and settled in the Parish or Place from whence such Certificate was brought: And whereas some 43 *El. c.* 2. Doubts have arisen upon Construction of the said Act, by what Acts any Person coming to inhabit or reside within any Parish, by virtue of any such Certificate as aforesaid, may procure a legal Settlement in such Parish, and whether such Certificate did not amount to a Notice in Writing, in order to gain a Settlement:' For explaining thereof and of the said Act, be it therefore enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons whatsoever, who shall come into any Parish, by any such Certificate as aforesaid, shall be adjudged by any Act whatsoever to have procured a legal Settlement in such Parish, unless he or they shall really and *bona fide* take a Lease of a Tenement of the Value * of ten Pounds, or shall execute some annual Office in such Parish, being legally placed in such Office.

No Person adjudged to have a legal Settlement in any Parish, unless he rent a Tenement of 10l. per Ann. or execute some Parish Office.

* Examined with the Record.' *Farther Provisions concerning Poor*, 12 *Ann. stat.* 1. *c.* 18. 5 *Geo.* 1. *c.* 8. 9 *Geo.* 1. *c.* 7. 2 *Geo.* 2. *c.* 28. 3 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 3, 37 & 38. *and* 31 *Geo.* 2. *c.* 11.

## CAP. XII.

PR. EXP.

An Act for the enlarging, repairing and preserving the Bridge and Key of the Borough of *Bridgwater* in the County of *Somerset*.

CAP.

## CAP. XIII.

### An Act for granting to His Majesty several Duties upon Coals and Culm.

*Most Gracious Sovereign,*

WE Your Majesty's most dutiful and loyal Subjects, the Commons assembled in Parliament, for a further Supply of Your Majesty's extraordinary Occasions, do most humbly present to Your Majesty the Gift of the Impositions, Rates, and Duties herein after mentioned; and do beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That for and during the Term of five Years, commencing from the fifteenth Day of *May* in the Year of our Lord one thousand six hundred ninety-eight, there shall be raised, levied, collected, and paid, unto and for the Use of His Majesty, His Heirs, and Successors, for and upon all Coals and Culm, herein after expressed (except Charcoals made of Wood, and Cinders made of Pit Coal) the several and respective Impositions, Rates, Duties, and Sums of Money, herein after mentioned (over and above all such Duties as are already payable for or in respect of the same, or any of them) that is to say, 9 *H.* 5. *stat.* 1. *c.* 10. 16 & 17 *Car.* 2. *c.* 2. 20 *Car.* 2. *c.* 8. 6 & 7 *W.* 3. *c.* 18.

Additional Duty to be paid for Coals and Culm, for 5 Years.

II. For all Coals which at any Time or Times within or during the said Term shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, from *Scotland*, or from any Part beyond Sea (in case they are such Coals as are most usually sold by Weight) the Sum of five Shillings of lawful *English* Money for every Tun, reckoning the Tun to consist of twenty hundred Weight, and every Hundred to consist of one hundred and twelve Pounds Weight of *Averdupois*, and after that Rate for any greater or lesser Quantity.

For Coals imported from Scotland, sold by Weight, &c. 5 s. per Tun.

III. And for all Coals so imported from *Scotland*, or any Part beyond Sea, being most usually sold by the Chalder, or by any other Measure whatsoever reduceable to the Chalder, the Sum of seven Shillings six Pence of like Money for every Chalder, reckoning the Chalder to consist of six and thirty Bushels *Winchester* Measure, and after that Rate for a greater or lesser Quantity of such Coals so imported or brought in from any foreign Parts; the said Duties for foreign Coals imported or brought in as aforesaid, to be paid by the respective Importer or Importers thereof.

For Scotch Coal, &c. sold by Chalder, 7 s. 6 d. per Chalder.

Importer to pay the Duties for foreign Coals.

IV. For all Sorts of Coals from time to time shipped or waterborn in order to be shipped or laid on board any Ship or Vessel, to be carried by Sea, and which shall be carried by Sea in any Ship or Vessel, from any Port or Place within the said Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and which at any Time or Times within or during the said Term shall be imported, brought or landed in any other Port or Place, within the Kingdom, Dominion or Town aforesaid, being most usually sold by the Chalder, or by any other Measure whatsoever reduceable to the Chalder, the Sum of five Shillings of lawful *English* Money for every Chalder, to be reckoned as aforesaid, and after that Rate for a greater or lesser Quantity.

For Coals shipped or waterborn in England, 5 s. per Chalder.

V. And for all Sorts of Coals from time to time so shipped, or waterborn in order to be shipped and carried by Sea from any Port or Place of the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and which at any Time or Times during the said Term shall be imported, brought or landed in any other Port or Place of the same (in case they are such as are most usually sold by Weight) the Sum of three Shillings four Pence for every Tun, and according to that Proportion for more or less; the said several Duties for Coals so shipped, or waterborn to be shipped, and carried by Sea as aforesaid, from time to time to be paid at the respective Ports and Places of Importation or Landing of such Coals, and to be charged upon the respective Owner and Owners, Master or other Person having the Charge of every such Ship or Vessel, or of the Coals so carried, imported or brought in the same.

For Coals usually sold by Weight, 3 s. 4 d. per Tun.

Duties to be paid at the Port where landed.

VI. And for all Culm whatsoever, which at any Time, during the said Term of five Years, shall be waterborn in order to be shipped within the Kingdom, Dominion, or Town aforesaid, or brought into the same, the Sum of one Shilling *per* Chalder, and after that Rate, to be paid at the respective Ports and Places of Importation or Landing of such Culm, and to be charged upon the respective Owner and Owners, or Master or Masters, or other Person having the Charge of every such Ship or Vessel, or of the Culm so carried, imported, or brought in the same.

For all Culm waterborne 12 d. per Chalder, to be paid at the Place of Importation, &c.

'These Duties are expired, but the Act is continued by 1 Annæ, stat. 2. c. 4.'

VII. And for the better levying and raising the said several Duties and Sums of Money by this Act imposed upon such of the said Coals and Culm as shall be imported or brought in from *Scotland*, or any Parts beyond Sea, as also upon such of the said Coals and Culm as shall or may be shipped, or waterborn to be shipped, and carried by Sea from any Part of the said Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, to any other Part of the same as aforesaid, it is hereby enacted, That the same shall be from time to time under the Management and Government of the Commissioners of the Customs for the time being, who shall cause those Duties from time to time to be raised, levied, collected and paid, so that the Monies arising thereby (except the necessary Charges of receiving, collecting, levying and managing the said Duties) shall be answered and paid from time to time into His Majesty's Exchequer, distinct and apart from all other Branches of the publick Revenues.

Commissioners of the Customs to manage these Duties, &c.

VIII. And for the better ascertaining and securing of the said Duties upon Coals and Culm imported from Foreign Parts, or shipped, or waterborn to be shipped, and carried by Sea from any Part of *England*, *Wales*, or *Berwick*, to any other Part of the same as aforesaid; Be it further enacted, That the said several Duties and Sums of Money for such Coals and Culm shall, from time to time, during the said Term of five Years, be answered and paid unto His Majesty, His Heirs and Successors, or to such Collector or Person as shall by His Majesty, His Heirs or Successors, or by the said Commissioners of the Customs, or any four or more

Duties to be paid before Bulk broken,

more of them for the time being, under their Hands and Seals, be thereunto appointed, before Bulk of the Ship or Veſſel in which they are imported, brought or carried, ſhall be broken, or any the Coals or Culm therein ſhall be unladen, and before any Meter, Meaſurer or Weigher in that Behalf appointed or to be appointed, ſhall meaſure or weigh the ſame; upon Receipt whereof the Party appointed to receive ſuch Duties ſhall, without Delay, Fee or Reward, deliver a Receipt under his Hand, to the Perſon or Perſons who ſhall pay the ſaid Duty, which Receipt ſhall for ſo much be a ſufficient Diſcharge; of all which Ships and Veſſels, and of the Coals and Culm therein imported or brought, due Entries ſhall from time to time be made in the Cuſtom Houſe, of or belonging to ſuch Port or Place where ſuch Importation ſhall be made, (if any Cuſtom Houſe be there) or elſe in the Cuſtom Houſe of the next Port or Place where ſuch Importation ſhall be. And in caſe any of the ſaid Coals or Culm ſo imported, brought or carried by Sea, ſhall be unſhipped to be laid on Land, before the Impoſitions, Duties or Sums aforeſaid reſpectively due for the ſame ſhall be paid or ſecured, that then as well the ſaid Coals and Culm ſo unſhipped, as alſo the Ship or Veſſel out of which the ſame ſhall be ſo unſhipped, with all her Guns, Tackle, Furniture and Ammunition ſhall be forfeited and loſt; one Moiety of which Forfeitures ſhall be unto His Majeſty, His Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall ſeize, ſue or inform for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be admitted.

and before meaſured or weighed.

Receipts to be given gratis.

Coals to be entred at the Cuſtom Houſe where imported.

If unſhipped before Duty paid, forfeited, &c.

IX. And to the end that the ſaid Impoſitions and Duties may be duly anſwered and paid without Fraud or Covin, and for the better levying and collecting thereof, and for the Diſcovery of the juſt Quantities of all Sorts of Coals and Culm, from time to time ſhipped, or waterborn to be ſhipped or carried by Sea, imported or unladen as aforeſaid; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His Majeſty, His Heirs or Succeſſors, or to or for any four or more of the ſaid Commiſſioners of the Cuſtoms for the time being, by Writing under their Hands and Seals, from time to time, to aſſign and appoint, within every or any Port or Place within the ſaid Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, ſuch and ſo many Meters, Weighers or Meaſurers of the ſaid Coals and Culm, as ſhall within the Term aforeſaid be imported, brought or landed in ſuch Port or Place, wherein or for which ſuch Meters, Weighers or Meaſurers ſhall be aſſigned or appointed as aforeſaid; who ſhall from time to time meaſure and weigh all ſuch Coals and Culm ſo imported or brought; and when and as ſoon as any ſuch Ship or Veſſel ſhall be unladen, ſhall forthwith deliver a true Certificate in Writing, under his or their Hand or Hands, unto the Perſon or Perſons appointed to receive the ſaid Impoſitions or Duties within ſuch Port or Place, of the Sorts, Quantities, and Numbers of Chalders or Tuns of Coals or Culm reſpectively, which ſhall be meaſured or weighed, and delivered from on Board any ſuch Ship or Veſſel, under the Penalty of one hundred Pounds: And in caſe it ſhall appear by ſuch Certificate, or otherwiſe, that there was on Board any ſuch Ship or Veſſel a greater Number of Chalders or Tuns of Coals or Culm, than for which the ſaid Impoſitions or Duties hereby impoſed ſhall have been anſwered and paid as aforeſaid, that then in every ſuch Caſe there ſhall be paid unto His Majeſty, His Heirs and Succeſſors, by the Maſter or Owners of ſuch Ship or Veſſel, for every Chalder or Tun of Coals or Culm ſo concealed, over and above the Impoſitions and Duties aforeſaid, the Sum of ten Shillings, for which, in caſe of Refuſal to pay the ſame, ſuch Ship or Veſſel, with the Tackle, Furniture and Apparel thereof, or any Part thereof, ſhall and may be attached and detained by the Officer or Officers for the time being, in ſuch Port or Place appointed to receive the ſaid Impoſitions or Duties, or to meaſure or weigh the ſaid Coals or Culm, until Payment thereof, and to ſell the ſaid Ship or Veſſel, Tackle, Furniture and Apparel, or any Part thereof, in caſe all the ſaid Impoſitions, Duties or Payments before mentioned, for the ſaid concealed Coals or Culm, ſhall not be paid and ſatisfied, with reaſonable Coſts and Charges for ſuch attaching, detaining or ſelling, rendring the Overplus; which Sale ſhall be good and effectual in the Law.

Commiſſioners may appoint Meters and Weighers of Coals in the ſeveral Ports.

Penalty on Maſter or Owner, concealing Coals or Culm, &c.

Proviſo.

X. Provided nevertheleſs, That if the Importer, upon ſuch Certificate delivered in by the Meaſurer or Weigher, ſhall within the Space of ſix Days after the Delivery of ſuch Ship or Veſſel, and before her Departure from that Port or Place, give in his Poſt-entry, and ſatisfy and pay the whole Duty for the Surpluſage of the ſaid Coals or Culm, appearing upon the unlading of ſuch Ship or Veſſel, then upon ſuch Payment the Penalty aforeſaid ſhall be diſcharged.

Officers of the ſeveral Ports to enter a true Account of all Monies received and paid, and the Number of Chalders and Tuns, &c.

XI. And for the Manifeſtation of the Truth, and Certainty in the Premiſſes, be it further enacted by the Authority aforeſaid, That the Officers to be appointed in each Port and Place for the receiving of the ſaid Impoſitions or Duties, and for the weighing and meaſuring of the ſaid Coals and Culm ſhipped, or waterborn to be ſhipped, imported or landed as aforeſaid, ſhall reſpectively keep one or more Book or Books for every ſuch Port or Place, wherein they ſhall reſpectively enter down a true Account of all ſuch Sums of Money, which ſhall be paid or received for or upon Account of the ſaid Impoſitions or Duties, and of all the Payments and Diſburſements of the ſame, and alſo a true Account of the Numbers of Chalders and Tuns of Coals and Culm ſo imported, landed, and unladen in any ſuch Port or Place, and of the reſpective Sorts thereof.

Three Months allowed for paying the Duties, on giving Security.

Ten Pounds per Cent. allowed for prompt Payment.

Coals imported and ſorted again, no further Duty to be paid.

XII. And it is hereby further enacted by the Authority aforeſaid, That there ſhall be allowed to every Maſter or Owner of any Ship or Veſſel three Months Time for the Payment of the Duty impoſed by this Act, for ſuch Coals and Culm, from time to time imported, brought or carried by Sea as aforeſaid, good and ſufficient Security being given for the ſame, ſuch as the Collector or other Chief Officer of the Port or Place where ſuch Goods ſhall be imported or brought ſhall approve of; or if ſuch Maſter or Owner ſhall for the ſame pay preſent Money, there ſhall be allowed him after the Rate of ten Pounds *per Centum per Annum*, for ſuch prompt Payment; and if any of the Coals or Culm, for which the Duty hereby granted ſhall be once paid or ſecured at the Importation or Landing thereof, ſhall be again exported and carried to any other Place of this Kingdom, there ſhall be no further Duty by this Act paid or demanded for the ſame; and if any of the Coals for which the Duty by this Act ſhall be once paid or ſecured as aforeſaid;

ſhall be afterwards carried to any Parts beyond the Seas, then an Allowance out of the Over-ſea Duties, or Repayments, ſhall be made of ſo much as was before paid by this Act for the ſame Coals or Culm.

Coals carried beyond Sea, Duty to be repaid.

XIII. Provided alſo, and be it enacted, That if any Perſon or Perſons ſhall at any Time be ſued or proſecuted for any Thing by him or them done in Execution of this Act, he or they may plead the General Iſſue, and give this Act in Evidence; and if a Verdict paſs for the Defendant, or the Plaintiff be nonſuit, or forbear Proſecution, the Defendant ſhall have treble Coſts, to be recovered as in other Caſes where Coſts are given by Law to Defendants.

Perſons ſued may plead the General Iſſue, &c.

*Farther Proviſions concerning Coals,* 9 *Ann. c.* 28. 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. *and* 33 *Geo.* 2. *c.* 15.

## CAP. XIV.

An Act for continuing the Duties upon Coffee, Tea and Chocolate, and Spices, towards Satisfaction of the Debt due for Tranſport Service for the Reduction of *Ireland*. Continued further by 12 & 13 W. 3. cap. 11. until 1706. Additional Duties on ſeveral Sorts of Goods, *&c.* imported, expreſſed in an Act 6 & 7 W. 3. c. 7. continued until 1 *May* 1701. The ſaid Act revived.

EXP. 18 Geo. 2. c. 26.

## CAP. XV.

### An Act for determining Differences by Arbitration.

'WHEREAS it hath been found by Experience, that References made by Rule of Court have contributed much to the Eaſe of the Subject, in the determining of Controverſies, becauſe the Parties become thereby obliged to ſubmit to the Award of the Arbitrators, under the Penalty of Impriſonment for their Contempt in caſe they refuſe Submiſſion:' Now for promoting Trade, and rendring the Awards of Arbitrators the more effectual in all Caſes, for the final Determination of Controverſies referred to them by Merchants and Traders, or others, concerning Matters of Account or Trade, or other Matters; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by Authority of the ſame, That from and after the eleventh Day of *May*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-eight, it ſhall and may be lawful for all Merchants and Traders, and others deſiring to end any Controverſy, Suit or Quarrel, Controverſies, Suits or Quarrels, for which there is no other Remedy but by perſonal Action or Suit in Equity, by Arbitration, to agree that their Submiſſion of their Suit to the Award or Umpirage of any Perſon or Perſons ſhould be made a Rule of any of His Majeſty's Courts of Record, which the Parties ſhall chooſe, and to inſert ſuch their Agreement in their Submiſſion, or the Condition of the Bond or Promiſe, whereby they oblige themſelves reſpectively to ſubmit to the Award or Umpirage of any Perſon or Perſons, which Agreement being ſo made and inſerted in their Submiſſion or Promiſe, or Condition of their reſpective Bonds, ſhall or may, upon producing an Affidavit thereof made by the Witneſſes thereunto, or any one of them, in the Court of which the ſame is agreed to be made a Rule, and reading and filing the ſaid Affidavit in Court, be entred of Record in ſuch Court, and a Rule ſhall thereupon be made by the ſaid Court, that the Parties ſhall ſubmit to, and finally be concluded by the Arbitration or Umpirage which ſhall be made concerning them by the Arbitrators or Umpire, purſuant to ſuch Submiſſion; and in caſe of Diſobedience to ſuch Arbitration or Umpirage, the Party neglecting or refuſing to perform and execute the ſame, or any Part thereof, ſhall be ſubject to all the Penalties of contemning a Rule of Court, when he is a Suitor or Defendant in ſuch Court, and the Court on Motion ſhall iſſue Proceſs accordingly, which Proceſs ſhall not be ſtopped or delayed in its Execution, by any Order, Rule, Command, or Proceſs of any other Court, either of Law or Equity, unleſs it ſhall be made appear on Oath to ſuch Court, that the Arbitrators or Umpire miſbehaved themſelves, and that ſuch Award, Arbitration or Umpirage was procured by Corruption, or other undue Means.

*Vin. V.* 3. 40, *&c.* *Dan. V.* 1. 515, *&c.*

Merchants and Traders, &c. deſiring to end Controverſies by Arbitration, may agree their Submiſſion of the Suit to the Award of any Perſon.

Agreement ſo made to be inſerted in their Submiſſion, &c.

Parties to be finally concluded by ſuch Arbitration.

In caſe of Diſobedience, Party neglecting ſubject to Penalty, &c.

unleſs Arbitrators miſbehaved themſelves.

II. And be it further enacted by the Authority aforeſaid, That any Arbitration or Umpirage procured by Corruption, or undue Means, ſhall be judged and eſteemed void and of none Effect, and accordingly be ſet aſide by any Court of Law or Equity, ſo as Complaint of ſuch Corruption or undue Practice be made in the Court where the Rule is made for Submiſſion to ſuch Arbitration or Umpirage, before the laſt Day of the next Term after ſuch Arbitration or Umpirage made and publiſhed to the Parties; any thing in this Act contained to the contrary notwithſtanding.

Corrupt Arbitration void, and may be ſet aſide, &c.

## CAP. XVI.

An Act to execute Judgments and Decrees ſaved in a Clauſe in an Act of the firſt Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for taking away the Court holden before the Preſident and Council of the Marches of* Wales. Courts of *Chancery*, *Exchequer*, &c. may iſſue forth Execution on Judgments, &c. given in the Preſident's Court of the Marches of *Wales*, before 1 *June* 1689, *&c.* and may reverſe or affirm the ſaid Judgments.

EXP. 1 W. & M. ſ. 1. c. 27.

## CAP. XVII.

### An Act for the better Payment of inland Bills of Exchange.

'WHEREAS great Damages and other Inconveniencies do frequently happen in the Courſe of Trade and Commerce, by reaſon of Delays of Payment and other Neglects on inland Bills of

'Exchange in this Kingdom;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the four and twentieth Day of *June* next, which ſhall be in the Year one thouſand ſix hundred ninety-eight, all and every Bill or Bills of Exchange drawn in, or dated at and from, any trading City or Town, or any other Place in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, of the Sum of five Pounds Sterling or upwards, upon any Perſon or Perſons of or in *London*, or any other Trading City, Town, or any other Place (in which ſaid Bill or Bills of Exchange ſhall be acknowledged and expreſſed the ſaid Value to be received) and is and ſhall be drawn payable at a certain Number of Days, Weeks, or Months after Date thereof, that from and after Preſentation and Acceptance of the ſaid Bill or Bills of Exchange (which Acceptance ſhall be by the underwriting the ſame under the Party's Hand ſo accepting) and after the Expiration of three Days after the ſaid Bill or Bills ſhall become due, the Party to whom the ſaid Bill or Bills are made payable, his Servant, Agent, or Aſſigns, may and ſhall cauſe the ſaid Bill or Bills to be proteſted by a Notary Publick, and in Default of ſuch Notary Publick, by any other ſubſtantial Perſon of the City, Town, or Place, in the Preſence of two or more credible Witneſſes, Refuſal or Neglect being firſt made of due Payment of the ſame; which Proteſt ſhall be made and written under a fair written Copy of the ſaid Bill of Exchange, in the Words or Form following:

Bills of Exchange drawn in England, &c. of 5l. or upwards, payable at a certain Number of Days, &c. after Acceptance, and 3 Days after it is due, Party may proteſt the ſame. Farther Provſions relating hereto, 3 & 4 Annæ, c. 9. §. 4. *which is made perpetual by* 7 *Ann. c.* 25.

1 Salk. 131. Mod. Caſes in the Law 80, 373. 6 Mod. 80.

The Form of the Proteſt.

'KNOW all Men, that I *A. B.* on the Day of at the uſual Place of Abode of the ſaid have demanded Payment of the Bill, of the which the above is the Copy, which the ſaid did not pay, wherefore I the ſaid do hereby proteſt the ſaid Bill. Dated this Day of

Proteſt or Notice thereof to be given in 14 Days after made. And 6 d. for the Proteſt.

II. Which Proteſt ſo made as aforeſaid, ſhall within fourteen Days after making thereof be ſent, or otherwiſe due Notice ſhall be given thereof, to the Party from whom the ſaid Bill or Bills were received, who is, upon producing ſuch Proteſt, to repay the ſaid Bill or Bills, together with all Intereſt and Charges from the Day ſuch Bill or Bills were proteſted; for which Proteſt ſhall be paid a Sum not exceeding the Sum of Six-pence; and in Default or Neglect of ſuch Proteſt made and ſent, or due Notice given within the Days before limited, the Perſon ſo failing or neglecting thereof, is and ſhall be liable to all Coſts, Damages, and Intereſt, which do and ſhall accrue thereby.

In Default of Proteſt made, &c. Perſon failing liable to Coſts.

Bills loſt or miſcarried, Drawer to give another.

III. Provided nevertheleſs, That in caſe any ſuch inland Bill or Bills of Exchange ſhall happen to be loſt or miſcarried within the Time before limited for Payment of the ſame, then the Drawer of the ſaid Bill or Bills is and ſhall be obliged to give another Bill or Bills of the ſame Tenour with thoſe firſt given, the Perſon or Perſons to whom they are and ſhall be ſo delivered giving Security if demanded, to the ſaid Drawer, to indemnify him againſt all Perſons whatſoever, in caſe the ſaid Bill or Bills of Exchange ſo alledged to be loſt or miſcarried, ſhall be found again.

## CAP. XVIII.

EXP. An Act for the repairing the Highways from the Town of *Birdlip*, and the Top of *Crickley* Hill, in the County of *Glouceſter*, to the City of *Glouceſter*. For 20 Years from 24 *June* 1698.

## CAP. XIX.

PR. An Act for cleanſing and making navigable the Chanel from the *Hithe* at *Colcheſter*, to *Wivenhoe*. Duties to be paid from 1 *May* 1698. for 21 Years, for all Goods landed or ſhipped from *Wivenhoe*, or the *New Hithe* in *Colcheſter*. Every, Bay, Say, or Perpetuane, a Half Peny, Timber 6 *d. per* Tun, Chalk 3 *d. per* Tun, Paving Stone 6 *d. per* Tun; other Stones, Tobacco Pipe Clay, Aſhes or Pantyles 12 *d. per* Tun. Fullers Earth or Sea Coal 12 *d. per* Chalder. Oil 3 *s. per* Tun. Wine or Brandies 5 *s. per* Tun. All other Goods, &c. 2 *s. per* Tun. To be paid before landed, or ſhipped. Continued by 5 Geo. 1. c. 31. §. 1. from *May* 1719. to *May* 1740. Duties to be paid to Collector, and by him to Receiver General. Mayor, &c. may aſſign where the Chanel ſhall be enlarged, &c. may cut and dig the Land ſo laid out, &c. Earl of *Kent*'s Land not to be cut. Except *Gravel-pit Land*, and two Pieces called *Forelands*. Nor the Lands of *Nicholas Corſellis*, Eſq; unleſs *Reed Point*. In caſe of Damage Mayor and Commonalty to repair the ſame. Soil not to be laid on any Perſon's Land without Licence. On Payment of Sum agreed on, ſuch Lands to be veſted in the Mayor and Commonalty, &c. Penalty on Mayor, &c. not repairing the Premiſſes. Mayor, &c. to compound with the Owners of Lands. Commiſſioners to mediate between the Corporation and Owners, and proportion every Perſon's Share. On Non-agreement, Sheriff of *Eſſex* to impanel a Jury, who are to enquire and aſſeſs Damages. Commiſſioners to give Judgment thereupon, &c. Such Judgment binding, to be kept among the Records of the Seſſions. Mayor, &c. may nominate Collector, &c. Mayor of *Colcheſter*, and Juſtices of the Eaſt Diviſion of *Eſſex* to be Commiſſioners, and to take Account of the Receipts and Diſburſements, &c. No Goods to be laded or unladed at any Key in *Colcheſter* River but at *Wivenhoe*, and the *New Hithe*. *Giles Sayer*'s Wharf excepted, &c. Goods, &c. unladen at *Wivenhoe*, and not carried to *Colcheſter*, &c. exempted from Duties. The like from *Colcheſter* to *Wivenhoe*. Mayor, &c. may engage the Profits of the Toll, and grant the ſame for 21 Years, for Security for Money borrowed, with Intereſt at 6 *l. per Cent.* If before Expiration of the Term, ſufficient Money be raiſed for the Uſes aforeſaid, Duties to ceaſe. In caſe Mayor, &c. make new Chanel through *Gravel-Pit Land*, Earl of *Kent* may either have the Value thereof, or retain the ſame.

'Made perpetual by 13 Geo. 2. c. 30.'

## CAP. XX.

An Act to naturalize the Children of ſuch Officers and Soldiers, and others the natural born Subjects of this Realm, who have been born Abroad during the War, the Parents of ſuch Children having been in the Service of this Government. EXP.

## CAP. XXI.

### An Act for the better preventing the counterfeiting, clipping, and other diminiſhing the Coin of this Kingdom.

'WHEREAS the preventing the Currency of clipt and unlawfully diminiſhed, and counterfeit Money, is a more effectual Means to preſerve the Coin of this Kingdom intire and pure than the moſt rigorous Laws for the Puniſhment of ſuch as diminiſh or counterfeit the ſame: And whereas by the known Laws of this Kingdom no Perſon ought to pay, or knowingly tender in Payment, any counterfeit or unlawful diminiſhed Money, and all Perſons not only may refuſe to receive the ſame, but may, and by the ancient Statutes and Ordinances of this Kingdom have been required to deſtroy and deface the ſame; and more eſpecially the Tellers in the Receipt of the Exchequer, by their Duty and Oath of Office, are required to receive no Money but good and true; and to the end the ſame might the better be diſcerned and known, by the ancient Courſe of the ſaid Receipt of the Exchequer all Money ought to be received there by Weight as well as by Tale: For the reſtoring of which Courſe, together with other Things, an Act was made in the laſt Seſſion of this preſent Parliament, intituled, *An Act for the better Obſervation of the Courſe anciently uſed in the Receipt of the Exchequer*, whereby amongſt other Things it is enacted, That the reſpective Tellers of the ſaid Receipt of Exchequer, when any Money ſhall be brought to the ſaid Receipt of the Exchequer, to be there paid, ſhall without Delay receive it, weighing the ſame in intire Sums or otherwiſe, and making due Entry of the Weight and Tale thereof, according to the ancient Courſe; but no Proviſion is made in the ſaid Act, that the ſaid Tellers ſhall refuſe to receive the ſaid Money, in caſe it ſhall not be of its due Weight: And the former and ancient Laws being grown into Deſuetude, whereby unlawfully diminiſhed and counterfeit Money receive a Currency, and wicked and traiterous Perſons are encouraged to diminiſh and counterfeit the ſame: Now to the End the Kingdom, after ſo vaſt a Charge and Expence for the Reformation of the Silver Coin, and reſtoring it to its due Weight and Purity, may not relapſe into the ſame Evil, from which it hath been ſo lately delivered with great Difficulty and Hazard, and that counterfeit and unlawfully diminiſhed Money, which already begins to increaſe, may be defaced and deſtroyed,' Be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by Authority of the ſame, That it is and ſhall be lawful to and for any Perſon, to whom any Silver Money ſhall be tendred, any Piece or Pieces whereof ſhall be diminiſhed, otherwiſe than by reaſonable wearing, or that by the Stamp, Impreſſion, Colour, or Weight thereof, he ſhall ſuſpect to be counterfeit, to cut, break, or deface ſuch Piece or Pieces; and if any Piece ſo cut, broken, or defaced, ſhall appear to be counterfeit, the Perſon tendring the ſame ſhall bear the Loſs thereof; but if the ſame ſhall be of due Weight, and appear to be lawful Money, the Perſon that cut, broke, or defaced the ſame, ſhall, and is hereby required to take and receive the ſame at the Rate it was coined for; and if any Queſtion or Diſpute ſhall ariſe, whether the Piece ſo cut be counterfeit, it ſhall be heard and finally determined by the Mayor, Bailiff or Bailiffs, or other Chief Officer of any City or Town Corporate, where ſuch Tender ſhall be made; and if ſuch Tender ſhall be made out of any City or Town Corporate, then by the next Juſtice of the Peace of the County, inhabiting or being near the Place where ſuch Tender ſhall be made; and the ſaid Mayor, or other Chief Officer, and Juſtice of the Peace ſhall have full Power and Authority to adminiſter an Oath as he ſhall ſee convenient, to any Perſon, for the determining any Queſtions relating to the ſaid Piece.

1 *Hale's P. C.* 376.

Stat. de Monet. parv. 20 Edw. 1. ſt. 5.

19 H. 7. c. 5.

8 & 9 W. 3. c. 28.

1 *Mar. ſeſſ.* 2. *c.* 6.

14 *El. c.* 3.

Any Perſon may cut or deface diminiſhed or counterfeit Money.

Perſon tendring ſuch Money to bear the Loſs, &c.

Mayor, &c. to determine Diſputes,

and adminiſter an Oath.

II. And be it further enacted by the Authority aforeſaid, That the Tellers of the Receipt of the Exchequer, and their Deputies and Clerks, and Receivers General of every Branch of His Majeſty's Revenue, Aids, Impoſitions, Duties, and Taxes, given or granted, or to be hereafter given or granted, ſhall and are hereby required, to cut, break, or deface, or cauſe to be cut, broken, or defaced, every Piece of counterfeit, or unlawfully diminiſhed, Silver Money, that ſhall be tendred in Payment to them to the Uſe of His Majeſty, His Heirs or Succeſſors, or for any Part of the Revenue, Aids, Impoſitions, Duties, or Taxes of His Majeſty, His Heirs or Succeſſors; and the better to diſcover Silver Money that is counterfeit, or unlawfully diminiſhed, from that which is good and true, the Tellers and Receivers General, and their reſpective Deputies and Clerks, ſhall weigh in whole Sums, or otherwiſe, all Silver Money by them received; and if the ſame, or any Piece thereof, ſhall, by the Weight or otherwiſe, appear to be counterfeit, or unlawfully diminiſhed, the ſame ſhall not be received by or from them in the ſaid Receipt of the Exchequer, nor be allowed them upon their reſpective Accounts.

Officers of the Exchequer, Receivers General, &c. required to cut ſuch Money ſo tendred, &c.

and to weigh all Silver Money received.

III. And be it further enacted by the Authority aforeſaid, That an Act made the laſt Seſſion of this preſent Parliament, intituled, *An Act for the better preventing the counterfeiting the current Coin of this Kingdom*, and every Article and Clauſe therein contained, ſhall from henceforth continue and be of force until the five and twentieth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and one, and from thence to the End of the next Seſſion of Parliament.

8 & 9 W. 3. c. 26. continued. *See farther* 1 *Ann. ſtat.* 1. *c.* 9. *and* 15 *Geo.* 2. *c.* 28.

## CAP. XXII.

An Act to repeal an Act made in the nine and thirtieth Year of the Reign of Queen ELIZABETH, intituled, *An Act to reſtrain the exceſſive making of Malt*, and to diſcharge and vacate orders made by Juſtices of Peace by virtue thereof, for reſtraining Malſters from making Malt.

8 & 9 W. 3. c. 22.

'WHEREAS by an Act made the laſt Seſſions of this preſent Parliament, intituled, *An Act for granting to His Majeſty certain Duties upon Malt, Mum, Sweets, Cyder, and Perry, as well towards carrying on the War againſt* France, *as for the neceſſary Expence of His Majeſty's Houſhold, and other Occaſions*, a Duty of Six-pence *per* Buſhel was laid upon Malt for a certain Time therein limited: And whereas an Act was made in the nine and thirtieth Year of the Reign of Queen ELIZABETH, intituled, *An Act to reſtrain the exceſſive making of Malt*, and there hath been ſome Doubt, whether the ſame Act be now in force, by reaſon the Title of the ſaid Act was miſtaken in the Act of Parliament whereby it was deſigned to have been continued; yet nevertheleſs ſeveral Juſtices of Peace at their Quarter-Seſſions have taken upon them to make Orders to ſuppreſs and reſtrain Malſters from buying of Barley to convert into Malt, and from uſing and exerciſing the Employ of Malting by the Space of one Year, which is a great Damage to His Majeſty, by leſſening the Revenue, and a Diſcouragement to Malſters:' For Remedy thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act made in the nine and thirtieth Year of the Reign of Queen ELIZABETH be repealed, and all Orders made by Juſtices of Peace for reſtraining Malſters from making of Malt, ſince the ſaid Duty of Six-pence a Buſhel was laid upon Malt, are hereby vacated and diſcharged.

39 Eliz. c. 16. repealed.

Juſtices Orders vacated.

## CAP. XXIII.

New Subſidy.

An Act for granting to His Majeſty a further Subſidy of Tunnage and Poundage, towards raiſing the yearly Sum of ſeven hundred thouſand Pounds, for the Service of Majeſty's Houſhold, and other Uſes therein mentioned, during His Majeſty's Life.

Continued by 1 Geo. 2. ſt. 1. c. 1.

'WHEREAS Your Majeſty's moſt dutiful and loyal Subjects the Commons of *England* in Parliament aſſembled, being deeply ſenſible of the great Bleſſings which, by the Goodneſs of Almighty God, we and all other the Subjects of Your Majeſty's Realms and Dominions, in the free Exerciſe of the true Chriſtian Religion (the moſt valuable Benefit which can be beſtowed on any Nation or People) as alſo in our Liberties and Properties, do fully enjoy under Your Majeſty's moſt auſpicious Government; and being deſirous to make a grateful Acknowledgment of Your Majeſty's unparalleled Grace and Favour to us Your Commons, and particularly for the great and ſucceſsful Undertakings and Atchievments, whereby Your Majeſty hath been the happy Inſtrument of ſecuring the aforeſaid Bleſſings to us and our Poſterities;' have therefore freely and unanimouſly reſolved to increaſe Your Majeſty's Revenue during Your Majeſty's Reign (which God long continue) and do give and grant unto Your moſt Excellent Majeſty the further Rates, Duties, and Sums of Money, herein after mentioned; and do humbly beſeech Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That over and above all Subſidies of Tunnage and Poundage, and over and above all additional Duties, Impoſitions, and other Duties whatſoever, by any other Act or Acts of Parliament, or otherwiſe howſoever, already due or payable, or which ought to be paid to His Majeſty, for or upon any Wines, Goods or Merchandizes whatſoever, imported or to be imported, there ſhall be raiſed, levied, collected, paid, and ſatisfied unto His Majeſty, one other Subſidy called *Tunnage*, for and upon all Wines, which from and after the laſt Day of *January*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, at any Time or Times, during his Majeſty's Life, ſhall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed* (that is to ſay)

Additional Subſidy of Tunnage and Poundage, &c. granted for the King's Life, viz.

II. Of every Tun of Wine of the Growth of *France*, or of any the Dominions of the *French* King, or Crown of *France*, that ſhall come into the Port of *London*, and the Members thereof, by way of Merchandize, by His Majeſty's natural born Subjects, the Sum of four Pounds and ten Shillings of current *Engliſh* Money, and ſo after that Rate; and by Strangers and Aliens ſix Pounds of the like Money: And of every Tun of the like Wine, which ſhall be brought into all and every the other Ports and Places of this Kingdom, and the Dominions thereof, by way of Merchandize, by His Majeſty's natural born Subjects, the Sum of three Pounds; and by Aliens four Pounds ten Shillings.

French Wines imported to London by the King's Subjects to pay 4l. 10s. per Tun, and by Aliens 6l. per Tun. French Wines imported into any other Ports 3l. per Tun, and by Aliens 4l. 10s.

III. And of every But or Pipe of Muſcadels, Malmſeys, Cutes, Tents, Alicants Baſtards, Sacks, Canaries, Malaga's, Madera's, and other Wines whatſoever, commonly called *Sweet Wines*, of the Growth of the *Levant*, *Spain*, *Portugal*, or any of them, or any the Iſlands or Dominions to them or any of them belonging, or elſewhere, that ſhall come or be brought into the Port of *London*, by His Majeſty's natural born Subjects, the Sum of forty-five Shillings of current *Engliſh* Money, and ſo after that Rate; and by Strangers and Aliens three Pounds of like Money: And of every But and Pipe of the like Wine, which ſhall come or be brought into all and every or any the other Ports and Places of this Kingdom and Dominions thereof,

Muſcadels, Malmſeys, &c. 45s. per But or Pipe, and by Aliens 3l. &c.

thereof, by way of Merchandize, by His Majeſty's natural born Subjects, the Sum of thirty Shillings; and by Strangers forty-five Shillings.

Rhenish Wine, &c. 20 s. per Awm.

IV. And of every Awm of Rheniſh Wine, or Wine of the Growth of *Germany*, that ſhall be brought into this Realm and the Dominions thereof, by His Majeſty's natural born Subjects, the Sum of twenty Shillings of current *Engliſh* Money; and by Strangers and Aliens twenty-five Shillings: And that ſuch Wines that ſhall be landed in any the Out Ports, and afterwards brought to the Port of *London* by Certificate, ſhall pay ſo much more Subſidy by this Act as they paid ſhort of the Duty due in the Port of *London*. Which ſeveral Rates for Wines are the ſame which are expreſſed in a certain Book of Rates, which was ſigned by Sir *Harbottle Grimſtone*, Baronet, formerly Speaker of the Houſe of Commons, and which is referred to by an Act of Parliament, made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *A Subſidy granted to the King of Tunnage and Poundage and other Sums of Money payable upon Merchandizes exported and imported*. And one further Subſidy called *Poundage* (that is to ſay) of all manner of Goods and Merchandizes of every Merchant, natural born Subject, Denizen, and Alien, to be imported or brought into this Realm, or any His Majeſty's Dominions to the ſame belonging, at any Time or Times after the ſaid laſt Day of *January* one thouſand ſix hundred ninety-nine, during his Majeſty's Life, by way of Merchandize, of the Value of every twenty Shillings of the ſame Goods and Merchandizes, according to the ſeveral and particular Rates and Values of the ſame Goods and Merchandizes, as the ſame are particularly and reſpectively rated and valued in the aforeſaid Book of Rates, twelve Pence, and ſo after that Rate; and if there ſhall happen to be brought into this Realm any Goods liable to the Payment of Subſidy by this Act granted, which are not particularly rated in the ſaid Book of Rates, that in every ſuch Caſe every Cuſtomer or Collector for the time being ſhall levy the Subſidy by this Act granted, according to the Value and Price of ſuch Goods, to be affirmed upon the Oath of the Merchant, in the Preſence of the Cuſtomer, Collector, Comptroller, and Surveyor, or any two of them: Except and forprized out of this Grant of Subſidy of Poundage, all Wines before limited to pay Subſidy of Tunnage, and all manner of Fiſh *Engliſh* taken, and brought by *Engliſh* Bottoms into this Realm, and all manner of freſh Fiſh and Beaſtial that ſhall come into this Realm, and all other Goods and Merchandizes, which in the ſaid Book of Rates are mentioned to be Cuſtom free, and except and foreprized out of this Grant of Subſidy of Poundage all Goods and Merchandizes which are commonly uſed in Dying.

Awms. Wines landed in the Out Ports, and afterwards brought to London, to pay the whole Duty due in the Port of London. 12 Car. 2. c. 4.

12 d. per lb. on all Goods and Merchandize imported.

Goods imported, &c. and not rated in the Book of Rates, to pay the Subſidy, &c.

Fiſh and Dyers Goods excepted. Altered by 10 & 11 W. 3. c. 25. §. 17. as to Whale Fins, Oil and Blubber, &c. and by 9 Geo. 1. c. 21. §. 3. as to Tobacco.

Drugs and Spicery (except Pepper imported, &c. to pay only a third Part, &c.

V. Provided always, and it is hereby further enacted, That all Drugs chargeable by this Act, which ſhall be imported directly from the Place of their Growth in *Engliſh* built Shipping ſhall be rated to pay by this Act one third Part of what is charged thereupon in the ſaid Book of Rates, and no more; and that all Spicery, except Pepper, which ſhall be imported directly from the Place of its Growth in *Engliſh* built Shipping, ſhall be rated to pay by this Act one third Part of what is charged in the ſaid Book of Rates, and no more; and that this Act ſhall not extend to charge Linen imported with the additional Duty of one Moiety of the Rate mentioned in the ſaid Book of Rates; and that all foreign wrought Silks exported within one Year from the Importation, ſhall have two thirds of the Rate hereby charged repaid at the Cuſtom Houſe; and this Act ſhall not extend to charge wrought Silks imported with the additional Duty of one Moiety mentioned in the ſaid Book of Rates; or to charge Tobacco of the *Engliſh* Plantations with the additional Duty of one Penny *per* Pound, over and above the Subſidy mentioned in the ſaid Book of Rates; or to charge Wines of the Growth of *France*, *Germany*, *Portugal*, or *Madeira*, with the additional Duty of three Pounds *per* Tun, or any other Wines with the additional Duty of four Pounds *per* Tun, mentioned in the ſaid former Acts or Book of Rates; and that for all Tobacco of the *Engliſh* Plantations, which ſhall be imported and exported again within one Year after ſuch Importation, the further Subſidy one Penny *per* Pound hereby granted, ſhall be repaid at the Cuſtom Houſe.

Other Sorts of Goods and Merchandize. See 5 Geo. 1. c. 3. §. 34. and 8 Geo. 1. c. 15. §. 17.

Altered by 12 Annæ, ſtat. 2. c. 8.

Allowances and Abatements.

VI. And be it further enacted by the Authority aforeſaid, That out of the ſeveral Subſidies of Tunnage and Poundage by this Act granted, there ſhall be ſuch and the like Allowances and Abatements in all Caſes, as are or were preſcribed in the like Caſes by the ſaid former Act, or by the ſaid Book of Rates, or the Rules thereunto annexed, and to be made and allowed under the ſame Reſtrictions, and in the ſame Manner and Form as are therein expreſſed.

Duties to be levied by the Officers of the Cuſtoms, &c. and paid into the Exchequer.

Powers in the former Tunnage Act 12 Car. 2. c. 4. and Book of Rates, to be in Force, &c.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid ſeveral Subſidies of Tunnage and Poundage hereby granted, ſhall be raiſed, levied and collected by the reſpective Officers of His Majeſty's Cuſtoms for the time being, under the Management and Direction of the Commiſſioners of the Cuſtoms for the time being; and ſhall be brought and paid, or anſwered into the Receipt of His Majeſty's Exchequer, for the Purpoſes in this Act mentioned (ſuch additional Charge as ſhall be neceſſary for the Management of this Revenue only excepted) and that all and every the Clauſes, Powers, Directions, Penalties, Forfeitures, Matters and Things whatſoever, contained in the ſaid former Act of Tunnage and Poundage, or in the ſaid Book of Rates, or the Rules thereunto annexed, or in any other Laws or Statutes whatſoever now in Force, for raiſing, levying, ſecuring, collecting, anſwering or paying the Subſidy of Tunnage and Poundage thereby granted, ſhall be applied, practiſed, and put in Execution, for the raiſing, levying, collecting, anſwering, and paying the Subſidy of Tunnage and Poundage by this Act granted as fully and effectually to all Intents and Purpoſes, as if all and every the ſaid Clauſes, Powers, Directions, Penalties, Forfeitures, Matters and Things were particularly repeated, and again enacted in the Body of this preſent Act.

Subſidy on Sugars imported, to be paid back on Exportation.

VIII. Provided always, and be it enacted, That the whole further Subſidy laid by this Act upon all Sugars that ſhall be imported from the *Engliſh* Plantations in *America*, ſhall and may be drawn and paid back at the Exportation thereof; any thing in this Act contained to the contrary notwithſtanding.

'IX. And whereas great Quantities of Brown and Muſcovado Sugars have formerly been refined here 'in *England*, and afterwards exported to foreign Markets, whereby a great Number of People have been 'employed,

'employed, and a Manufacture carried on very profitable to this Kingdom; which Trade of refining Sugars for Exportation will be loſt, unleſs a Drawback be allowed, when ſuch Sugars are exported, after they are refined here, ſuitable to the Drawback allowed on the Exportation of Brown and Muſcovado Sugars, by reaſon foreign Nations will be thereby enabled to refine them cheaper Abroad than they can be done here at Home;' Be it therefore enacted by the Authority aforeſaid, That for every Hundred Weight of Sugar refined in *England* (and ſo in Proportion for a greater or leſſer Quantity) exported out of this Kingdom after the ſaid laſt Day of *January*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, during the Continuance of this Act, there ſhall be repaid at the Cuſtom Houſe to the Exporter, within one Month after Demand thereof, the Sum of three Shillings, Oath being firſt made by the Refiner, that the ſaid Sugar ſo exported was produced from Brown and Muſcovado Sugar charged by this Act, and that, as he verily believes, the ſame was imported from His Majeſty's Plantations in *America*, and that, as he verily believes, the Duty of the ſaid Brown and Muſcovado Sugar was duly paid at the time of the Importation thereof, and that the ſame was duly exported, His Majeſty's Searcher alſo certifying the Shipping thereof, and all other Requiſites duly performed, according to the Book of Rates.

Drawback of 3 s. per 100 wt. on Exportation of Muſcovado Sugar refined in England, on Oath that the ſame was refined from Brown Sugar imported from America, &c.

X. And be it enacted by the Authority aforeſaid, That for the further Subſidy hereby granted upon Tobacco of the *Engliſh* Plantations in *America*, the Merchant Importer ſhall have three Months Time from the Importation to pay the ſame, giving Security for the Payment thereof accordingly; and in caſe of paying the ſame ſooner than the ſaid three Months, the ſaid Merchant Importer ſhall be allowed a Diſcount after the Rate of ten Pounds *per Centum per Annum* for prompt Payment; any thing herein contained to the contrary notwithſtanding.

Merchant to have 3 Months for paying the Subſidy on Tobacco, &c. or 10 l. per Cent. for prompt Payment.

XI. Provided always, That Ginger of the *Engliſh* Plantations in the *Weſt Indies*, which by the ſaid Book of Rates is valued at ſixteen Pence a Pound, ſhall pay for the ſaid former Subſidy one Shilling for every hundred Weight, and for the Subſidy by this Act one Shilling for every hundred Weight, and after that Proportion for a greater or leſſer Quantity, and no more; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

Ginger to pay 2 s. per 100 wt.

'XII. And whereas great Quantities of cut Whalebone fit for Uſe are frequently imported in ſhort 'Lengths and ſmall Parcels, by Means whereof, not only His Majeſty is defrauded of the Duties laid 'thereupon, but the Merchants importing, and the Manufacturers employed in cutting of Fin Whalebone, 'are greatly prejudiced and diſcouraged;' Be it therefore declared and enacted by the Authority aforeſaid, That if any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, ſhall import or bring into this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, any Cut Whalebone (other than in Fins only) he, ſhe or they ſhall forfeit the Goods, and double the Value of the Cut Whalebone ſo imported, one Moiety thereof to His Majeſty, His Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſeize or ſue for the ſame in any of His Majeſty's Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, nor any more than one Imparlance; any thing in this Act, or any former Law to the contrary in any wiſe notwithſtanding.

Cut Whalebone imported other than in Fins only, forfeited, and double the Value.
By 4 Annæ, c. 12. §. 6. the Importer forfeits 30 l. the Maſter of the Ship, 50 l.

XIII. Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That in all Caſes where any the Foreign Goods or Merchandizes by this Act charged with the Subſidy of Tunnage or Poundage hereby granted (other than and except foreign wrought Silk, Tobacco, Sugars, and refined Sugars, touching which other Proviſions are hereby made) ſhall at any Time or Times be again exported by any Merchant *Engliſh*, within twelve Calendary Months, or Stranger within nine Calendary Months, after the Importation thereof, and that due Proof be firſt made by Certificate from the proper Officers, of the due Entry and Payment of the Subſidy hereby granted, of any ſuch Foreign Goods, Wines, or Merchandizes inward, together with the Oath of the Merchant importing and exporting the ſame, affirming the Truth thereof, and that all other Requiſites ſhall be performed, which are by Law required to be performed, in Caſes where the Half Subſidy is repaid by the ſaid former Act, the whole Subſidy by this Act granted, and which ſhall have been actually paid for ſuch Goods, Wines or Merchandizes, ſhall, without any Delay or Reward, be repaid unto ſuch Merchant or Merchants who do export the ſame, within one Month after Demand thereof; or the Security for the ſaid Subſidy by this Act charged ſhall be vacated, as to ſo much as ſhall be ſo exported; and that as to the ſaid foreign wrought Silks, Tobacco, Sugars, and refined Sugars, no Repayment or Drawback of or for the Subſidy by this Act ſhall be made or allowed for the ſame, unleſs they reſpectively be again exported within the Times hereby limited for other Goods; and that the like due Proof be made, and other Requiſites performed, for the ſaid Silks, Tobacco, Sugar, and refined Sugar, as are hereby directed in the like Caſe for other Goods or Merchandizes exported; and that upon ſuch Exportation of foreign wrought Silks, and ſuch due Proof made, and other Requiſites performed for the ſame, not only the two thirds of the Subſidies by this Act directed to be repaid for ſuch Silks as aforeſaid, but alſo the remaining one third of the ſame Subſidy, ſhall be entirely repaid at the Cuſtom Houſe; any thing herein contained to the contrary notwithſtanding.

Foreign Goods, exported again in 12 Months after Importation, Subſidy ſhall be repaid.
Theſe 12 and 9 Months are enlarged to 3 Years by 7 Geo. 1. ſtat. 1. c. 21. §. 10.

Drawback on exporting foreign Silks, Tobacco, Sugar, &c.

'XIV. And whereas it is intended, that the yearly Sum of ſeven hundred thouſand Pounds ſhall be 'ſupplied to his Majeſty for the Service of His Houſhold and Family, and for other His neceſſary Ex'pences and Occaſions out of the Hereditary Rates and Duties of Exciſe upon Beer, Ale and other Li12 Car. 2. c. 23. 'quors, which were granted to the Crown in the twelfth Year of the Reign of King CHARLES the Se'cond, and out of the Rates and Duties of Excife upon Beer, Ale and other Liquors, payable for the 2 W. & M. ſſ. 1. c. 3. 'Term of His Majeſty's Life, by an Act of Parliament made and paſſed in the ſecond Year of the Reign 'of His Majeſty and the late Queen of Bleſſed Memory, after all the Tallies charged upon the weekly Sum 'of ſix thouſand Pounds iſſuing out of the ſaid ſeveral Rates and Duties of Exciſe, purſuant to an Act of 7 & 8 W. 3. c. 30. 'Parliament paſſed in the ſeventh Year of His Majeſty's Reign in that Behalf, and ſtill remaining unſa'tisfied (with the Intereſt thereof) ſhall be fully paid off and cleared; and out of the Revenue of the 'General Letter Office or Poſt Office, or the Office of the Poſtmaſter General, after all the Tallies charged 'upon the weekly Sum of ſix hundred Pounds, iſſuing out of that Revenue, purſuant to the ſaid Act of

'Parliament

'Parliament for the ſeventh Year of His Majeſty's Reign, and ſtill remaining unſatisfied, and all the Intereſt thereof ſhall be fully paid and diſcharged; and out of the ſmall Branches of His Majeſty's Revenues herein after mentioned and expreſſed, that is to ſay, The Firſt Fruits and Tenths of the Clergy; the Fines for Writs of Covenant and Writs of Entry payable in the Alienation Office; the Poſt Fines; the Revenue of the Wine Licences; the Monies ariſing by Sheriffs Profers and Compoſitions in the Exchequer, and by the Seizures of uncuſtomed and prohibited Goods; the Revenue of the Duchy of *Cornwall*, and any other Revenue ariſing by the Rents of Lands in *England* or *Wales*, or for Fines of Leaſes of the ſame, or any of them; and the Duty of four and an half *per Centum* in Specie, ariſing in *Barbadoes* and the *Leeward* Iſlands in *America*; and out of the Monies which from and after the Commencement of this Act ſhall ariſe by the further Subſidies and Duties hereby granted;' Be it therefore further enacted, and it is hereby enacted and provided by the Authority aforeſaid, That if the ſaid great and ſmall Branches and Revenues herein before mentioned, and out of which the ſaid yearly Sum of ſeven hundred thouſand Pounds is intended to be ſupplied as aforeſaid, and every or any of them, ſhall produce in clear Money more than the yearly Sum of ſeven hundred thouſand Pounds, to be reckoned from the five and twentieth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, that then the Overplus of ſuch Produce (being more than the ſaid yearly Sum of ſeven hundred thouſand Pounds) ſhall not be iſſued, diſpoſed, made uſe of or applied to any Uſe or Purpoſe, or upon any Pretext whatſoever, without the Authority of Parliament: And that all Grants and Diſpoſitions whatſoever hereafter to be made of ſuch Overplus, or any Part thereof, from time to time, without the Authority of Parliament, ſhall be utterly void and of none Effect; and the Grantees, or other Perſons to whom ſuch Grants or Diſpoſitions, or any of them, ſhall be made, of ſuch Overplus, or any Part thereof, ſhall be adjudged uncapable in Law to take, hold, keep, detain or enjoy the ſame; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

If the foreſaid Revenues produce more than 700,000 l. per Annum, Overplus not to be diſpoſed of but by Parliament. Repealed by 12 & 13 W. 3. c. 12. §. 4. Grants thereof void, and Grantees uncapable to enjoy the ſame.

## CAP. XXIV.

### An Act for the enlarging the Time for purchaſing certain Eſtates or Intereſts in ſeveral Annuities therein mentioned.

*Moſt Gracious Sovereign,*

WE Your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, duly conſidering Your Majeſty's extraordinary Occaſions for Supplies of Money, do cheerfully and unanimouſly preſent unto Your Majeſty a further Aid to ariſe by the Contributions herein after mentioned; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, having or not having any Eſtate for one Life, of and in any Annuity, purchaſed or obtained at the Rate of one hundred Pounds for every fourteen Pounds *per Annum*, upon the ſeveral Acts of Parliament mentioned in an Act made and paſſed in the Parliament which was holden at *Weſtminſter* in the ſixth and ſeventh Years of His Majeſty's Reign, (intituled, *An Act for enabling ſuch Perſons as have Eſtates for Life in Annuities, payable by ſeveral former Acts therein mentioned, to purchaſe and obtain further and more certain Intereſts in ſuch Annuities, and in Default thereof, for admitting other Perſons to purchaſe and obtain the ſame, for raiſing Money for carrying on the War againſt* France) at any Time before the firſt Day of *December* one thouſand ſix hundred ninety-eight, to contribute, advance, and pay into the Receipt of His Majeſty's Exchequer, ſo much Money, as every or any ſuch Annuity, being computed for four Years, doth or ſhall amount unto (that is to ſay) Every ſuch Perſon, having or being intitled to ſuch Eſtate for Life, ſhall or may pay to His Majeſty's Uſe, for every one hundred Pounds that was paid for the ſingle Life in any Annuity of fourteen Pounds *per Annum*, the Sum of ſix and fifty Pounds, for changing or converting the ſame into a certain Term, for the Reſidue which ſhall be then to come of ninety-ſix Years, to be reckoned from the five and twentieth Day of *January* one thouſand ſix hundred ninety-five, or for an Intereſt in ſuch Annuity for the Reſidue of the ſaid Term of ninety-ſix Years, to take Effect after the ſaid Eſtate for Life; and every Perſon, not having ſuch Eſtate for Life, ſhall or may contribute, or pay to His Majeſty's Uſe, for every hundred Pounds that was paid for the ſingle Life in any ſuch Annuity of fourteen Pounds *per Annum*, the like Sum of ſix and fifty Pounds, for an Intereſt in ſuch Annuity, for the Reſidue of the ſaid Term of ninety-ſix Years, to be charged with and ſubject to the preſent Eſtate for Life of and in the ſame Annuities reſpectively, and in the ſame Proportion there ſhall be paid a Rate or Conſideration for higher or larger Annuities; and that all and every the Perſon and Perſons, ſo paying the Conſideration-Money as aforeſaid, ſhall immediately upon Payment of their Monies be intitled by this Act to ſuch Annuity or Annuities ſo to be purchaſed, and the ſame ſhall be charged upon ſuch reſpective Fund or Revenue in the ſaid former Act mentioned, as if the Conſideration-Money, ſo to be contributed or advanced for the ſame, had been actually advanced or contributed within the reſpective Times limited by the ſaid former Act.

Perſons having or not having Annuities for Life at 14 l. per Cent. per Ann. 6 & 7 W. 3. c. 5. may advance for every 100 l. &c. 56 l. for changing the ſame into a certain Term for the Reſidue of 96 Years, &c. or to take Effect after the ſaid Eſtate for Life, &c. Perſons on Payment intitled to ſuch Annuities charged on the reſpective Funds, &c.

II. And it is hereby further enacted, That all and every the Directions, Powers, and Clauſes in the ſaid former Act contained, for or concerning the levying of Tallies, the making forth of Orders, or for making Transferrences or Aſſignments, or for the apportioning or applying the Monies ariſing by the ſaid Funds or Revenues, or any of them, or for appointing, ſettling, or eſtabliſhing any other Matter or Thing, for or in Relation to the reſpective Annuities thereby purchaſed or obtained, ſhall be, and are by force and virtue of this Act revived, and ſhall be duly obſerved, practiſed, and put in Execution, for and in reſpect of ſuch Annuities as ſhall be purchaſed and obtained upon this Act, as fully and effectually as if the ſame Powers, Directions, and Clauſes were here again expreſſed and particularly repeated.

Powers in the Act 6 & 7 W. 3. c. 5. revived.

III. And

Monies arising by the said Contributions how appropriated.

III. And be it further enacted by the Authority aforesaid, That all Monies which shall come into the Receipt of His Majesty's Exchequer of or for the said Contributions, for further or more certain Estates in the said Annuities to be purchased as aforesaid, shall be issued and applied, and the same are hereby appropriated, towards the Payment and Satisfaction of the Off-reckonings of His Majesty's Army, for the Year one thousand six hundred ninety-seven: And that out of the same the Persons concerned in clothing of the Army for the Year aforesaid, be paid so much as is due to them or any of them for such Clothing, that is chargeable upon the Off-reckonings of the said Year.

## CAP. XXV.

## An Act for granting to His Majesty, His Heirs and Successors, further Duties upon Stampt Vellum, Parchment, and Paper.

*Most Gracious Sovereign,*

9 W. 3. c. 44. 3 Geo. 2. c. 20. 4 Geo. 2. c. 9. *Vin. V.* 19. 490. *Burn, V.* 2. 454.

WE Your Majesty's most dutiful and loyal Subjects, the Commons in Parliament assembled, being desirous to raise such Aids and Supplies as may be proportionable to Your Majesty's great and extraordinary Occasions, do humbly present your Majesty with the free Gift of the further Rates and Duties herein after mentioned; and do beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by Authority of the same, That from and after the first Day of *August* in the Year of our Lord one thousand six hundred ninety-eight, there shall be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raised, collected, and paid unto His Majesty, His Heirs and Successors, for ever, for the several and respective Things herein after mentioned, which shall be written or ingrossed at any Time or Times after the said first Day of *August* one thousand six hundred ninety-eight (over and above the Rates and Duties, and Sums of Money, now due and payable to His Majesty, or to any Person or Persons, Bodies Politick or Corporate whatsoever for the same) the several and respective Rates, Impositions, Duties, Charges, and Sums of Money herein after expressed, in Manner and Form following (that is to say)

From 1 Aug. 1698, for ever shall be paid to the King, his Heirs, &c.

over and above the Sums now payable, the Duties following, viz.

Grants or Letters Patents, &c. 40 s. per Skin or Piece.

II. For every Skin or Piece of Vellum or Parchment, on which any Grants or Letters Patents under the Great Seal of *England*, or the Seal of the Duchy or County Palatine of *Lancaster*, of any Honour, Dignity, Promotion, Franchise, Liberty, or Privilege, to any Person or Persons, Bodies Politick or Corporate, or Exemplifications of the same, shall be ingrossed or written (Commissions of Rebellion in Process always excepted) the Sum of forty Shillings.

Pardons, &c. (except Newgate Pardons, &c.) 40 s. per Skin.

III. For every Skin or Piece of Vellum, Parchment, or Sheet of Paper, on which any Pardon (except the General Circuits, and *Newgate*, Pardon) of or for any Crime or Offence, or of any Sum of Money or Forfeiture whatsoever, or on which any Warrant of Reprieve, or Relaxation from any Fines, Corporal Punishments, or other Forfeiture, shall be ingrossed or written, the Sum of forty Shillings.

Grant of Money, &c. 40 s. per Skin or Sheet.

IV. For every Skin of Vellum or Parchment, or Sheet of Paper, upon which any Grant from His Majesty, His Heirs or Successors, of any Sum of Money exceeding one hundred Pounds, which shall pass the Great Seal, or Privy Seal (not directed to the Great Seal) shall be ingrossed or written, the Sum of forty Shillings.

Grant of Office or Employment above 50 l. per Ann. 40 s. and of Lands in Fee, &c. under the Great Seal, &c. 40 s.

V. For every Skin of Vellum or Parchment, or for every Sheet of Paper, upon which any Grant of any Office or Employment, which shall be above the Value of fifty Pounds *per Annum*, shall be written or ingrossed, the Sum of forty Shillings.

VI. For every Skin of Vellum or Parchment, on which any Grant of Lands in Fee, Lease for Years, or other Grant of Profit, not herein particularly charged, that shall pass the Great Seal of *England*, the Seal of the Exchequer, the Seal of the Duchy or County Palatine of *Lancaster*, or the Privy Seal (not directed to the Great Seal) shall be ingrossed or written, the Sum of forty Shillings.

Presentation or Donation, &c. 40 s.

VII. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Presentation or Donation which shall pass the Great Seal of *England*, or upon which any Collation to be made by any Archbishop, or other Bishop, or any Presentation or Donation to be made by any Patron whatsoever, of or to any Benefice, Dignity, or Spiritual or Ecclesiastical Promotion whatsoever, shall be ingrossed or written, the Sum of forty Shillings; Provided such Benefice, Dignity, or Promotion be of the yearly Value of ten Pounds or above in the King's Books.

Proviso.

Dispensation to hold two Benefices, 40 s.

VIII. For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which any Dispensation to hold two Ecclesiastical Dignities or Benefices, or both a Dignity and a Benefice, or any other Dispensation or Faculty from the Lord Archbishop of *Canterbury*, or the Master of the Faculties for the time being, shall be ingrossed or written, the Sum of forty Shillings.

Admittance to Fellowship, or Attorney, &c. 40 s.

IX. For every Skin or Piece of Vellum or Parchment, Sheet or Piece of Paper, upon which Admittance of any Fellow of the College of Physicians, or of any Attorney, Clerk, Advocate, Proctor, Notary, or other Officer or Officers in any Court whatsoever, shall be ingrossed or written, the Sum of forty Shillings.

Annual Officers in Corporations, &c. exempted.

X. Provided, That this Act shall not be extended to charge, with the Duty last mentioned, any annual Officer in any Corporation or inferior Court, whose Office is under the Value of ten Pounds *per Annum*, in Salaries, Fees, or other Perquisites, but the said annual Officer is hereby exempted and discharged from the said Duty.

Appeal from the Admiralty, Arches, &c. 40 s.

XI. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Appeal from the Court of Admiralty, Arches, or the Prerogative Courts of *Canterbury* or *York*, shall be ingrossed or written, the Sum of forty Shillings.

XII. For every Skin of Vellum or Parchment, upon which any Exemplification, of what Nature ſoever, that ſhall paſs the Seal of any Court whatſoever, ſhall be ingroſſed or written, the Sum of five Shillings. Exemplification, 5 s.

XIII. For every Skin of Vellum or Parchment, or Sheet of Paper, upon which any Decree or Diſmiſſion, made by or in the Court of *Chancery*, *Exchequer*, Court of the County Palatine or Duchy of *Lancaſter*, Courts of the Counties Palatine of *Cheſter*, *Durham*, or other Court of Equity whatſoever, ſhall be ingroſſed or written, the Sum of ſix Pence. Decree in Chancery, Exchequer, &c. 6 d.

XIV. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Inſtitution or Licence that ſhall paſs the Seal of any Archbiſhop or Biſhop, Chancellor, or other Ordinary, or any Eccleſiaſtical Court whatſoever, ſhall be ingroſſed or written, the Sum of five Shillings. Inſtitution or Licence under Biſhop's Seal, &c. 5 s.

XV. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Writ of Error, *Certiorari*, or Appeal (except to the Delegates) ſhall be ingroſſed or written, the Sum of five Shillings. Writ of Error, Certiorari, &c. 5 s.

XVI. For every Skin or Piece of Vellum, Parchment, or Sheet of Paper, upon which any *Significavit pro Corporis deliberatione* ſhall be ingroſſed or written, the Sum of five Shillings. Significavit, &c. 5 s.

XVII. For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Sentence that ſhall be given in the Court of the Lord High Admiral of *England*, or the Cinque Ports exerciſing Admiralty Juriſdiction, or upon any Attachment that ſhall be made out of any of the ſaid Courts of Admiralty, or any Relaxation of any ſuch Attachment, ſhall be ingroſſed or written, the Sum of five Shillings. Sentence in the Admiralty, &c. 5 s.

XVIII. For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Letters of Mart ſhall be ingroſſed or written, the Sum of five Shillings. Letters of Mart, 5 s.

XIX. For every Skin or Piece of Vellum or Parchment, or Piece of Paper, upon which any Probate of a Will, or Letters of Adminiſtration, for any Eſtate above the Value of twenty Pounds, ſhall be ingroſſed or written, the Sum of five Shillings. Probates of Wills, Adminiſtrations, &c. 5 s.

XX. For every Skin or Piece of Vellum or Parchment, Sheet or Piece of Paper, upon which any Recognizance, Statute Staple, or Statute Merchant, ſhall be ingroſſed or written, or entred of Record in any Court or Office, the Sum of five Shillings. Recognizance, Statute Staple, &c. 5 s.

XXI. For any Skin or Piece of Vellum or Parchment, upon which any Record of *Niſi prius* or *Poſtea* ſhall be ingroſſed or written, the Sum of two Shillings and ſix Pence. Niſi prius or poſtea, 2 s. 6 d.

XXII. For every Skin or Piece of Vellum or Parchment, or Paper, upon which ſhall be ingroſſed or written any Judgment whatſoever, which ſhall be ſigned by the Maſter of any Office, or his Deputy or Secondary, or by any Prothonotary or his Secondary, Deputy or Clerk, or any other Officer belonging to any of the Courts at *Weſtminſter*, who have Power, or uſually doth or ſhall ſign Judgments, the Sum of two Shillings and ſix Pence. Judgment, 2 s. 6 d.

XXIII. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Commiſſion iſſuing out of any Eccleſiaſtical Court, not herein otherwiſe particularly charged, ſhall be ingroſſed or written, the Sum of two Shillings and ſix Pence. Eccleſiaſtical Commiſſion, &c. 2 s. 6 d.

XXIV. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Warrant, Monition, or perſonal Decree, in any Court of Admiralty, or the Cinque Ports, ſhall be ingroſſed or written, or upon which any beneficial Warrant or Order under the Sign Manual of His Majeſty, His Heirs or Succeſſors (except Warrants or Orders for the Service of the Navy, Army, and Ordnance) ſhall be ingroſſed or written, the Sum of two Shillings and ſix Pence. Admiralty or Cinque Ports Warrant or Decree, or beneficial Warrant, &c. 2 s. 6 d.

XXV. For every Piece of Vellum, Parchment or Paper, upon which any Special Bail to be taken in any of the Courts at *Weſtminſter*, or before any of the Judges of the ſaid Courts, or in any other Court whatſoever, ſhall be ingroſſed or written, and for every Piece of Vellum, Parchment or Paper, upon which ſhall be ingroſſed or written any Appearance upon ſuch Special Bail, the Sum of one Shilling. Special Bail or Appearance, 1 s.

XXVI. For every Skin or Piece of Vellum or Parchment, upon which ſhall be ingroſſed or written any Bill, Anſwer, Replication, Rejoinder, Interrogatories, Depoſitions taken by Commiſſion, or any other Pleadings whatſoever, in the Courts of *Chancery*, *Exchequer*, Duchy Court, and County Palatine Courts, or other Courts of Equity, the Sum of one Shilling. Bill, Anſwer, Replication, &c. 1 s.

XXVII. For every Skin or Piece of Vellum or Parchment, and for every Sheet or Piece of Paper, upon which any Admiſſion into any Corporation or Company, or any Matriculation in either of the two Univerſities, or any Admiſſion into any of the Inns of Court, or Inns of Chancery, ſhall be ingroſſed or written, the Sum of one Shilling. Admiſſion, &c. 1 s.

XXVIII. For every Piece of Parchment or Paper, upon which any Affidavit ſhall be ingroſſed or written (except Affidavits taken purſuant to ſeveral Acts made in the thirtieth and two and thirtieth Years of the Reign of King CHARLES the Second, for burying in Woollen; and except ſuch Affidavits as ſhall be taken before the Officers of the Cuſtoms, or any Juſtice or Juſtices of the Peace, or before any Commiſſioners appointed or to be appointed by any Act of Parliament for the aſſeſſing and levying any Aids or Duties granted or to be granted to His Majeſty, His Heirs or Succeſſors, and which Affidavits ſhall be taken by the ſaid Officers of the Cuſtoms, Juſtices or Commiſſioners, by virtue of their Authority as Juſtices of the Peace or Commiſſioners reſpectively, and not otherwiſe) the Sum of ſix Pence. Affidavit, 6 d. Exception.

XXIX. For every Piece of Parchment or Paper, upon which any Copy of ſuch Affidavit, as is herein before charged, that ſhall be filed or read in any Court whatſoever, ſhall be ingroſſed or written, the Sum of ſix Pence. Copy of Affidavit filed, &c. 6 d.

XXX. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which ſhall be written or ingroſſed any Indenture, Leaſe, or Deed Poll, not hereby otherwiſe charged, the Sum of ſix Pence; except Indentures for binding poor Pariſh Children Apprentices. Indenture, Leaſe, &c. 6 d. Exception.

XXXI. For every Piece of Vellum or Parchment, or Piece of Paper, upon which any Original Writ, (except ſuch Original on which a Writ of *Capias* iſſues) *Subpœna*, Bill of *Middleſex*, *Latitat*, Writ of *Capias*, Original Writ, Subpœna, &c. 6 d.

*pias*, *Quo Minus*, Writ of *Dedimus Poteſtatem* to take Anſwers, examine Witneſſes, or appoint Guardians, or any other Writ whatſoever, or any other Proceſs or Mandate that ſhall iſſue out of or paſs the Seals of any the Courts at *Weſtminſter*, Courts of the Great Seſſions in *Wales*, Courts in Counties Palatine, or any other Court whatſoever, holding Plea where the Debt or Damage doth amount to forty Shillings or above, or the Thing in Demand is of that Value, ſhall be ingroſſed or written, (Writs of Covenant for levying Fines, Writs of Entry for ſuffering Common Recoveries, and Writs of *Habeas Corpus* alway excepted) the Sum of ſix Pence.

Entry of Action in Mayor's Court, &c. 6 d.

XXXII. For every Piece of Vellum, Parchment or Paper, upon which any Entry of any Action in the Mayor's and Sheriffs Courts of *London*, and in Courts in all Corporations, and other Courts whatſoever, out of which no Writs, Proceſs or Mandates iſſue, holding Plea, where the Debt or Damage doth amount to forty Shillings or above, ſhall be ingroſſed or written, the Sum of ſix Pence.

Common Bail or Appearance, 6 d.

XXXIII. For every Piece of Vellum, Parchment or Paper, upon which any Common Bail to be filed in any Court whatſoever, and upon which any Appearance that ſhall be made upon ſuch Bail ſhall be ingroſſed or written, the Sum of ſix Pence: Which Appearance or common Bail the Defendant ſhall cauſe to be entred or filed within eight Days after the Day upon which the Proceſs on which the Defendant is arreſted ſhall be returnable, upon Penalty of five Pounds to be paid to the Plaintiff, for which the Court ſhall immediately award Judgment, whereupon the Plaintiff may take out Execution.

Rule of Court, 6 d.

XXXIV. For every Piece of Vellum, Parchment or Paper, upon which any Rule or Order made or given in any the Courts at *Weſtminſter*, either Courts at Law or Equity, ſhall be ingroſſed or written, the Sum of ſix Pence.

Copy, 6 d.

XXXV. For every Piece of Vellum, Parchment or Paper, upon which any Copy of ſuch Rules or Orders entred, or the Copies of any other Records or Proceedings in any of the ſaid Courts at *Weſtminſter*, not hereby otherwiſe charged, ſhall be ingroſſed or written, the Sum of ſix Pence.

Eccleſiaſtical Monition, Libel, &c. 6 d.

Copy, &c. 6 d.

XXXVI. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which ſhall be ingroſſed or written any Citation or Monition made in any Eccleſiaſtical Court, or any Libel or Allegation, Depoſition, Anſwer, Sentence or final Decree, or any Inventory exhibited in any Eccleſiaſtical Court, the Courts of Admiralty, or Cinque Ports, or whereupon any Copies of them reſpectively ſhall be ingroſſed or written, the Sum of ſix Pence.

Charter Party, Policy of Aſſurance, &c. 6 d.

XXXVII. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Charter Party, Policy of Aſſurance, Paſport, Bond, Releaſe, Contract or other Obligatory Inſtrument, or any Proteſt, Procuration, Letter of Attorney, or any other Notarial Act whatſoever, ſhall be ingroſſed or written, the Sum of ſix Pence.

Declaration, Plea, &c. 1 d.

XXXVIII. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Declaration, Plea, Replication, Rejoinder, Demurrer or other Pleadings whatſoever, in any Court of Law, ſhall be ingroſſed or written, the Sum of one Penny.

Copy, 1 d.

XXXIX. And for every Skin or Piece of Vellum or Parchment, upon which any Copy thereof ſhall be written or ingroſſed, the Sum of one Penny.

Depoſitions in Chancery, &c. 1 d. Exceptions.

XL. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Depoſitions taken in the Court of *Chancery*, or other Court of Equity (except the Paper Draughts of Depoſitions, taken by virtue of any Commiſſion, before they are ingroſſed) which are not herein before charged, or upon which any Copy of any Bill, Anſwer, Plea, Demurrer, Replication, Rejoinder, Interrogatories, Depoſitions or other Proceedings whatſoever, in any Court of Equity, ſhall be ingroſſed or written, the Sum of one Penny.

Copy of Will, 1 d.

XLI. For every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which a Copy of any Will ſhall be ingroſſed or written, the Sum of one Penny.

Officer to date Writ of Arreſt; and enter the ſame. Penalty on Officer neglecting. ' By 6 Geo. 1. c. 21. §. 54. Warrants on Writs are to have the ſame Year and Day ſet down as on the Writ. Particulars not to be charged.'

XLII. And for preventing Abuſes committed by arreſting Perſons without any Writ or legal Proceſs to juſtify the ſame, by Means whereof the Duty hereby given for ever to the Crown upon ſuch Proceſs will be loſt; Be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *Auguſt* one thouſand ſix hundred ninety-eight, every Officer or Clerk belonging, or which ſhall hereafter belong, to the Court of *King's Bench*, *Common Pleas* or *Exchequer*, who ſhall ſign any Writ or Proceſs before Judgment, to arreſt any Perſon or Perſons thereupon, ſhall, at the Signing thereof, ſet down upon ſuch Writ or Proceſs, the Day and Year of his ſigning the ſame, which ſhall be entred upon the Remembrance, or in the Book where the Abſtract of ſuch Writ or Proceſs ſhall be entred; upon Pain to forfeit the Sum of ten Pounds for every Offence or Neglect of ſuch Officer or Clerk aforeſaid, to be recovered by any Perſon who ſhall ſue for the ſame, in any Court of Record of His Majeſty, His Heirs or Succeſſors, by Action of Debt, Bill, Plaint or Information, wherein no Wager of Law, Protection or Eſſoin, or more than one Imparlance ſhall be allowed.

XLIII. Provided always, That this Act or any thing therein contained ſhall not extend to charge with the ſaid Duties, or any of them, any Bills of Exchange, Accounts, Bills of Parcel, Bills of Fees, or any Bills or Notes (not ſealed) for Payment of any Money at Sight, or upon Demand, or at the End of certain Days of Payment.

XLIV. Provided, That nothing in this Act contained ſhall extend to charge with the ſaid Duties, or any of them, the Probate of any Will, or Letters of Adminiſtration, of any common Seaman or Soldier, who ſhall be ſlain or die in the Service of His Majeſty, His Heirs or Succeſſors, a Certificate being produced from the Captain of the Ship or Veſſel, or Captain of the Troop or Company, under whom ſuch Seamen or Soldier ſerved at the Time of his Death, and Oath made of the Truth thereof, before the proper Judge or Officer, by whom ſuch Probate or Adminiſtration ought to be granted; which Oath ſuch Judge or Officer is hereby authorized and required to adminiſter, and for which no Fee or Reward ſhall be taken.

XLV. Provided

XLV. Provided alſo, That this Act, or any Clauſe therein contained, ſhall not be conſtrued to charge with any Duty, any Warrant made by, or Recognizance taken before, any Juſtice or Juſtices of the Peace, or any Surrender of any Copyhold Eſtate, or Copies of ſuch Eſtate, or any Proceedings of any Court Martial, which relate to any Trial of any common Soldier; or any Orders, Decrees or Proceedings before any Commiſſioners of Sewers, or in the Court of Stannaries; but ſuch Warrants, Recognizances, Surrenders, Copies, Orders, Decrees and Proceedings, ſhall and are hereby declared to be exempted from the Payment of any of the Duties before mentioned in this Act.

XLVI. Provided alſo, and it is hereby enacted and declared by the Authority aforeſaid, That the Officers at Sea ſhall by this Act pay the ſame Duty for their Stamps that the Officers of the Army at Land pay by this Act, and no more upon the ſame Act only; any thing herein contained to the contrary notwithſtanding. Sea Officers to pay the ſame Duty as Land Officers.

XLVII. And it is hereby declared, That all the Duties by this Act granted to His Majeſty, His Heirs and Succeſſors, ſhall nevertheleſs be ſubject and liable to ſuch Condition and Power of Redemption by Parliament, as by any Act of this Seſſion is or ſhall be declared and provided. Duties redeemable by Parliament.

XLVIII. And be it further enacted by the Authority aforeſaid, That for the better and more effectual levying, collecting and paying unto His Majeſty, His Heirs and Succeſſors, the ſeveral and reſpective Duties hereby granted for or upon ſtamped Vellum, Parchment and Paper, it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, and to and for the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer of *England* for the time being, from time to time to nominate and appoint ſuch Perſons as they ſhall think fit, to be Commiſſioners, or Officers for the ſtamping and marking of Parchment, Vellum and Paper, and managing the Duties thereupon, purſuant to this Act; and that the Commiſſioners ſo to be appointed, ſhall keep their Head Office in ſome convenient Place within the Cities of *London* or *Weſtminſter*; and ſuch Commiſſioners, or the major Part of them, are hereby impowered, under their Hands and Seals, to appoint ſuch other inferior Officers for the marking or ſtamping of Vellum, Parchment and Paper, or for the better collecting or levying the Duties hereby granted to His Majeſty, His Heirs and Succeſſors, as they in their Diſcretion ſhall think fit; and the ſame Commiſſioners ſhall provide from time to time Marks or Stamps proper for the marking and ſtamping of Vellum, Parchment and Paper, according to which Marks or Stamps the King's Duties ought to be paid. Commiſſioners to be appointed, &c. Head Office to be kept in London or Weſtminſter. Inferior Officers.

'XLIX. And whereas ſuch or the like Duties as are by this Act charged for ever upon the ſeveral Skins, 'Sheets or Pieces of Vellum, Parchment and Paper, herein before enumerated or mentioned, are alſo 'charged upon and payable for the ſame reſpectively, until the firſt Day of *Auguſt* one thouſand ſeven hun-'dred and ſix, by ſeveral former Acts of Parliament in that Behalf; ſo that in Effect the Duties (as to 'Skins, Sheets or Pieces of Vellum, Parchment and Paper in this Act before particularly expreſſed) are 'doubled until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, but the ſaid Duties by the 'ſaid former Acts, and thoſe by this thereupon, are appropriated or applicable to different Purpoſes, ſo 'that it is neceſſary to have diſtinct Accounts kept of the ſame:' Now for the better ſecuring His Majeſty's Dues, and for diſtinguiſhing of ſuch Skins, Sheets or Pieces of Vellum, Parchment and Paper as are doubly charged as aforeſaid, from thoſe which remain liable only to the ſingle Duties on the ſaid former Acts; and to the Intent that the ſaid Duties ariſing upon this and the ſaid former Acts, upon Vellum, Parchment, and Paper, may be iſſued and applied to the reſpective Uſes to which they are ſeverally appropriated or intended; Be it further enacted by the Authority aforeſaid, That all Vellum, Parchment, and Paper, herein before charged, and whereof the Duties are hereby intended to be doubled for a Time, as aforeſaid, ſhall, before any of the Matters or Things herein before mentioned to be thereupon ingroſſed or written (ſuch Writing or Ingroſſing being after the ſaid firſt Day of *Auguſt* one thouſand ſix hundred ninety-eight, and before the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix) be firſt brought to the Head Office for the ſaid Duties, to be ſtamped and marked with two Marks or Impreſſions (that is to ſay) Every ſuch Skin, Sheet, or Piece of Vellum, Parchment, and Paper, having one Mark or Stamp ſet thereupon, purſuant to the ſaid former Acts, or any of them, before the writing or ingroſſing any of the Matters or Things as aforeſaid thereupon, ſhall be brought to the ſaid Office, to be ſtamped with a Second Mark or Impreſſion of the ſame Kind; and every Skin, Sheet or Piece of Vellum, Parchment, or Paper, having not been ſtamped or marked with a ſingle Stamp or Mark, purſuant to the ſaid former Acts, or any of them, ſhall, before the writing or ingroſſing any of the Matters or Things as aforeſaid thereupon, till the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, be brought to the ſaid Office, to receive two ſeveral Marks or Impreſſions of the ſame Kind; of all which double Marks or Impreſſions the one ſhall denote the Duty by the ſaid former Acts, or ſome of them, and the other the Duty by this preſent Act thereupon: Except ſuch Skins, Sheets, or Pieces of Vellum, Parchment, and Paper, which do ſtill remain liable only to the ſingle Duties on the ſaid former Acts, during the Terms thereby granted, and are to have only a ſingle Mark or Stamp, according to the Directions of the ſaid former Acts, namely, 5 & 6 W. & M. c. 21. 8 & 9 W. 3. c. 20. §. 12. After 1 Auguſt 1698, every Skin of Vellum, Parchment, or Sheet of Paper, &c. to be ſtamped with two Marks. Vellum, &c. once ſtamped, to be ſtamped with a Second Mark. Except ſuch as are liable only to ſingle Duty, viz.

L. Every Skin or Piece of Vellum, Parchment, or Sheet of Paper, upon which any General Circuit or *Newgate* Pardon ſhall be ingroſſed or written, liable only to the ſingle Duty of forty Shillings by the ſaid former Acts. Circuit or Newgate Pardon.

LI. Every Skin or Piece of Vellum, or Parchment, or Sheet, or Piece of Paper, upon which any Regiſter, Entry, Teſtimonial, or Certificate of any Degree, taken in either of the two Univerſities, or four Inns of Court, ſhall be ingroſſed or written (the Regiſter or Entry of the Degree of any Batchelor of Arts being always excepted) for which Skins, Pieces, or Sheets reſpectively, a Duty of forty Shillings is payable by the ſaid former Acts only, during the Continuance thereof. Certificate of Degree in the Univerſities. Except Batchelor of Arts.

LII. Every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Conveyance, Surrender of Grants or Offices, Releaſe, or other Deed whatſoever, ſhall be inrolled of Record in any of the Courts at *Weſtminſter*, or in any other Court of Record whatſoever, or by any *Cuſtos Rotulorum*, or Clerk Conveyance or Surrender of Grants or Offices, &c.

Clerk of the Peace, ſhall be ingroſſed or written, whereof the Duty payable, as aforeſaid, by the ſaid former Acts, is five Shillings.

Marriage Licence.

LIII. Every Skin or Piece of Vellum, Parchment, or Sheet, or Piece of Paper, upon which any Licence for, or Certificate of Marriage, ſhall be ingroſſed or written, which are to be liable only to a Duty of five Shillings by the ſaid former Acts.

Writ of Covenant.

LIV. Every Piece of Vellum or Parchment, upon which any Writ of Covenant for levying of Fines ſhall be ingroſſed or written, whereof the Duty remaining upon the ſaid former Acts is five Shillings.

Writ of Entry.

LV. Every Piece of Vellum or Parchment, upon which any Writ of Entry, for ſuffering a Common Recovery, ſhall be ingroſſed or written, which is ſubject to the like ſingle Duty of five Shillings.

Habeas Corpus.

LVI. Every Skin or Piece of Vellum or Parchment, or Sheet of Paper, upon which any Writ of *Habeas Corpus* ſhall be ingroſſed or written, which is alſo liable to the ſingle Duty of five Shillings.

LVII. All which Matters and Things, ſo liable only to the ſaid ſingle Duties, until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſix, ſhall be marked and ſtamped only with a ſingle Mark or Stamp, according to the ſaid former Acts; any thing herein contained to the contrary notwithſtanding.

All Vellum, &c. before written ſhall be ſtamped, &c.

LVIII. And it is hereby further enacted by the Authority aforeſaid, That all Vellum, Parchment, and Paper, herein before charged, ſhall before any of the Matters or Things herein before mentioned be thereupon ingroſſed or written (ſuch Writing or Ingroſſing being after the laſt Day of *July* one thouſand ſeven hundred and ſix) be firſt brought to the Head Office for the ſaid Duties to be ſtamped and marked with one Mark or Impreſſion for the reſpective Duties by this Act payable to His Majeſty, His Heirs and Succeſſors, for ever.

Commiſſioners required to ſtamp all Vellum, &c. paying the Duties.

LIX. And it is hereby further enacted, That the Chief Commiſſioners for the ſaid Duties upon Vellum, Parchment, and Paper, by themſelves, or by their Officers employed under them, ſhall, and they are hereby impowered and required forthwith, upon Demand to them made by any Perſon or Perſons, from time to time, to ſtamp or mark, as this Act directs, any Quantities or Parcels of Vellum, Parchment, or Paper, he or they paying to ſuch Officer or Officers, as ſhall be appointed in that Behalf, the reſpective Duties payable to His Majeſty, His Heirs or Succeſſors for the ſame, without any other Fee or Reward, and without Delay; which Stamp or Mark ſhall be a ſufficient Diſcharge for the ſeveral and reſpective Duties by this Act payable for the ſaid Vellum, Parchment, or Paper, which ſhall be ſo ſtamped or marked; and if any Perſon or Perſons ſhall ingroſs or write, or cauſe to be ingroſſed or written, upon any Vellum, Parchment, or Paper, any of the Matters or Things for which the ſaid Vellum, Parchment, or Paper ought to have a double or ſingle Stamp or Mark, as aforeſaid, before ſuch Time as the ſaid Vellum, Parchment, or Paper ſhall be marked or ſtamped with ſuch double or ſingle Mark or Stamp (as the Caſe requires) or upon which there ſhall not be ſome double or ſingle Marks or Stamps (as the Caſe ſhall require) reſembling the ſame, or ſhall ingroſs or write, or cauſe to be ingroſſed or written, any Matter or Thing, upon any Vellum, Parchment, or Paper, that ſhall be marked or ſtamped for any lower Duty or Duties, than the Duty or Duties by this and the ſaid former Acts, or either of them, payable for what ſhall be ſo ingroſſed or written; ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit the Sum of ten Pounds (beſides Coſts of Suit) one Moiety of which Penalty of ten Pounds ſhall be to the King, and the other Moiety thereof to him or them that will inform or ſue for the ſame, in any Court of Record, by Action of Debt, or of the Caſe, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed: And in caſe any Clerk, Officer, or Perſon, who in reſpect of any publick Office or Employment is or ſhall be intitled or intruſted to make, ingroſs, or write any Records, Deeds, Inſtruments, or Writings, charged to pay a Duty or Duties, as aforeſaid, ſhall be guilty of any Fraud or Practice to deceive His Majeſty, His Heirs or Succeſſors, of any Duty by this or any of the ſaid former Acts payable, by making, ingroſſing, or writing any ſuch Record, Deed, Inſtrument, or Writing, or cauſing the ſame to be made, ingroſſed, or written, upon Vellum, Parchment, or Paper, not marked or ſtamped according to this Act, or upon which there ſhall not be ſome Stamp or Stamps reſembling the ſame, or upon Vellum, Parchment, or Paper, marked or ſtamped with any Mark or Stamp which he ſhall know to be counterfeited, or by ingroſſing or writing any ſuch Deed, Inſtrument or other Writing, upon Vellum, Parchment, or Paper, that ſhall be marked or ſtamped for a lower Duty, as aforeſaid; that then every ſuch Clerk, Officer, or Perſon, ſo guilty of any ſuch Fraud or Practice, and being thereof lawfully convicted ſhall (over and above the Penalty aforeſaid) forfeit his Office, Place, or Employment reſpectively, and be diſabled to hold or enjoy the ſame for the future; and if any Attorney belonging to any Court whatſoever, ſhall be guilty of any ſuch Fraud or Practice, as aforeſaid, and be convicted thereof, he ſhall be diſabled for the future to practiſe as an Attorney: And if any Deed, Inſtrument, or Writing whatſoever, by this Act intended to be ſtamped, as aforeſaid, ſhall, contrary to the true Intent and Meaning thereof, be written or ingroſſed by any Perſon or Perſons whatſoever (not being a known Clerk or Officer, who in reſpect of any publick Office or Employment is or ſhall be intitled to the making, writing, or ingroſſing the ſame) upon Vellum, Parchment, or Paper, not marked or ſtamped, or not doubly ſtamped (as the Caſe may require) according to this Act, or upon Vellum, Parchment, or Paper, marked or ſtamped for a lower Duty, as aforeſaid; that then and in every ſuch Caſe, there ſhall be due, anſwered, and paid to His Majeſty, His Heirs or Succeſſors (over and above the Duty aforeſaid) for every ſuch Deed, Inſtrument, or Writing, the Sum of ten Pounds; and that no ſuch Record, Deed, Inſtrument, or Writing, ſhall be pleaded or given in Evidence in any Court, or admitted in any Court to be good, uſeful, or available in Law or Equity, until as well the ſaid Duty, as the ſaid Sum of ten Pounds, ſhall be firſt paid to the Uſe of His Majeſty, His Heirs or Succeſſors, and a Receipt produced for the ſame, under the Hand or Hands of ſome of the Officers which ſhall be appointed to receive the Duties above mentioned, and until the Vellum, Parchment, or Paper, on which ſuch Deed, Inſtrument, or Writing, ſhall be written or made, ſhall be marked or ſtamped with a lawful Mark or Stamp, or with double Marks or Stamps, according to this Act; and the proper Officer and Officers are hereby enjoined and required, upon Payment or Tender of the ſaid

Stamp a Diſcharge for Payment.

Penalty on Perſon ingroſſing Vellum before ſtamped, &c.

or marked with a lower Duty.

Penalty on Officer in any publick Office guilty of ſuch Fraud.

Penalty on Attorney.

Penalty on any other Perſon, &c.

No ſuch Record, Deed, &c. good in Law, until Duty and Penalty be paid,

and Deed ſtamped, &c.

Duty,

Duty, and the Sum of ten Pounds unto him or them, to give a Receipt for the ſame, and to mark or ſtamp, or double mark or ſtamp, the ſaid Vellum, Parchment, or Paper, with the Mark or Stamp that ſhall be proper for ſuch Deed, Inſtrument, or Writing reſpectively. And if any Perſon or Perſons whatſoever ſhall, at any Time or Times hereafter, counterfeit or forge any Stamp or Mark to reſemble any Stamp or Mark which ſhall be provided, made, or uſed in purſuance of this Act, or ſhall counterfeit or reſemble the Impreſſion of the ſame, upon any Vellum, Parchment, or Paper, thereby to defraud His Majeſty, His Heirs or Succeſſors, of any the ſaid Duties upon Vellum, Parchment, or Paper, or ſhall utter, vend, or ſell any Vellum, Parchment, or Paper, with ſuch counterfeit Mark or Marks thereupon, knowing ſuch Mark or Marks to be counterfeit; then every ſuch Perſon ſo offending, being thereof convicted in due Form of Law, ſhall be judged a Felon, and ſhall ſuffer Death, as in Caſes of Felony, without the Benefit of Clergy.

Perſon counterfeiting Stamp, &c. guilty of Felony, &c. Explained by 6 Geo. 1. c. 21. §. 60.

LX. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for the ſaid Duties on Vellum, Parchment, and Paper, from time to time, ſhall and may appoint a fit Perſon to attend in any Court or Office, to take Notice of the Vellum, Parchment, or Paper, upon which any the Matters or Things aforeſaid ſhall be inproſſed, written, or put, and of the Marks or Stamps thereupon, and of all other Matters and Things tending to ſecure the ſaid Duties; and that the Judges in the ſeveral Courts, and ſuch others to whom it may appertain, at the Requeſt or Requeſts of ſuch Commiſſioners, or of any two or more of them, ſhall make ſuch Orders in the reſpective Courts, and do ſuch other Matters and Things, for the better ſecuring the ſaid Duties under their Charge, as ſhall be lawfully and reaſonably deſired in that Behalf; and that every Perſon who ſhall be commiſſionated, as aforeſaid, and every Perſon to be employed by or under them, for the marking or ſtamping of Vellum, Parchment, or Paper, as aforeſaid, before his acting in the marking or ſtamping of the ſaid Vellum, Parchment, or Paper, ſhall take the Oath following; that is to ſay,

Commiſſioners may appoint a fit Perſon to attend in any Court or Office to take Notice of the Stamps, &c. Judges to make Orders, &c. Commiſſioners and Officers to take the following Oath.

'I *A. B.* do ſwear, That I will faithfully execute the Truſt repoſed in me, purſuant to the Act of Parliament for the further or additional Duties upon ſtamped Vellum, Parchment, and Paper, without Fraud or Concealment, and ſhall from time to time true Account make of my Doings, and deliver the ſame to ſuch Perſon or Perſons as His Majeſty, His Heirs or Succeſſors, ſhall appoint to receive ſuch Account, and ſhall take no Fee, Reward or Profit, for the Execution or Performance of the ſaid Truſt, or the Buſineſs relating thereunto, from any Perſons, other than ſuch as ſhall be paid or allowed by His Majeſty, His Heirs or Succeſſors, or by the Commiſſioners of His Majeſty's Treaſury, or any three or more of them now being, or by the Treaſurer of the Exchequer, or three or more of the Commiſſioners of the Treaſury for the time being.'

LXI. Which Oath ſhall and may be adminiſtred to ſuch Commiſſioner or Commiſſioners, by any three or more of the ſame Commiſſioners, which ſhall be appointed as aforeſaid; and any of the ſaid Commiſſioners ſhall and may adminiſter the like Oath *(mutatis mutandis)* to ſuch Sub-Commiſſioners, or other Perſons, which ſhall be employed under them in the ſaid Buſineſs of marking or ſtamping.

Oath how to be adminiſtred.

LXII. And be it enacted, That the Chief Commiſſioners or Officers ſo to be appointed, and all Sub-Commiſſioners and Officers to be employed or intruſted by or under them as aforeſaid, in relation to the ſaid Duties on Parchment, Vellum and Paper, ſhall from time to time, in and for the better Execution of their ſeveral Places and Truſts, obſerve and perform ſuch Rules, Methods and Orders as they reſpectively ſhall, from time to time receive from the ſaid Commiſſioners of the Treaſury now being, or from the Treaſurer of the Exchequer, or the Commiſſioners of the Treaſury for the time being, or any three or more of them; and that the Chief Commiſſioners ſo to be appointed, ſhall take eſpecial Care, that the ſeveral Parts of this Kingdom, and the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall from time to time be ſufficiently furniſhed with Vellum, Parchment and Paper, ſtamped and marked as aforeſaid, ſo as the Subjects of His Majeſty, His Heirs and Succeſſors, may have it in their Election to buy the ſame of the Officers or Perſons to be employed by the ſaid Commiſſions, at the uſual or moſt common Rates above the ſaid Duty, or to bring their own Vellum, Parchment or Paper to be ſtamped, as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

Commiſſioners, &c. to obſerve the Directions of the Treaſury, and furniſh the ſeveral Parts of the Kingdom with ſtamped Vellum, &c.

LXIII. Provided always, and it is hereby further enacted, That none of the Rates, Impoſitions, or Sums of Money, upon Vellum, Parchment or Paper, before in this Act expreſſed, ſhall be raiſed, levied, collected or paid or payable unto His Majeſty, His Heirs or Succeſſors, by virtue of this Act, by any Perſon or Perſons that ſhall be admitted to ſue or defend in *forma pauperis*.

Perſon ſuing in forma pauperis, not to pay Duty.

LXIV. And to the end His Majeſty, His Heirs or Succeſſors, may not be defrauded of any of the ſaid Duties upon Vellum, Parchment and Paper; be it enacted, That all Records, Writs, Pleadings or other Proceedings in Courts of Law and Equity, and all Deeds, Inſtruments and Writings whatſoever, hereby charged, ſhall be ingroſſed and written in ſuch Manner as they have been uſually accuſtomed to be written and are now written.

All Records, Writs, &c. to be ingroſſed as uſual.

LXV. Provided always, and be it further enacted, That as often as His Majeſty, His Heirs or Succeſſors, ſhall think fit to alter or renew the ſaid Marks or Stamps, or any of them, it ſhall be lawful for all Perſons who ſhall at that Time have in their Cuſtody or Poſſeſſion any Vellum, Parchment or Paper, marked with the Stamp or Stamps, which ſhall be ſo altered or renewed, and upon which none of the Matters or Things hereby charged ſhall be ingroſſed or written, at any Time within the Space of ſixty Days after ſuch Intention of renewing or altering ſhall be publiſhed by Proclamation, to bring or ſend ſuch Vellum, Parchment or Paper, unto the ſaid Commiſſioners, to the Head Office in *London* or *Weſtminſter*, or to ſuch other Officers as ſhall be appointed in that Behalf; and the ſaid Commiſſioners and Officers reſpectively, are hereby required to deliver, or cauſe to be delivered, unto the ſeveral Perſons who ſhall ſo bring and deliver any Quantity of Vellum, Parchment or Paper, the like Quantity of Vellum, Parchment

In caſe the Stamps be altered, Perſons having ſtamped Vellum, &c. by them not ingroſſed, in 60 Days after Proclamation, may bring the ſame to the Head Office in London, or and Commiſſio-

...ers to deliver them the like Quantity new ſtamped, &c. without Fee. Penalty.

or Paper, and as good in Quality, ſtamped with ſuch new Stamp or Stamps, without demanding or taking, directly or indirectly for the ſame any Sum of Money or other Conſideration whatſoever, under the Penalty of Forfeiture for every Offence one hundred Pounds, to be ſued for, recovered and divided in ſuch Manner as the other Penalties in this Act, relating to the Duties of Vellum, Parchment and Paper, are directed to be ſued for, recovered and divided: And in caſe any Perſon ſhall neglect or refuſe within the Time aforeſaid, to bring or cauſe to be brought unto the ſaid Commiſſioners or Officers as aforeſaid, any ſuch Vellum, Parchment or Paper, the ſame is hereby declared to be of no other Effect or Uſe, than if it had never been ſtamped; and that all Matters or Things which ſhall after that Time be ingroſſed or written thereon, ſhall be of no other Effect, than if they had been ingroſſed or written on Vellum, Parchment or Paper not marked or ſtamped at all; and all Perſons who ſhall ingroſs or write any the Matters or Things hereby charged on ſuch Vellum, Parchment or Paper after the ſaid Time, ſhall forfeit and ſuffer as herein before is enacted for Perſons writing or ingroſſing on Vellum, Parchment or Paper, not marked or ſtamped.

Stamped Vellum, &c. not brought within the Time declared uſeleſs.

Matters ingroſſed thereon to be of no Effect.

Commiſſioners Salaries, &c. and incident Charges, to be paid out of the Duties.

LXVI. Provided always, and be it enacted, That it ſhall and may be lawful to and for His Majeſty, His Heirs and Succeſſors, or to or for the Commiſſioners of the Treaſury, or any three or more of them, or the Treaſurer of the Exchequer for the time being, out of the Duties ariſing by this Act, for or upon ſtamped Vellum, Parchment or Paper, to cauſe ſuch Sum and Sums of Money to be expended and paid from time to time, for Salaries and other incident Charges, as ſhall be neceſſary in and for the receiving, collecting, levying or managing of the ſame Duties by this Act granted; any thing in this Act contained to the contrary notwithſtanding.

Proclamation for altering the Stamps to be ſent to the Mayor, &c. of every Corporation, &c. who ſhall cauſe the ſame to be publiſhed, &c. Under Penalty.

LXVII. Provided always, and be it further enacted, That as often as His Majeſty, His Heirs or Succeſſors, ſhall think fit to alter the ſaid Stamps or any of them, that the Proclamation, which is hereby intended to be made for giving to all Perſons due Notice thereof, ſhall within twenty Days after the Date thereof, be ſent to the Mayor, Chief Magiſtrate or other Head Officer of every City, Corporation, Borough and Market Town, throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*; which Officers reſpectively ſhall cauſe the ſame to be publiſhed to the Inhabitants of ſuch City, Corporation or Town, either on the next Market Day, or next *Sunday* in the Church immediately after the Time of Divine Service, upon Pain of forfeiting the Sum of two hundred Pounds, to be ſued for by Action of Debt, Bill, Plaint or Information, in any Court of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege, nor more than one Imparlance, ſhall be granted or allowed; the one Moiety of which Forfeiture to be to His Majeſty, the other Moiety to ſuch Perſon who ſhall ſue for the ſame.

Treaſury once a Year to ſet the Prices on ſtamped Vellum, &c.

The Price to be ſtamped thereon.

LXVIII. And for the better Diſtribution of the ſaid Vellum, Parchment and Paper, and that the Subjects may have the ſame with more Conveniency and at an eaſy Rate; Be it enacted by the Authority aforeſaid, That the Lord High Treaſurer of *England*, or Commiſſioners of His Majeſty's Treaſury for the time being, ſhall once in every Year, at leaſt, ſet the Prices of all Sorts of ſtamped Vellum, Parchment and Paper, that it ſhall be ſold at; and that the ſaid Commiſſioners for the ſaid Duties upon Vellum, Parchment, and Paper, ſhall ſtamp the ſaid Price ſo ſet, upon every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, ſo by them to be ſold; and that the ſaid Commiſſioners ſhall likewiſe allow and pay to every Perſon who ſhall bring Vellum, Parchment or Paper to be ſtamped (the Duty whereof ſhall amount to the Sum of ten Pounds or upwards) after the Rate of ſix Pounds in the Hundred Pounds *per Annum* for three Months, upon preſent Payment of the ſaid Duty upon the ſaid Vellum, Parchment and Paper, ſo by them brought, over and above the like Allowance upon the ſame Quantity by the ſaid former Acts; and that any Perſons that ſhall buy of the ſaid Commiſſioners or their Agents, Vellum, Parchment or Paper, the Duty whereof amounts to the like Sum of ten Pounds or upwards, ſhall have the ſame Allowance.

Allowance on prompt Payment.

Briefs not charged.

LXIX. Provided always, That nothing in this Act contained ſhall extend to charge any Letters Patents for collecting charitable Benevolence, commonly called *Briefs*, with the Duty therein mentioned, or to make it neceſſary that ſuch Briefs ſhould be doubly ſtamped; any thing herein contained to the contrary in any wiſe notwithſtanding.

' Charged with Annuities by 4 Geo. 2. c. 9.'

*Farther Proviſions concerning Stamp Duties,* 1 *Ann. ſtat.* 1. *c.* 13. 1 *Ann. ſtat.* 2. *c.* 22. 4 & 5 *Ann. c.* 12. 5 *Ann. c.* 19. 9 *Ann. c.* 11 & 23. 10 *Ann. c.* 19 & 26. 12 *Ann. ſtat.* 1. *c.* 2. 12 *Ann. ſtat.* 2. *c.* 9. 5 *Geo.* 1. *c.* 19. *ſect.* 48. 6 *Geo.* 1. *c.* 4 & 21. 11 *Geo.* 1. *c.* 8. 12 *Geo.* 1. *c.* 33. 9 *Geo.* 2. *c.* 32. 26 *Geo.* 2. *c.* 26. 29 *Geo.* 2. *c.* 12 & 13. 30 *Geo.* 2. *c.* 19. *and* 32 *Geo.* 2. *c.* 35.

## CAP. XXVI.

### An Act to ſettle the Trade to *Africa*.

'WHEREAS the Trade to *Africa* is highly Beneficial and Advantageous to this Kingdom, and to the Plantations and Colonies thereunto belonging: And whereas Forts and Caſtles are undoubtedly neceſſary for the Preſervation and well carrying on the ſaid Trade: And whereas the Forts and Caſtles now on the ſaid Coaſt of *Africa* have been, and now are, maintained at the ſole Coſt and Charge of the preſent Royal *African* Company of *England*; towards which Charge it is moſt reaſonable that all Perſons trading to ſuch Parts of the ſaid Coaſt of *Africa*, as are herein after limited and appointed, ſhould contribute;' Be it therefore enacted, *&c.*

EXP. "Royal *African* Company ſhall maintain, *&c.* all their Forts, Caſtles, *&c.* and ſupply the ſame with "Men, Artillery, *&c.* King's Subjects as well as the ſaid Company may trade to *Africa*, between *Cape* "*Mount* and the *Cape of Good Hope*, paying 10 *l. per Cent.* &c. Maſter, *&c.* ſhall enter his Name and "Ship, *&c.* 15 Days before cleared from Port. Owner or Exporter to make Entry of Goods ſhipped on "Oath,

" Oath, ſign the Entry, and pay the Duty, &c. Maſter, &c. to take an Oath. On Exportation of Merchandizes from the Colonies, &c. in *America* to *Africa*, Exporter to ſwear that ſuch Merchandize was imported there from *England*. Maſter and one of the Owners to give Bond, &c. for Ships ſailing to *Africa*, &c. Officers of the Cuſtom Houſe to take ſuch Bonds, and keep diſtinct Entries, &c. Company to have a Duplicate of ſuch Entries, &c. Officer to pay the Sum received deducting 5 *l. per Cent.* Subjects of *England* may trade to *Africa* between *Cape Blancho* and *Cape Mount*, paying 10 *l. per Cent.* for Goods exported, and 10 *l. per Cent.* on all Goods, &c. imported into *England* or *America*, from *Africa*, &c. Maſter and Traders, &c. to make the like Entry and Oath, and give Bond as aforeſaid, &c. Maſter lading Ship between *Cape Blancho* and *Cape Mount*, before landing ſhall deliver a Particular of his Cargo on Oath. Goods imported from *Africa* into *England* or *America* ſhall be entred on Oath, &c. and pay the Duty. Collector, &c. to take the Entries, and deduct 5 *l. per Cent.* Except Duties ariſing by the Exports and Imports of the Royal *African* Company. Company to give an Account yearly to the Curſitor Baron of the Exchequer of Monies received, &c. Goods landed before Entry forfeited. Ships ſailing to *Africa*, &c. and not duly entred, forfeited. Subjects of *England* trading to *Africa*, &c. to have the ſame Protection, &c. as the Company, and may ſettle Factories there, whithout Moleſtation of the Company. Goods exported to *Africa* and brought back again, may be re-exported without Duty, &c. Duties appropriated for maintaining the Forts and Caſtles in *Africa*, &c. Account of the Duties and Diſburſements, &c. to be kept in a Book, and be viewed at the *African* Houſe in *London*. Account to be made up yearly at *Michaelmas*. No Duty to be paid for Gold or Silver imported from *Africa*. This Act not to hinder Perſons from trading to *Barbary*.

' XIX. And whereas by an Act of Parliament made in the fifth and ſixth Years of the Reign of His preſent Majeſty and the late Queen MARY, amongſt other Things it was enacted, That no other Copper, than what is made of *Engliſh* Ore only, ſhould be exported; which proving very prejudicial to the Trade of *England*, by enabling Foreigners to export Copper much cheaper than it can be carried from *England*;' Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any of His Majeſty's Subjects to export from *England* all ſuch Copper Bars as have or ſhall be imported into *England* from Foreign Parts, and upon Exportation ſhall draw back all Duties, or vacate the Securities; ſaving the Half of the old Subſidy, as is uſual in other Commodities.

5 & 6 W. & M. c. 17. Copper Bars may be exported. ' Continued by 15 Geo. 2. c. 35. for 14 Years.' Drawback on Exportation. 12 Ann. c. 18. 13 Geo. 1. c. 27.

" No Governor, &c. of any Plantation in *America* ſhall be a Factor, &c. Penalty. Act to continue 13 Years."

EXP.

## CAP. XXVII.

### An Act for licencing Hawkers and Pedlars, for a further Proviſion of Intereſt for the Tranſport Debt, for reducing of *Ireland*.

' WHEREAS towards paying the Intereſt of the Tranſport Debt for reducing of *Ireland*, an Act was made in the Seſſion held in the eighth and ninth Years of His Majeſty's Reign, intituled, *An Act for licencing Hawkers and Pedlars, for a further Proviſion for Payment of the Intereſt of the Tranſport Debt for the reducing of* Ireland; by which ſeveral Impoſitions were laid upon ſeveral Hawkers, Pedlars and Petty Chapmen therein mentioned; which ſaid Act, and the Impoſitions therein, were to have Continuance only to the four and twentieth of *June* one thouſand ſix hundred ninety-eight;' We Your Majeſty's dutiful and loyal Subjects, the Commons in Parliament aſſembled, being willing that a further Proviſion be made for the Intereſt of the ſaid Tranſport Debt, do humbly beſeech Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the four and twentieth Day of *June* one thouſand ſix hundred ninety-eight, until the four and twentieth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and one, there ſhall be anſwered and paid to His Majeſty, His Heirs and Succeſſors, by every Hawker, Pedlar, Petty Chapman, or any other trading Perſon or Perſons, going from Town to Town, or to other Mens Houſes, and travelling either on Foot, or with Horſe, Horſes or otherwiſe, within the Kingdom of *England*, Dominion of *Wales* or Town of *Berwick* upon *Tweed*, (except as herein after is excepted) carrying to ſell, or expoſing to Sale, any Goods, Wares or Merchandizes, a Duty of four Pounds for each Year; and that every Perſon ſo travelling with a Horſe, Aſs or Mule, or other Beaſt bearing or drawing Burden, ſhall pay the Sum of four Pounds for each Year he or ſhe ſhall ſo travel with, over and above the ſaid firſt mentioned Duty of four Pounds.

8 & 9 W. 3. c. 25. ' Traders in Woollen and Linen Manufacture, &c. not to be deemed Hawkers, &c. within this Act by 3 & 4 Annæ, c. 4. §. 14.— ' Theſe Duties are made part of the Aggregate Fund by 1 Geo. 1. c. 12.' From 24 June 1698, till 24 June 1701, every Hawker, Pedlar, &c. pay 4 l. per. Ann. And travelling with a Horſe, Mule, &c. 4 l. more per Ann.

II. And be it enacted by the Authority aforeſaid, That every Pedlar, Hawker, Petty Chapman, and other trading Perſon or Perſons ſo travelling as aforeſaid, upon receiving his or her Licence, as is hereafter expreſſed, ſhall pay or cauſe to be paid unto ſuch Perſons as the Lord Treaſurer, or Lords Commiſſioners of His Majeſty's Treaſury for the time being, or any three of them, ſhall nominate, authorize, and appoint to be Commiſſioners for licencing Hawkers, Pedlars, and Petty Chapmen, not exceeding three, or any Perſon or Perſons authorized or deputed by them, or the major Part of them, in Writing under their Hands and Seals, one Moiety of the Duty by this Act payable for the ſame, and give Security by Bond, with one or more ſufficient Sureties, to be taken in His Majeſty's Name, for the true Payment of the other Moiety of the ſaid Duties at the End of ſix Calendar Months, unleſs the Party ſhall chooſe to pay down the other Moiety of the ſaid Duty, in which Caſe he or ſhe ſhall be allowed after the Rate of two Shillings in the Pound for prompt Payment of the ſame, and thereupon a Licence ſhall be granted for him or her

One Moiety of the Duty to be paid on receiving Licence, and the other at the End of ſix Months. 2 s. in the Pound allowed for prompt Payment,

her ſo to travel or trade, by the ſaid Commiſſioners to be appointed purſuant to this Act, or any two or more of them.

Penalty on Hawkers, &c. trading without Licence,

III. And be it further enacted, That if any ſuch Hawker, Pedlar, or Petty Chapman, from and after the ſaid four and twentieth of *June* one thouſand ſix hundred ninety-eight, be found trading as aforeſaid, without or contrary to ſuch Licence, ſuch Perſon ſhall, for each and every ſuch Offence, forfeit the Sum of twelve Pounds, the one Moiety thereof to the Informer, and the other Moiety thereof to the Poor of the Pariſh wherein ſuch Offender ſhall be diſcovered; and that if any Perſon ſo trading, upon demand made by any Juſtice of the Peace, Mayor, Conſtable, or other Officer of the Peace of any Town Corporate or Borough, where he or ſhe ſhall ſo trade, ſhall refuſe to produce and ſhew unto ſuch Juſtice of Peace, Mayor, Conſtable, or other Officer of the Peace, his or her Licence for ſo trading, to be granted as aforeſaid, that then the Perſon ſo refuſing ſhall forfeit five Pounds to be paid to the Churchwardens of the Pariſh where ſuch Demand ſhall be made, to the Uſe of the Poor of the ſame, and for Nonpayment thereof, ſhall ſuffer as a common Vagrant, and be committed to the Houſe of Correction.

or refuſing to produce the ſame.

Commiſſioners to ſign Licences to Hawker, &c.

IV. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners to be appointed purſuant to this Act, or any two or more of them, and they are hereby directed, appointed, and required, upon the Terms aforeſaid, and upon the Receipt and Security given, as aforeſaid, to grant a Licence, to be by them ſubſcribed, to every Hawker, Pedlar, Petty Chapman, or any other trading Perſon, for him or herſelf, or for him or herſelf with one or more Horſes, Aſſes, or Mules, or other Beaſt, which he or ſhe ſhall travel with, as the Caſe ſhall require, for which Licence there ſhall be taken only one Shilling, unleſs ſuch Hawker, Pedlar, or Petty Chapman, ſhall travel with Horſe, Aſs, or Mule, or other Beaſt of Burden, and in that Caſe there ſhall be paid for ſuch Licence only two Shillings, over and above the Duties aforeſaid, and no more; and that the ſaid Commiſſioners to be appointed purſuant to this Act, ſhall keep a ſeparate and diſtinct Account of the Duties granted by this Act, and pay the Money ariſing thereby into His Majeſty's Exchequer, upon *Wedneſday* in every Week, unleſs a Holiday, and if it be a Holiday, then on the Day next after that is not a Holiday; and upon Neglect or Refuſal of the ſame, ſhall incur the Penalties, Forfeitures, Damages, and Coſts, as other the Officers of the Exchequer herein after mentioned ſhall be liable unto; which Money, ſo paid in, ſhall be applied to the Uſes herein after mentioned by this Act; that is to ſay, to pay Intereſt for the ſaid Tranſport Debt, after the Rate of five Pounds *per Centum* for one whole Year, and ſo proportionably for any greater or leſſer Sum.

Fees for Licences.

A diſtinct Account to be kept of the Duties, and paid weekly into the Exchequer.

Penalty on Officer neglecting.

Monies how to be applied.

Penalty on Perſon forging or counterfeiting Licence.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit any Licence or Licences, or travel with ſuch forged or counterfeited Licences, for the Purpoſes aforeſaid, ſuch Perſon ſhall forfeit the Sum of fifty Pounds; one Moiety thereof to the King, the other Moiety to him that ſhall proſecute or ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed, and ſhall be ſubject to ſuch other Pains and Penalties as may be inflicted on Perſons for Forgery.

Perſons ſued may plead the General Iſſue, &c.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or troubled, for putting in Execution any the Powers contained in this Act, or for doing any Matter or Thing purſuant thereunto, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, Not Guilty, and give the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs ſhall be nonſuited, or Judgment be given againſt him or them upon Demurrer, or a Verdict paſs for the Defendant, ſuch Defendant ſhall have his or their treble Coſts, to be recovered in ſuch Manner as where by Law Coſts are given to Defendants.

Treble Coſts.

Penalty on Conſtable, &c. refuſing to aſſiſt in the Execution of this Act.

VII. And be it further enacted by the Authority aforeſaid, That if any Conſtable, Headborough or other Officer or Officers aforeſaid, ſhall refuſe or neglect, upon due Notice, or on their own View, to be aiding and aſſiſting in the Execution of this Act, being thereunto required, and each and every ſuch Officer or Officers being thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, before any Juſtice of the Peace for the County or Place where ſuch Offence ſhall be committed, ſhall forfeit for each and every ſuch Offence, contrary to this Act, the Sum of forty Shillings, to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace; the one Moiety to the Poor of the Pariſh where ſuch Offence ſhall be committed, the other Moiety to the Informer who ſhall proſecute for the ſame, rendring the Overplus thereof to the Owner, if any be.

Hawker, &c. may be detained till he produce Licence, and if he trade without Licence, Juſtice to cauſe the Penalty to be levied by Diſtreſs and Sale of Goods, &c.

VIII. And it is further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons whatſoever, to ſeize and detain any ſuch Hawker, Pedlar, Petty Chapman, or other trading Perſon or Perſons, as aforeſaid, till ſuch Time as he, ſhe, or they ſhall produce a Licence in that Behalf, if he, ſhe, or they have any, or if he, ſhe, or they ſhall be found trading without a Licence, contrary to this Act, for ſuch reaſonable Time as he, ſhe, or they may give Notice to the Conſtable, Headborough, Tythingmen, Churchwardens, Overſeers of the Poor, or ſome other Pariſh Officer or Officers, who are hereby required to carry ſuch Perſon ſo ſeized before ſome of His Majeſty's Juſtices of the Peace of the County or Place where ſuch Offence or Offences ſhall be committed; which ſaid Juſtice of the Peace is hereby authorized and ſtrictly required, either upon Confeſſion of the Party offending, or due Proof by Witneſs upon Oath (which he is hereby impowered to adminiſter) that the Perſon ſo brought before him had ſo traded as aforeſaid, and that no ſuch Licence ſhall be produced by ſuch Offender before the ſaid Juſtice, by Warrant under his Hand and Seal, to cauſe the ſaid Sum of twelve Pounds to be forthwith levied by Diſtreſs and Sale of the Offender or Offenders Goods, Wares, or Merchandizes, rendring the Overplus, if any be, to the Owner or Owners thereof, after true Deduction of the reaſonable Charge for taking the ſaid Diſtreſs, and out of the ſaid Sale to pay the ſaid reſpective Penalties and Forfeitures aforeſaid.



IX. Provided

IX. Provided always, and be it enacted, That this Act, or any Thing herein contained, shall not extend to prohibit any Persons from selling of any Acts of Parliament, Forms of Prayer, Proclamations, Gazettes, licenced Almanacks, or other printed Papers licenced by Authority, or any Fish, Fruits, or Victuals; nor to hinder any Person or Persons, who are the real Workers or Makers of any Goods or Wares within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, or his, her, or their Children, Apprentices, Agents, or Servants, to such real Workers or Makers of such Goods or Wares only, from carrying abroad, exposing to Sale, or selling any of the said Goods and Wares of his, her, or their own making, in any publick Mart, Fairs, Markets, or elsewhere; nor any Tinkers, Coopers, Glaziers, Plummers, Harness-menders, or other Persons usually trading in mending Kettles, Tubs, Houshold Goods, or Harness whatsoever, from going about and carrying with him or them proper Materials for mending the same. Persons and Things exempted.

X. Provided also, and it is further enacted by the Authority aforesaid, That there shall be provided and kept in His Majesty's Exchequer, that is to say, in the Office of the Auditor of Receipts, one Book or Register, in which all Monies that shall be paid into the Exchequer by virtue of this Act shall be entred, registred, and kept apart and distinct from all other Monies paid or payable to His Majesty, or upon any other Branch of His Majesty's Revenue, or upon any other Account whatsoever. A Register to be kept in the Exchequer of all Monies paid in by this Act.

XI. Provided, and it is further enacted by the Authority aforesaid, That if any Officer in the Exchequer shall divert or misapply any of the Monies that shall be paid into the Exchequer by virtue of this Act, to any other Uses or Purposes than are hereby directed, then such Officer so offending shall forfeit his Office in the Exchequer, and be incapable of any Office or Place of Trust, and shall be liable to pay the Treble Value of any Sum or Sums of Money so diverted or misapplied to any of the Persons thereby grieved, their respective Executors, Administrators, or Assigns, who will sue for the same by any Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, Privilege of Parliament, or other Privilege, or more than one Imparlance, shall be granted or allowed; and all Orders and Warrants for issuing, paying, or disposing any of the Monies to be raised by virtue of this Act, contrary to the true Intent and Meaning thereof, shall be utterly void to all Intents and Purposes whatsoever. Penalty on Officers diverting or misapplying the Monies.

XII. Provided always, and it is hereby further enacted, That Nothing herein contained shall extend or be construed to extend to hinder any Person or Persons from selling or exposing to Sale any Sorts of Goods or Merchandizes, in any publick Mart, Market, or Fair within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, but that such Person or Persons may do therein as they lawfully might have done before the making of this Act; any thing herein contained to the contrary notwithstanding. This Act not to hinder the selling Goods in any publick Market, Fair, &c.

XIII. And be it further enacted by the Authority aforesaid, That in case it shall so happen that the several additional Duties and Impositions granted to His Majesty by several Acts of Parliament, towards Payment of Interest of the said Transport Debt, together with the Duties to be raised by virtue of this Act, shall amount to more than what may prove sufficient for Payment of Interest, at five Pounds *per Centum*, for the said Transport Debt, according to the several Debentures made and to be made out, that then, and in such Case, such Surplus arising by the said Duties, more than sufficient for Payment of the Interest, shall remain in the Exchequer, and not be disposed of otherwise than by an Act of Parliament expressly made in that Behalf. If Duties amount to more than is sufficient to pay the Interest of the Transport Debt, Surplus to remain in the Exchequer, and not be disposed of but by Parliament.

XIV. Provided always, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or the Lord High Treasurer for the time being, out of the Monies raised by this or the said recited Acts, to pay to the said Commissioners to be appointed pursuant to this Act, their Clerks, or any other Persons, such Sums of Money as they or any of them shall or may reasonably deserve for their Service, or shall or may have expended, in the Execution of, or in relation to, this or the said recited Acts. Commissioners and their Clerks, &c. may be paid out of the Duties.

XV. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any Thing contained therein, shall not extend, or be construed to extend, to give any Power for the licencing of any Hawker, Pedlar, or Petty Chapman, to sell, or expose to Sale, any Wares or Merchandizes in any City, Borough, Town Corporate, or Market Town within this Realm, any otherwise than might have been done before the making of this Act; any Thing therein contained to the contrary notwithstanding. This Act not to impower Hawkers, &c. to sell Wares or Merchandize in any City, &c.

## CAP. XXVIII.

### An Act for the exporting Watches, Sword-hilts, and other Manufactures of Silver.

'WHEREAS by an Act of Parliament made in the seventh and eighth Years of His present Majesty King WILLIAM the Third, intituled, *An Act to encourage the bringing Plate into the Mint to be coined, and for the further remedying the ill State of the Coin of this Kingdom*, it is amongst other Things so enacted, That after the last Day of *March* then next ensuing, no wrought Plate of this Kingdom can be shipped off, under the great Penalties in the said Act contained, whereby no Home-wrought manufactured Plate, though never so beneficial to the Artificers and Trade of this Kingdom, is permitted to be exported, which was at that Time a good and wholsome Law, and tended to the Benefit of the Kingdom, by keeping Bullion at Home to be coined: Now forasmuch as by a subsequent Act made in the eighth and ninth Years of the Reign of His said Majesty, intituled, *An Act for the encouraging the bringing in of wrought Plate to be coined*, it is therein enacted, That from and after the five and twentieth Day of *March* one thousand six hundred ninety-seven, no Goldsmith, Silversmith, or other Person whatsoever, shall work, make or cause to be wrought or made any Silver Vessel, Plate or Manufacture of Silver, less in Fineness than that of eleven Ounces and ten Penny Weight of fine Silver in every Pound *Troy*, nor put to Sale the same until it be marked, as in the said Act is directed; whereby no Profit can arise to any 7 & 8 W. 3. c. 19. 8 & 9 W. 3. c. 8.

'Perſon who ſhall export ſuch Plate, as hath been or ſhall be made purſuant to that Act, by loſing the 'Charge of the Faſhion in melting down the ſame, and ſelling the Silver Abroad, the principal Thing 'aimed at to be prevented by the firſt recited Act: But on the contrary a great Benefit may accrue to many 'Artificers, and to the Kingdom in general, by giving Liberty to export Watches, Sword Hilts, wrought 'Plate, and ſeveral other Silver Manufactures made within this Kingdom, being of the Fineneſs preſcribed 'in the ſaid laſt recited Act;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the four and twentieth Day of *June* one thouſand ſix hundred ninety-eight, it ſhall and may be lawful to export ſuch Watches, Sword-hilts, wrought Plate, and other Silver Manufactures made within this Kingdom, being of the Fineneſs of eleven Ounces and ten Penny Weight to every Pound *Troy*, and ſo proportionably for a greater or leſſer Weight, according to the Rules preſcribed in the ſaid laſt recited Act, as ſhall be yearly allowed by the Commiſſioners of His Majeſty's Cuſtoms for the time being, or any three of them; any Law or Statute to the contrary in any wiſe notwithſtanding.

Watches, Sword-hilts, wrought Plate, &c. may be exported, as ſhall be yearly allowed by the Commiſſioners of the Cuſtoms.

'II. And whereas great Quantities of empty Boxes, Caſes, and Dial Plates, for Clocks and Watches, 'have been exported without their Movements, and in foreign Parts made up with bad Movements, and 'thereon ſome *London* Watch-makers Names engraven, and ſo are ſold Abroad for *Engliſh* Work; and alſo 'there have been the like ill Practices in *England* by divers Perſons, as well by ſome profeſſing the Art of 'Clock and Watch-making, as others ignorant therein, in putting counterfeit Names, as alſo the Names 'of the moſt known *London* Watch-makers, on their bad Clocks and Watches, to the great Prejudice of 'the Buyers, and the Diſreputation of the ſaid Art at Home and Abroad:' For the preventing therefore of all ſuch ill Practices for the future, be it enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall, after the ſaid four and twentieth Day of *June*, export or ſend, or endeavour to export or ſend, out of this Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, any outward or inward Box, Caſe or Dial-plate of Gold, Silver, Braſs or other Metal for Clock or Watch, without the Movement in or with every ſuch Box, Caſe or Dial-plate, made up fit for Uſe, with the Clock or Watch-maker's Name engraven thereon; nor any Perſon whatſoever, after the ſaid four and twentieth Day of *June*, ſhall make up or cauſe to be made up any Clock or Watch without engraving, or putting, or cauſing to be engraven or put, his or her own Name and Place of Abode or Freedom, and no other Name or Place, on every Clock or Watch he or ſhe ſhall ſo make up, or cauſe to be made up, under the Penalty of forfeiting every ſuch empty Box, Caſe and Dial-plate, Clock and Watch, not made up and engraven as aforeſaid, and alſo for each and every of ſuch Offence the Sum of twenty Pounds, one Moiety whereof to be to His Majeſty, His Heirs and Succeſſors, and the other Moiety ſhall be to him, her or them that ſhall ſue for the ſame in any of His Majeſty's Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, or more than one Imparlance; any thing herein contained, or any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

No Caſe or Dial Plate, &c. for Clock or Watch ſhall be exported without the Movement, &c. nor made up, without engraving Maker's Name. Penalty.

## CAP. XXIX.

An Act to repeal the Act made in the laſt Seſſion of Parliament, intituled, *An Act for Relief of Creditors, by making Compoſition with their Debtors, in caſe two Thirds of Number and Value do agree.*

'WHEREAS an Act made in the ſecond Seſſion of this preſent Parliament, held in the eighth and ninth Years of His Majeſty's Reign, intituled, *An Act for Relief of Creditors, by making 'Compoſitions with their Debtors, in caſe two Thirds in Number and Value do agree*, hath not anſwered the End 'for which the ſame was intended, in regard that notwithſtanding the Proviſions in the ſaid Act for pre-'venting Frauds in the making ſuch Compoſitions, many fraudulent Practices have been committed, by 'making pretended Agreements with Perſons who were not real Creditors, and for greater Advantages than 'what were expreſſed in ſuch Compoſitions; which Practices have (as there is juſt Cauſe to fear) occaſioned 'much Perjury:' For Remedy whereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſix hundred ninety and eight, the ſaid Act, and every Clauſe, Matter and Thing therein contained, ſhall be repealed, determined, and of no Force.

8 & 9 W. 3. c. 28. repealed,

II. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That this Act ſhall not extend, or be conſtrued to extend in any wiſe, to prejudice, make void, or impeach any Agreement or Compoſition made, or which before the ſaid twenty-fourth Day of *June* ſhall be made, *bona fide*, and without Fraud, and which ſhall be performed from time to time, according to the true Intent and Meaning thereof, nor any Order for the Diſcharge of any Debtor out of Cuſtody, made or which ſhall be made in purſuance of ſuch Agreement and Compoſition, and by virtue of the aboveſaid Act, or which is or ſhall be within the Saving or Benefit thereof, before the ſaid twenty-fourth Day of *June*, but that every ſuch Agreement or Compoſition, whereupon any ſuch Order of Diſcharge is or ſhall be made as aforeſaid, ſhall be good and effectual to all Intents and Purpoſes, and every ſuch Order of Diſcharge is hereby ratified and confirmed; and every ſuch Agreement or Compoſition, whereupon no ſuch Order of Diſcharge is or ſhall be made as aforeſaid, ſhall be and remain of the ſame Force and Effect (and no other) as if this preſent Act had not been made; nor to pardon, indemnify, or diſcharge any Perſon who hath incurred, or before the ſaid twenty-fourth Day of *June* ſhall incur any Penalty or Forfeiture, by committing any Offence againſt the ſaid Act, but that

but not to make void Agreements, &c.

nor Orders for Diſcharge of Priſoner.

that every such Offender shall be liable to the same Forfeitures and Penalties, as if the said Act had continued in full Force.

III. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons, who heretofore have been or shall, before the said twenty-fourth Day of *June*, be discharged by virtue of this Act, shall be deemed or adjudged to be discharged thereby, who to procure any Agreement, Compositions, Releases or Discharges whatsoever, from any of his or their Creditor or Creditors, have before any one of the Judges of either Bench, Barons of the *Exchequer*, or Master in *Chancery*, Ordinary or Extraordinary, willingly and corruptly made, or before the said twenty-fourth Day of *June* shall make, any false Oath, to the defrauding of his or their Creditor or Creditors, but that all and every such Agreement, Releases and Discharges upon any false Oath obtained, and being thereof convicted upon any Indictment or Information, shall be void and of none Effect; any thing in this or the said former Act contained to the contrary hereof in any wise notwithstanding. Releasc and Discharge on false Oath to be void.

## CAP. XXX.

### An Act for increasing His Majesty's Duties upon Lustrings and Alamodes.

'WHEREAS the wrought Silks, commonly called *Lustrings* and *Alamodes*, under the Name of wrought Silks, in and by the Book of Rates referred to in the Act of Tunnage and Poundage, which was made and passed in the twelfth Year of the Reign of His late Majesty King CHARLES the Second, were valued at forty Shillings the Pound Weight, containing sixteen Ounces; and according to that Valuation are and will be liable to pay several Subsidies, additional and other Duties or Impositions to Your Majesty, by virtue of several Acts of Parliament since that Time made and past, referring to the said Book of Rates for the Value of the said Silks:' We Your Majesty's most dutiful and loyal Subjects, the Commons of *England* in Parliament assembled, being sensible that the said Silks, called *Lustrings* and *Alamodes*, were much undervalued in the said Book, and that the same are ordinarily of a much higher Value than forty Shillings for such a Pound Weight as aforesaid, do therefore in all Humility grant, that Your Majesty's Duties for and upon all Lustrings and Alamodes imported, now payable by or according to the said Valuation of forty Shillings the Pound Weight, shall be increased, answered and paid according to the Valuation herein after mentioned; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That all Lustrings and Alamodes, which from and after the four and twentieth Day of *June* one thousand six hundred ninety-eight, shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, shall be valued at four Pounds for every Pound Weight, containing sixteen Ounces as aforesaid: And His Majesty's several Subsidies, additional and other Duties and Impositions as aforesaid, during the Continuance of the same respectively, shall be collected, paid and answered for and upon the said Lustrings and Alamodes, according to the said Valuations of four Pounds for every Pound Weight, as if the same had been originally inserted in the said Book of Rates, and had been particularly referred to (instead of the said Rate of forty Shillings) in the several Acts before mentioned: And that according to the same Rules and Methods, and with such or the like Allowances, and under such Penalties and Forfeitures, as are by the said Acts, and every or any of them prescribed, for the respective Duties on the said Commodities; any thing therein contained to the contrary notwithstanding.

*19 H. 7. c. 25.* *12 Car. 2. c. 4.*

Lustrings and Alamodes imported to pay 4 l. per lb. wt. &c. *1 Ann. st. 1. c. 13. §. 2. 9 Ann. c. 6. §. 2. 3 Geo. 1. c. 7. Farther Provisions relating hereto, Ch. 43. Likewise 5 Ann. c. 20. 6 Ann. c. 19. 8 Geo. 1. c. 15. 9 Geo. 1. c. 8. 1 Geo. 2. c. 17. 23 Geo. 2. c. 9 & 20. 26 Geo. 2. c. 21.*

## CAP. XXXI.

An Act for raising the Militia for the Year one thousand six hundred ninety-eight, although the Month's Pay formerly advanced be not paid.

*13 & 14 Car. 2. c. 3.*

## CAP. XXXII.

### An Act for the more effectual suppressing of Blasphemy and Profaneness.

'WHEREAS many Persons have of late Years openly avowed and published many blasphemous and impious Opinions, contrary to the Doctrines and Principles of the Christian Religion, greatly tending to the Dishonour of Almighty God, and may prove destructive to the Peace and Welfare of this Kingdom:' Wherefore for the more effectual suppressing of the said detestable Crimes, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, having been educated in, or at any Time having made Profession of the Christian Religion within this Realm, shall by Writing, Printing, Teaching, or advised Speaking, deny any one of the Persons in the Holy Trinity to be God, or shall assert or maintain there are more Gods than one, or shall deny the Christian Religion to be true, or the Holy Scriptures of the Old and New Testament to be of Divine Authority, and shall upon Indictment or Information in any of His Majesty's Courts at *Westminster*, or at the Assizes, be thereof lawfully convicted by the Oath of two or more credible Witnesses; such Person or Persons for the first Offence shall be adjudged incapable and disabled in Law, to all Intents and Purposes whatsoever, to have or enjoy any Office or Offices, Employment or Employments, Ecclesiastical, Civil or Military, or any Part in them, or any Profit or Advantage appertaining to them, or any of them: And if any Person or Persons so convicted as aforesaid, shall at the Time of his or their Conviction,

Persons denying the Trinity, or asserting there are more Gods than one, or denying the Christian Religion to be true, &c. being convicted thereof, disabled to hold any Office, &c.

Further Disabilities if a second time convicted thereof.

tion, enjoy or poſſeſs any Office, Place or Employment, ſuch Office, Place or Employment ſhall be void, and is hereby declared void: And if ſuch Perſon or Perſons ſhall be a ſecond time lawfully convicted as aforeſaid, of all or any the aforeſaid Crime or Crimes, that then he or they ſhall from thenceforth be diſabled to ſue, proſecute, plead or uſe any Action or Information in any Court of Law or Equity, or to be Guardian of any Child, or Executor or Adminiſtrator of any Perſon, or capable of any Legacy or Deed of Gift, or to bear any Office, Civil or Military, or Benefice Eccleſiaſtical for ever within this Realm, and ſhall alſo ſuffer Impriſonment for the Space of three Years, without Bail or Mainprize, from the Time of ſuch Conviction.

No Proſecution unleſs Information be given in four Days after Words ſpoken, &c.

II. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon ſhall be proſecuted by virtue of this Act, for any Words ſpoken, unleſs the Information of ſuch Words ſhall be given upon Oath before one or more Juſtice or Juſtices of the Peace, within four Days after ſuch Words ſpoken, and the Proſecution of ſuch Offence be within three Months after ſuch Information.

Perſon for the firſt Offence, (on renouncing his Opinion in 4 Months after Conviction) ſhall be diſcharged from Penalty, &c.

III. Provided alſo, and be it enacted by the Authority aforeſaid, That any Perſon or Perſons, convicted of all or any of the aforeſaid Crime or Crimes, in Manner aforeſaid, ſhall for the firſt Offence (upon his, her, or their Acknowledgment and Renunciation of ſuch Offence or erroneous Opinions, in the ſame Court where ſuch Perſon or Perſons was or were convicted, as aforeſaid, within the Space of four Months after his, her, or their Conviction) be diſcharged from all Penalties and Diſabilities incurred by ſuch Conviction; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

## CAP. XXXIII.

EXP.

An Act to ſtop the coining Farthings and Halfpence for one Year.

## CAP. XXXIV.

5 & 6 W. & M. c. 7. 5 & 6 W. & M. c. 14. 5 & 6 W. & M. c. 20.

An Act for the better and more orderly Payment of the Lottery Tickets now payable out of certain additional Duties of Exciſe, and of other Annuities lately payable out of the Tunnage Duties. Duties of Exciſe granted by 5 & 6 W. & M. c. 7. to be applied to Payment of the Arrears of the Annuities to 25 *March* 1696. Growing Produce applied to the Annuities. Lottery Tickets to be paid. Additional Duties of Exciſe appropriated to the Annuities. EXP.

## CAP. XXXV.

6 W. 3. c. 6. 8 W. 3. c. 20. 7 W. 3. c. 35. 9 & 10 W. 3. c. 10. 4 Annæ, c. 12. §. 10.

An Act for preventing Frauds and Abuſes in the charging, collecting, and paying the Duties upon Marriages, Births, Burials, Batchelors, and Widowers. From 24 *June* 1699. Juſtices of Peace to be Commiſſioners for this Act. Eccleſiaſtical Perſon to ſet down the Degrees, &c. of every Perſon chriſtened, &c. and in caſe of Burials, of the Heir, &c. Of Birth, the Father's and Mother's Name, &c. And of Marriage, the Place of Abode of the Huſband, &c. Under Penalty. Perſon who ought to pay the Duty, to give an Account of the Degree of the Perſon buried, &c. The Words *Eccleſiaſtical Perſons* to comprehend Biſhops, where Marriages, &c. are celebrated by them. Perſon removing before Duty paid, Commiſſioners may certify ſuch Default, &c. and for Non-payment diſtrain. For want of Diſtreſs Offender to be committed to Priſon. Commiſſioners to meet once in three Months, and warn Aſſeſſors, Collectors, &c. to appear before them and bring in their Aſſeſſments. Commiſſioners may examine the ſaid Aſſeſſments, &c. and cauſe Perſons omitted, &c. to be taxed. Duplicates of the groſs Sums to be tranſmitted to the Exchequer. Collectors to render their Accounts on Oath. Collectors to have an additional Allowance of 3 *d. per* Pound. And Commiſſioners Clerks 1 *d. per* Pound. Perſon not paying Duty in twenty Days after due, to pay double. The ten Days allowed for Appeal to begin from the Demand of the Duty. EXP.

## CAP. XXXVI.

PR.

An Act for the Increaſe and Preſervation of Timber in the *New Foreſt* in the County of *Southampton*. Two hundred Acres, Part of the *New Foreſt* in *Hampſhire*, to be incloſed for the Growth of Timber, &c. and ſet out by Commiſſioners, &c. Incloſures to be made. Two hundred Acres more to be incloſed yearly for 20 Years, &c. And to remain in Poſſeſſion of the Crown for ever, as a Nurſery for Wood only. Decayed Trees to be ſet out for making the Incloſures. When the Woods growing in the Incloſures are paſt Danger of browſing of Deer, &c. ſo that the ſame may be laid open, the King may incloſe the like Quantity of Acres for ſo much laid open, &c. free from all Common, &c. Wood not to be felled without Allowance, &c. Nor Coppice Woods cut, &c. Incloſures not to be plowed or ſowed, &c. Penalty on Foreſter, Keeper, &c. browſing or lopping any Oak or Beech Tree in the Foreſt. Charcoal not to be made in the Foreſt within 1000 Paces of any Incloſure, &c. Coal Hearths to be fenced with Heath, &c. Perſons breaking down any of the Incloſures, &c. may be fined, and committed to Gaol, &c. This Act not to alter the Foreſt Laws, &c. Right of Common of Paſture, &c. in the Foreſt preſerved. After *Michaelmas* 1716. and not before, Right of Common of Paſture continued in the waſte Ground. Saving Right of Fuel to the adjacent Inhabitants, provided they do not ſell the ſame, &c. Grant of any the ſaid Incloſures, Trees, &c. void. Notice to be given when any Sale of Wood ſhall be made in the Foreſt, &c. Officers to value the Wood before Sale. Beſt Bidder to be the Purchaſer. No Fee, &c. to be taken for ſelling of Trees, &c.

## CAP. XXXVII.

An Act for applying to the Uſe of His Majeſty's Navy and Ordnance the Overplus of the Money and Stores, which were provided for the building ſeven and twenty Ships of War. EXP. 2 W. & M. ſt. 2. c. 10. 3 & 4 W. & M. c. 6.

## CAP. XXXVIII.

An Act for granting to His Majeſty an Aid by a quarterly Poll for one Year. EXP.

## CAP. XXXIX.

An Act for ſettling and adjuſting the Proportion of fine Silver and Silk, for the better making of Silver and Gold Thread, and to prevent the Abuſes of Wire-drawers. [Continued for ſeven Years, and amended by 1 Annæ, ſtat. 1. cap. 17.] Weight of Silver Wire drawn for making Gold and Silver Thread, *&c.* No gilt Wire to be coloured with Verdigreaſe, *&c.* Six Ounces of Plate to cover four Ounces of Silk, *&c.* Allowances for Gold and Silver Thread made finer, *&c.* Gold and Silver Plate to be ſpun cloſe on light dyed Silk, *&c.* (except Froſt.) All Metals inferior to Silver ſhall be ſpun on Thread, *&c.* Importation of Gold or Silver Thread, Lace, *&c.* are made of Copper, Braſs, *&c.* prohibited. Suit to be commenced in ſix Months after Offence. Act to continue for three Years. EXP. 15 Geo. 2. c. 20.

## CAP. XL.

An Act for the Explanation and better Execution of former Acts made againſt Tranſportation of Wooll, Fullers Earth, and Scouring Clay.

'WHEREAS ſeveral Laws have been made to prevent the Exportation of Wooll and Fullers Earth out of this Kingdom, yet nevertheleſs the ſaid Exportation is ſtill notoriouſly continued, to the great Prejudice and Diſcouragement of the Woollen Trade and Manufacture of *England:* And whereas in the firſt Year of the Reign of His preſent Majeſty King WILLIAM and the late Queen MARY, there paſſed an Act, intituled, *An Act for the better preventing the Exportation of Wool, and encouraging the Woollen Manufactures of this Kingdom*; which Act was continued by one other Act made in the fourth and fifth Years of their ſaid Majeſties Reign, intituled, *An Act for reviving, continuing, and explaining ſeveral Laws therein mentioned, which were expired and near expiring*; which ſaid Act was further continued in the ſeventh Year of His preſent Majeſty's Reign, with ſome Alterations, intituled, *An Act for the more effectual preventing the Exportation of Wooll, and for the encouraging the Importation of Wooll from* Ireland, which Act is now near expiring: And whereas for preventing the ſaid Miſchiefs it is neceſſary that the laſt mentioned Act, with ſome convenient Alterations, ſhould be continued, and alſo that there ſhould be ſome more effectual Remedies than have been hitherto provided;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid laſt mentioned Act, made in the ſeventh Year of His Majeſty's Reign, and intituled, *An Act for the more effectual preventing the Exportation of Wooll, and for encouraging the Importation of Wooll from* Ireland, and every Clauſe, Matter, and Thing therein contained, except what is hereby otherwiſe altered, explained, enlarged, or repealed, ſhall continue and be in full Force, as if the ſame were herein and hereby particularly recited and mentioned. *Burn, V.* 2. 583, *&c.* 1 W. & M. ſt. 1. c. 32. 4 & 5 W. & M. c. 24. 7 & 8 W. 3. c. 28. 7 & 8 W. 3. c. 28.

'II. And whereas under a Pretenſion of carrying Fullers Earth and Scouring Clay into *Ireland*, the ſame is conveyed into *Scotland*, and other foreign Parts, to the further Prejudice of the Woollen Manufacture of this Kingdom;' Be it further enacted, That from and after the four and twentieth Day of *June* one thouſand ſix hundred ninety-eight, no Fullers Earth or Scouring Clay ſhall be exported out of this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, into *Ireland* or *Scotland*, or any other foreign Parts, upon any Pretence whatſoever, but that the Exporters, being legally convicted, ſhall be liable to the Forfeitures of one Shilling for every Pound Weight. 3 Geo. 1. c. 21. 4 Geo. 1. c. 11. 5 Geo. 2. c. 11. 5 Geo. 2. c. 21. 12 Geo. 2. c. 21. Penalty on exporting Fullers Earth or Scouring Clay.

'III. And whereas it is a common Practice in *Romney Marſh* and other Places adjacent, for evil diſpoſed Perſons to ſheer their Sheep, and lodge Wooll near the Sea Side, and ſometimes to bring Wool out of the Country more remote, and lodge it as aforeſaid, where by Fraud and Force in the Night Time, the ſaid Perſons do cauſe the ſame to be tranſported to *France*, to the Increaſe of the Trade of that Kingdom, and the Deſtruction of the Trade of *England*:' To prevent theſe Practices for the future, Be it further enacted by the Authority aforeſaid, That all and every Owner and Owners of Wooll ſhorn or houſed, laid up or lodged, within ten Miles of the Sea Side, within the Counties of *Kent* and *Suſſex*, ſhall be obliged to give an exact Account in Writing, within three Days after the ſheering thereof, of his, her, or their Number of Fleeces, and where lodged or houſed, to the next adjacent Port or Officer of His Majeſty's Cuſtoms, and the like Notice before he, ſhe, or they ſhall preſume to remove any Part or Parcel thereof, of the ſaid Number of Fleeces and Weight, and the Name and Abode of the Perſon or Perſons to whom it is diſpoſed, and the Place to which it is intended to be carried; and to take a Certificate from the Officer who firſt entred the ſame, upon the Penalty of forfeiting all ſuch Wooll as ſhall not be ſo entred or otherwiſe diſpoſed of, and the Owner or Owners alſo to be liable to the further Penalties of three Shillings for every Pound Weight of all ſuch Wooll, as if the ſame had been actually tranſported; which ſaid Account the Officers reſpectively are hereby required to take *gratis*, and to give ſuch Certificate or Certificates, without Delay, to the Party or Parties demanding the ſame, and ſhall therein ſpecify the Name or Names of the Owners and Buyers thereof, and limit it to ſuch Times and Places to be removed; for which Duty and Owners of Wooll within 10 Miles of the Sea Side, in Kent or Suſſex, to give an Account of the Number of Fleeces, and where lodged, &c. Penalty. Officer to give Certificate, &c.

and Service the ſaid Officer or Officers ſhall take and demand the Sum of Six-pence and no more for each Certificate, upon any Account or Pretence whatſoever.

'IV. And whereas it is a common Practice in the ſaid Marſh, for divers Perſons, not reſident upon the 'Place, to buy up great Quantities of Wooll, and tranſport, or cauſe the ſame to be tranſported out of 'this Kingdom:' For preventing ſuch Practices for the future, Be it further enacted by the Authority aforeſaid, That no Perſon or Perſons reſiding within fifteen Miles of the Sea, in the Counties of *Kent* and *Suſſex*, ſhall preſume to buy any Wooll, before they do enter into Bond to the King's Majeſty, His Heirs or Succeſſors, with Sureties, that all the Wooll they buy ſhall not be ſold by them to any Perſon or Perſons within fifteen Miles of the Sea; and in caſe any Wooll be found carried towards the Sea Side in the Counties aforeſaid, unleſs ſuch Wooll be firſt entred, and Security given, the ſame ſhall be forfeited, and the Perſon or Perſons offending therein ſhall alſo forfeit three Shillings for every Pound Weight of all ſuch Wooll.

No Perſon ſhall ſell Wooll within 15 Miles of the Sea Side, in Kent or Suſſex, unleſs entred, &c.

V. And be it further enacted by the Authority aforeſaid, That no Wooll removed from the Place where it was firſt houſed, lodged, or laid, after ſheering, within ten Miles, as aforeſaid, ſhall be lodged after the firſt removing, within fifteen Miles of the Sea, in the Counties aforeſaid, upon Pain of forfeiting all ſuch Wooll, if found; but if carried away, then every Perſon or Perſons, who were the Owners of the ſaid Wooll, to forfeit for every Pound Weight the Sum of three Shillings.

Nor remove it from the Place where it was firſt houſed.

Penalty.

VI. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons that ſhall lay, or cauſe to be laid or hid, any Wooll within fifteen Miles of the Sea, and not entred, as aforeſaid, all ſuch Wooll ſhall be ſeized and forfeited; that upon any Seizure of ſuch Wooll, every Perſon, laying Claim to the ſame, ſhall give ſufficient Security in His Majeſty's Court of *Exchequer* (if caſt upon Trial) to pay treble Coſts, over and above the Penalties and Forfeitures aforeſaid.

Wooll laid within 15 Miles of the Sea, forfeited, &c.

VII. Provided always, and be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought and proſecuted by any Perſon or Perſons againſt any Perſon employed in the Execution of this Act, for any Matter, Cauſe, or Thing, by them or either of them done, committed, or executed by virtue of this Act, or any Clauſe or Article therein contained; that then and in every ſuch Caſe the Defendant or Defendants may plead the General Iſſue, and give the Special Matter in Evidence at the Trial, that the ſame was done in purſuance and by Authority of this Act; and if upon Examination it ſhall ſo happen to be done, the Jury ſhall find for the Defendant or Defendants; and in ſuch Caſe, or if the Plaintiff ſhall be nonſuit, or diſcontinue his Action, the Defendant or Defendants ſhall have and recover treble Coſts, which he or they ſhall ſuſtain or be put unto, by reaſon of his or their wrongful Vexation in Defence of the ſaid Action or Suit.

Perſons ſued may plead the General Iſſue.

Treble Coſts.

VIII. and it is hereby further enacted by the Authority aforeſaid, That all the Forfeitures and Penalties before in this Act mentioned, ſhall be diſtributed in Manner and Form following, *viz.* one third Part to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other two thirds to the Uſe of ſuch Perſon or Perſons as ſhall ſeize or ſue for the ſame, by Bill, Plaint, or Information, in any of His Majeſty's Courts at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Forfeitures and Penalties, how to be diſtributed.

12 Car. 2. c. 32.

'IX. And whereas by an Act of Parliament made in the twelfth Year of the Reign of King CHARLES 'the Second it is enacted, That no Perſon or Perſons whatſoever ſhould, at any Time thereafter, be im-'peached for any Offence againſt the ſaid Act, unleſs ſuch Perſons be proſecuted within one Year next 'enſuing ſuch offence committed: And whereas a great many Perſons who have been guilty of tranſporting 'Wooll, but Diſcovery thereof hath not been made till the Expiration of twelve Months after the Of-'fence committed, to the great Encouragement of ſeveral notorious Offenders;' For the Prevention whereof be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for His Majeſty to cauſe ſuch Perſon or Perſons, as are or ſhall be guilty of tranſporting or cauſing to be tranſported any Wooll, Woollfells, Fullers Earth, or Scouring Clay, to be ſued and proſecuted at any Time within three Years after the Offence committed, in the ſame Manner as Informations on other penal Statutes have been uſually and may lawfully be proſecuted.

Exporters of Wooll, &c. may be proſecuted in 3 Years after Offence.

X. And for the better preventing the carrying of Wooll into *Scotland* from *England*, Be it further enacted by the Authority aforeſaid, That from and after the ſaid four and twentieth Day of *June*, all and every Owner or Owners of Wooll, ſhorn, laid up, or lodged within fifteen Miles of the Borders of *Scotland*, ſhall and are hereby required to give an exact Account of his, her, or their Number of Fleeces, and where lodged or houſed, to ſuch Perſon or Perſons as ſhall be appointed and impowered for that Purpoſe, purſuant to the Direction or true Meaning of the aforeſaid Act of Parliament, made in the firſt Year of His preſent Majeſty and the late Queen; which Perſon or Perſons ſhall give Attendance for that Purpoſe at the ſeveral Ports and Market Towns within the ſaid Diſtance of fifteen Miles; and ſhall and are hereby required to make a true Entry of ſuch Wooll, in a Book to be kept for that Purpoſe: And in caſe any Owner or Owners of ſuch Wooll ſhall neglect or refuſe to give ſuch Account to ſuch Perſon or Perſons, as ſhall after ſuch Notice given remove ſuch Wooll, or any Part thereof, without Licence from ſuch Perſon or Perſons as ſhall have made ſuch Entry, he, ſhe, or they, ſo neglecting or refuſing, or removing afterwards his, her, or their Wooll, or any Part of it, without Licence, as aforeſaid, ſhall forfeit three Shillings for every Pound Weight of ſuch Wooll; and all the Wooll that ſhall be found within the Diſtance aforeſaid, of the Borders of *Scotland*, not entred, as aforeſaid, ſhall be and is hereby forfeited, one third Part to His Majeſty, His Heirs and Succeſſors, and the other two third Parts to him or them who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Owners of Wool, ſhorn and lodged within fifteen Miles of the Borders of Scotland, to give an Account of the Number of Fleeces, &c. 1 W. & M. ſt. 1. c. 32. and make Entry thereof. Penalty.

Wooll uncentred and found, &c. forfeited.

7 & 8 W. 3. c. 28.

'XI. And whereas by an Act made in the Parliament held in the ſeventh and eighth Years of His pre-'ſent Majeſty, intituled, *An Act for the more effectual preventing the Exportation of Wooll, and for the encouraging the Importation thereof from* Ireland, amongſt other Things it is enacted, That the Hundred out 'of which any Wooll ſhall be exported, be liable to ſuch Penalties and Forfeitures as is mentioned in the

'ſaid

'said Act; but the Hundred of *Winchelsea* in the Cinque Ports being divided by a navigable Arm of the 'Sea, so that the Inhabitants on the one Side thereof cannot be privy to or prevent what is done by those 'of the other Side;' Be it therefore enacted by the Authority aforesaid, That the said Hundred of *Winchelsea* shall be deemed and taken, in respect to the said Act, as two distinct hundreds (that is to say) the Part of the one Side of the said Arm of the Sea as one Hundred, and the Part on the other Side as one other intire Hundred; and the Penalties, which may be forfeited for suffering such Exportation, shall affect, charge, and be levied on that Part only of the said Hundred which lies on the same Side of the said Arm of the Sea, out of which such Exportation was made and permitted; any thing in this or any other Act to the contrary notwithstanding; Provided nevertheless, That nothing in this Act shall be construed to extend to divide the said Hundred in any other Particular but in this only.

Hundred of Winchelsea to be taken as two distinct Hundreds, &c. as to Wool.

*Further Provisions concerning Wool, &c.* 10 & 11 *W.* 3.

*c.* 10. 3 *Geo.* 1. *c.* 21. 4 *Geo.* 1. *c.* 11. 5 *Geo.* 1. *c.* 11. 12 *Geo.* 1. *c.* 34. 13 *Geo.* 1. *c.* 23. 5 *Geo.* 2. *c.* 21. 12 *Geo.* 2. *c.* 21. 15 *Geo.* 2. *c.* 27. 25 *Geo.* 2. *c.* 14. 26 *Geo.* 2. *c.* 8 & 11. 29 *Geo.* 2. *c.* 33. *and* 30 *Geo.* 2. *c.* 12.

## CAP. XLI.

### An Act for the better preventing the Imbezlement of His Majesty's Stores of War, and preventing Cheats, Frauds, and Abuses, in paying Seamens Wages.

'WHEREAS notwithstanding divers good Laws made and enacted, for the preventing of the stealing and Imbezlement of His Majesty's Stores of War, and Naval Stores, those Frauds, Thefts, and Imbezlements are frequently practised, and the convicting of such Offenders is rendred difficult and impracticable, by Reason it rarely happens that direct Proof can be made of such Offender's immediate taking, imbezling, or carrying away any of His Majesty's said Stores of War and Naval Stores out of or from His Majesty's Store-houses, Docks, Yards, Ships, Ordnance, or other Places for keeping and preserving the same, but only that such Goods are marked with the King's Mark, and found in the Custody and Possession of the said Person accused for stealing or imbezling the same, to the great Encouragement of such wicked Offenders, and to His Majesty's and the Kingdom's great Damage:' For preventing such Imbezlements for the future, and for the more effectual Execution of the Laws and Statutes already in Force against such Imbezlements, and Thefts, Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in Parliament assembled, and by the Authority of the same, That from and after the four and twentieth Day of *June* one thousand six hundred ninety-eight, it shall not be lawful to or for any Person or Persons whatsoever, other than Persons authorized by contracting with His Majesty's Principal Officers or Commissioners of the Navy, Ordnance, or Victualling Office for His Majesty's Use, to make any Stores of War or Naval Stores whatsoever, with the Marks usually used to and marked upon His Majesty's said Warlike and Naval or Ordnance Stores; that is to say, any Cordage of three Inches and upwards, wrought with a white thread laid the contrary Way, or any smaller Cordage, to wit, from three Inches downwards, with a Twine in lieu of a White Thread, laid to the contrary Way as aforesaid, or any Canvas wrought or unwrought, with a Blue Streak in the Middle, or any other Stores with the broad Arrow, by Stamp, Brand or otherwise, upon Pain that every such Person or Persons, who shall make such Goods so marked as aforesaid, not being a Contractor with His Majesty's Principal Officers or Commissioners of the Navy, Ordnance, or Victuallers for His Majesty's Use, or employed by such Contractor for that Purpose as aforesaid, shall for every such Offence forfeit such Goods, and the Sum of two hundred Pounds, together with Costs of Suit; one Moiety whereof shall be to His Majesty, and the other Moiety to the Informer, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoin, Privilege, Protection, Wager of Law, Injunction, or Order of Restraint, nor more than one Imparlance shall be allowed.

1 Geo. 1. c. 25. 9 Geo. 1. c. 8.

No warlike or naval Stores, except for the King's Use, shall be made with the King's Marks, &c.

Penalty.

II. And be it further enacted by the Authority aforesaid, That such Person or Persons, in whose Custody, Possession or Keeping such Goods or Stores marked as aforesaid shall be found, not being employed as aforesaid, and such Person or Persons who shall conceal such Goods, or Stores marked as aforesaid, being indicted and convicted of such Concealment, or of the having such Goods found in his Custody, Possession or Keeping, shall forfeit such Goods, and the Sum of two hundred Pounds, together with the Costs of Prosecution, one Moiety to His Majesty, and the other Moiety to the Informer, to be recovered as aforesaid, and shall also suffer Imprisonment, until Payment and Performance of the said Forfeiture, unless such Person shall, upon his Trial, produce a Certificate under the Hand of three or more of His Majesty's Principal Officers or Commissioners of the Navy, Ordnance or Victuallers, expressing the Numbers, Quantities or Weights of such Goods, as he or she shall then be indicted for, and the Occasion and Reason of such Goods coming to his or her Hands or Possession.

Penalty on Person in whose Custody such marked Stores are found, &c. 2 *Ld. Raym.* 1104.

Unless he produce a Certificate, &c.

'By 9 Geo. 1. c. 8. §. 3 & 4. the Penalty of this Act may be mitigated.'

'III. And forasmuch as divers wicked Persons, during the late War and since, for Lucre and Gain have personated Seamen, who have really served, or are supposed to have served on Board His Majesty's Ships, and thereby have received divers Sums of His Majesty's Money at the Pay Office, or elsewhere, of His Majesty's Officers appointed for Payment of His Majesty's Fleet and Ships, in Deceit, as well of His Majesty, as of the Persons who have really served on Board any of His Majesty's Ships, and have also for such wicked Purposes forged and counterfeited divers Letters of Attorney or Bills of Sale, Assignments or last Wills, in the Name or Names of Persons who have really served, or were supposed to have served on Board His Majesty's said Ships, and have and do also procure daily, divers Men and Women to personate, and divers wicked Persons do of their own Accord personate the Wives, Relations or Creditors of such Seamen, who have, or are supposed to have, served on Board of His Majesty's Ships, and thereby have falsly taken out Letters of Administration to such Seaman or Seamen, having served, or supposed to have served on Board of His Majesty's Ships, or have forged and counterfeited Letters of

Penalty on personating any Seaman, or forging Letter of Attorney, Bill of Sale, or last Will, &c.

'This Clause enforced and explained by 1 Geo. 1. stat. 2. c. 25. §. 7.

'Attorney, Bills of Sale, or other Authorities, in the Names of the Executors or Adminirators of such 'Seamen, for the Receipt of such Wages as were due, or supposed to be due, to such Seamen, having 'served, or supposed to have served as aforesaid:' For the Prevention of which said wicked Practices for the future, be it enacted, That all and every such Person or Persons, his, her or their Aiders or Abettors, that shall be convicted of the said Crimes and Offences, committed from and after the said four and twentieth Day of *June*, shall for every such Offence, over and above the Penalties to be inflicted by any Laws now in Force, forfeit the Sum of two hundred Pounds, together with the Costs of Prosecution, one Moiety to His Majesty, the other Moiety to the Informer, to be recovered as aforesaid, and shall also suffer Imprisonment until Payment of the said Forfeiture.

Commissioners of the Navy, Ordnance, &c. may sell any of the said Stores so marked, &c.

IV. Provided also, and be it further enacted by the Authority aforesaid, That the said Principal Officers or Commissioners of the Navy, Ordnance or Victualling Office for the time being, may sell and dispose of any of the Stores aforesaid, so marked as aforesaid, as they did or might have done before the making of this Act; and that such Person or Persons as heretofore have or shall hereafter buy any such Stores, or other Stores so marked as aforesaid, of the said Principal Officers or Commanders, or by their Order, may keep and enjoy the same without incurring the Penalty of this Act, or any Law to the contrary whatsoever, upon producing a Certificate or Certificates under the Hand and Seal of three or more of the said Principal Officers or Commissioners of the Navy, Ordnance or Victualling Office, that they bought such Goods from them the said Principal Officers or Commissioners, or from such Person or Persons as did buy the said Stores from the said Principal Officers or Commissioners at any Time before such Stores were found in their Custody; in which Certificate or Certificates the Quantities of such Stores shall be expressed, and the Time when and where bought of the said Commissioners, who, or any three or more of them, for the time being, are hereby impowered and directed, from time to time, to give to such Person or Persons who shall desire the same, and have bought, and shall hereafter buy any of the aforesaid Stores, within thirty Days after the Sale and Delivery of the said Stores so sold or to be sold as aforesaid.

Buyer to have a Certificate thereof, &c.

Quantities to be expressed.

Person sued may plead the General Issue, &c.

V. And for the better Encouragement of such Persons who shall make Seizures or Discoveries of any such Stores imbezilled or stolen; Be it enacted by the Authority aforesaid, That in case any Person or Persons shall be sued or prosecuted for or by reason of their discovering or seizing any such Stores or Goods so marked as aforesaid, that in every such Case, such Persons so sued or prosecuted may plead the General Issue, and give this Act and the special Matter in Evidence: And in case that upon the Trial of such Issue the Defendants so sued shall make Proof, that such Goods or Stores, so discovered or seized by them, were so marked as aforesaid, and that the Plaintiffs or Prosecutors in such Suit or Prosecution shall not at such Trial make good Proof that they were so employed, or had such Certificate as aforesaid, before such Discovery and Seizure made, and that they did shew the same unto such Defendants before such Suit or Prosecution commenced or brought, such Defendant shall be acquitted and found Not guilty thereupon; unless such Defendants, upon Sight of such Certificate, did not deliver back unto such Plaintiffs or Prosecutors, at their Request, or otherwise, all such Goods and Stores so seized, in as good Plight and Condition, as they were at the Time of such Certificate shewn; and in case any such Defendants shall be so or otherwise acquitted on such Trial, and that such Plaintiffs or Prosecutors shall discontinue such their Suit or Prosecution, or be nonsuited therein, such Defendants shall recover treble Costs.

Geo. 2. c. 14. §. 10.

'VI. And whereas it is necessary that Seamen should appoint Attornies who may receive their Pay in 'their Absence, but of late an evil Practice is introduced, that in the Letters constituting such Attornies, 'there is added a Clause purporting a Will made by such Seamen, whereby they make their Attornies their 'Executors, and give their whole Estate, or great Part thereof, the Seamen being ignorant of the Efficacy 'and Consequence of such a Clause, whereby the Relations and Families of such Seamen as are killed at 'Sea often suffer great Loss:' For preventing such Inconveniency for the future, Be it enacted by the Authority aforesaid, That from and after the said four and twentieth Day of *June* no Will of any Seaman contained, printed or written in the same Instrument, Prayer or Parchment, with a Warrant or Letter of Attorney, shall be good or available in Law to any Intent or Purpose whatsoever.

No Seaman's Will contained in the same Instrument with a Letter of Attorney shall be good.

Ecclesiastical Court, &c. to take only 1s. for the suing forth Letters of Administration to the Wife, &c. of any Seaman dying in the King's Navy, unless the Goods, &c. amount to 20l.

VII. Provided also, and be it further enacted by the Authority aforesaid, That no Ecclesiastical Court, or any Person or Persons whatsoever, under any Pretence, do take or receive any more than the Sum of one Shilling for the Seal, writing or suing forth any Letters of Administration granted, or hereafter to be granted, to the Wife or Children of any Seaman whatsoever, dying in the Pay of His Majesty's Navy, unless the Goods and Chattels of such Seaman do amount to the Sum of twenty Pounds: And if any Officer or Officers shall presume to take any more than the Sum of one Shilling, the Person or Persons so offending shall forfeit to the Party grieved the Sum of ten Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record, or elsewhere.

King's Stores may be lent to any Ship in Distress, so they be restored. Borrower to have a Certificate. 9 Geo. 1. c. 8.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to hinder any the Principal Officers and Commissioners of the Navy, or any Chief Commander of any of His Majesty's Ships at Sea, to lend any of His Majesty's Stores to any Merchant Ship or Vessel in Distress, or otherwise, as might lawfully be done before the making of this Act, in case such Goods so lent be restored with all possible Conveniency; and provided such Person or Persons so borrowing the said Stores, from time to time, have such Certificate as aforesaid, which the said Principal Officers and Commissioners of the Navy, or Commander in Chief, are hereby required to give to the Party or Parties that shall so borrow the same. [This made a publick Act by 1 Geo. 1. sess. 2. cap. 25. sect. 14.]

## CAP. XLII.

EXP. An Act for enlarging the Time for registring of Ships, pursuant to the Act for preventing Frauds and regulating Abuses, in the Plantation Trade.

## CAP. XLIII.

### An Act for the better Encouragement of the Royal Luſtring Company, and the more effectual preventing the fraudulent Importation of Luſtrings and Alamodes.

'WHEREAS the Manufacture of Black Luſtrings and Alamodes, ſet up by the Royal Luſtring Company, hath been very advantageous and beneficial to this Kingdom, by employing great Numbers of the Poor, and preventing the Exportation of our Coin for purchaſing of thoſe Commodities in foreign Parts: And whereas notwithſtanding the ſeveral Laws made for the Encouragement of the ſaid Manufacture, and for the preventing the Importation of ſuch foreign Silks without paying the Duties charged thereon, great Quantities of the ſaid foreign Silks have been brought into this Kingdom, without paying any Duty or Cuſtom for the ſame; by Means whereof the ſaid Royal Luſtring Company have been very much diſcouraged in the carrying on the ſaid Manufacture:' For Remedy whereof, and that the ſaid Company may have all due Encouragement to enable them to proceed in ſo good an Undertaking, Be it enacted, and it is hereby enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *July* in the Year of our Lord one thouſand ſix hundred and ninety-eight, no foreign Silks called or known by the Name of *Alamodes* or *Luſtrings*, ſhall be imported or brought into any Port or Place whatſoever within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, other than the Port of *London* only; and that Notice ſhall be given to the Commiſſioners or Chief Managers of the Cuſtoms in the ſaid Port of *London* for the time being, of the Quality and Quantity, with the Marks, Numbers, and Package of all ſuch Silks intended to be imported, with the Name of the Importer, and the Name of the Ship, and her Burthen, and the Name of the Maſter or Commander on which they are to be laden, and the Place or Port where the ſame are to be ſhipped or taken on Board, and a Licence ſhall be taken under the Hands of the Commiſſioners or Chief Managers of the Cuſtoms in the ſaid Port of *London* for the time being, or any three of them, for the lading and importing of the ſame as aforeſaid, which Licence they are hereby authorized and required to grant without any Fee or Reward, or any other Charge to the Perſons demanding the ſame. 19 *H.* 7. *c.* 21.

No foreign Alamodes or Luſtrings to be imported into England, &c. but in the Port of London, &c.

Licence to be taken for importing the ſame.

II. And for the better preventing the fraudulent Importation of ſuch Silks, without paying the Duties which are or ſhall be due and payable for the ſame; Be it enacted by the Authority aforeſaid, That the Commiſſioners or Chief Managers of the Cuſtoms in the ſaid Port of *London* for the time being, ſhall and are hereby authorized and required, from time to time, to mark and ſeal, or cauſe to be marked and ſealed, all ſuch Alamodes and Luſtrings, which ſhall, from and after the ſaid firſt Day of *July*, be imported according to the Directions of this Act, and to keep, or cauſe to be kept an Entry or Regiſtry thereof in the Cuſtom-houſe in the ſaid Port of *London*, in a Book to be provided for that Purpoſe only, which ſaid Entry, or Regiſtry ſhall be made without any Fee or Reward, before the ſaid Goods be delivered out of the Cuſtom-houſe Warehouſe: And in caſe any of the ſaid Silks ſhall be imported or brought into any Port or Place whatſoever within this Realm, other than the Port of *London*, or ſhall be imported without ſuch Notice firſt given, and Licence taken out as aforeſaid, and the Duties paid for the ſame, or ſhall not be ſo ſealed and marked as aforeſaid, ſuch Silks, or the full Value thereof, ſhall be forfeited; and all ſuch Silks, which ſhall be ſeized and forfeited by virtue of this or any former Act, ſhall be ſold and exported, and the ſame Rules and Methods ſhall be obſerved in the ſelling and exporting thereof, as are mentioned and contained in an Act made in the eighth and ninth Years of the Reign of His preſent Majeſty, intituled, *An Act for the further Encouragement of the Manufacture of Luſtrings and Alamodes within this Realm.*

Commiſſioners to ſeal Alamodes, &c. imported, and keep an Entry thereof.

Alamodes, &c. brought into any other Port forfeited, and to be ſold, and exported again. 8 & 9 W. 3. c. 36.

III. And for the better preventing the Importation of the ſame, in relation to Silks therein directed to be exported, and all and every Perſon and Perſons whatſoever, who ſhall import, bring or convey, or cauſe or procure to be imported, brought or conveyed into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, any Alamodes or Luſtrings, contrary to the true Intent and Meaning of this Act, or who ſhall knowingly receive or take the ſame into his, her or their Houſe, Warehouſe, Cuſtody or Poſſeſſion, or ſhall ſell, barter or offer to Sale, or cauſe to be ſold or bartered, or offered to Sale any ſuch foreign Silks ſo fraudulently imported, and all and every their Aiders, Abettors and Aſſiſtants knowing thereof, ſhall forfeit and loſe the Sum of five hundred Pounds.

Penalty on Perſon importing Alamodes, &c. contrary to this Act.

IV. And be it further enacted by the Authority aforeſaid, That if any Commiſſion or Warrant Officer, or other Perſon, who now is, or hereafter ſhall be, in the Service of His Majeſty, His Heirs or Succeſſors, and ſhall have the Command or Charge of any Ship or Veſſel whatſoever, ſhall import, bring, ſend or convey, or cauſe, procure, or ſuffer to be imported, brought, ſent, or conveyed, or take or load on board, any Alamodes or Luſtrings, in order to be imported into this Kingdom, or ſhall unſhip, or ſuffer to be unſhipped into any Barge, Hoy, Boat, or other Veſſel, any ſuch Silks, knowing thereof, he ſhall, over and above the Forfeitures and Penalties to which he is liable by this or any other Act, be *ipſo facto* rendred incapable of ſerving His Majeſty, His Heirs and Succeſſors, either by Sea or Land, or of having or receiving any Benefit or Advantage which he ſhall or may be intitled to by virtue of ſuch Service; and if any Seaman, Mariner, or other Perſon or Perſons whatſoever, belonging or which ſhall belong to any Ship or Veſſel, ſhall diſcover any Alamodes or Luſtrings, which ſhall be imported, brought, ſent, or conveyed in any Ship or Veſſel whatſoever into this Kingdom, or which ſhall be unſhipped into any Barge, Hoy, Boat, or other Veſſel, either at Sea, or in any Harbour, Creek, or Bay in this Kingdom, in order to be imported, contrary to the true Intent and Meaning of this Act, ſuch Perſon or Perſons making ſuch Diſcovery, ſhall (over and above ſuch Part of the Forfeitures and Advantages to which he or they ſhall be intitled by virtue of this Act) be immediately diſcharged from his or their Service on board ſuch Ship or

Officers in the King's Service taking on board or importing Alamodes, &c. made incapable of the King's Service, &c. Reward to Mariner or other making Diſcovery.

Veſſel, if he or they ſhall deſire the ſame; and the Captain or Maſter of ſuch Ship or Veſſel ſhall immediately give him or them a Ticket or Tickets, Certificate or Certificates, which ſhall intitle him or them to all the Wages due to him or them, for his or their Service on board ſuch Ship or Veſſel.

Penalty on Perſon altering or counterfeiting the Seal or Mark of the Cuſtom-houſe, or Royal Luſtring Company, or buying or ſelling Alamodes, &c. ſo ſealed.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall alter, counterfeit, or miſapply, any or either of the Seals or Marks now uſed, or which ſhall or may be uſed, at the Cuſtom-houſe, for the ſealing and marking Alamodes and Luſtrings, according to the Directions in this or any other Act, or which now are or ſhall be uſed by the ſaid Royal Luſtring Company, for the marking and ſealing the Goods made, or which ſhall be made, by them; the Offender and Offenders, and all and every their Aiders, Abettors, and Aſſiſtants, ſhall for every ſuch Offence forfeit and loſe the Sum of five hundred Pounds, and ſhall be adjudged to ſtand in the Pillory in ſome publick Place for the Space of two Hours; and all and every Perſon and Perſons, who ſhall buy or ſell, or have in his, her, or their Cuſtody or Poſſeſſion, any Alamodes or Luſtrings, which are or ſhall be ſealed or marked with a counterfeit Seal or Mark, or which ſhall have any Seal or Mark uſed or to be uſed at the Cuſtom-houſe, or by the Royal Luſtring Company, thereunto affixed or put, which hath not been affixed and put thereto at the Cuſtom-houſe, or by the ſaid Company, knowing thereof, and not diſcovering the ſame, ſhall forfeit the Goods ſo ſealed or marked, and alſo the Sum of one hundred Pounds. And for the better diſcovering and ſeizing of the ſaid Silks ſo fraudulently imported, or not ſealed and marked according to the Directions in this Act, or which ſhall be ſealed or marked with any counterfeit Seal or Mark, as aforeſaid, it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, authorized by Writ of Aſſiſtance under the Seal of His Majeſty's Court of *Exchequer*, or with a Conſtable or other publick Officer inhabiting near unto the Place, with a Warrant from a Juſtice of Peace, and in the Day-time, to enter and go into any Houſe, Shop, Cellar, Warehouſe, or Room, or other Place whatſoever, to ſearch for and ſeize any Alamodes or Luſtrings, imported contrary to this or any other Act, or not ſealed and marked as aforeſaid, or which ſhall be ſealed or marked with any counterfeit Seal or Mark; and in caſe of Reſiſtance, to break open Doors, Cheſts, Trunks, and other Package whatſoever, there to ſeize, and from thence to bring to His Majeſty's Warehouſe any of the ſaid Silks ſo fraudulently imported, or not ſealed and marked, as aforeſaid; and every Juſtice of the Peace is hereby impowered and required to grant ſuch Warrant to any credible Perſon or Perſons, making Oath that he or they have Reaſon to ſuſpect or believe, that there are ſome of the ſaid Silks ſo fraudulently imported, or not ſealed and marked, as aforeſaid, or which are ſealed or marked with ſome counterfeit Seal or Mark, in the Place or Places where he or they intend to ſearch; and if any Queſtion, Diſpute, or Doubt ſhall ariſe, whether any ſuch Silks, as aforeſaid, imported, found, ſeized, received, fold, bartered, or offered to Sale or Barter, as aforeſaid, or any Part thereof, were made or manufactured in Parts beyond the Seas, or whether the ſame were imported contrary to the true Intent and Meaning of this Act, the Proof ſhall be incumbent only upon the Importer, Claimer, Owner, Proprietor, Seller, Barterer, or ſuch Perſon or Perſons in whoſe Hands or Cuſtody the ſaid Silks ſhall be found reſpectively, and not upon the Informer, Seizer, or Proſecutor.

Perſon authorized may go into any Shop, Warehouſe, &c. and ſeize Alamodes, &c. not marked.

In caſe of Reſiſtance may break open Doors, &c.

Juſtices of Peace to grant Warrant to Searcher, &c.

In caſe of Diſpute Proof to lie on Importer, &c.

Officers to aid in Execution of this Act.

Penalty on Officer conniving at fraudulent Importation of Alamodes, &c.

VI. And be it further enacted by the Authority aforeſaid, That all Officers belonging to the Cuſtoms, and all Sheriffs, Mayors, Bailiffs, Conſtables, and other Officers, ſhall be aiding and aſſiſting in the effectual Execution of this Act: And that if any Officer or Perſon of or belonging to the Cuſtoms, ſhall willingly or knowingly connive at the fraudulent Importation, delivering, receiving, buying, or ſelling of any Alamodes or Luſtrings, contrary to the true Meaning of this Act; or if ſuch Officer, or any Informer, or other Perſon or Perſons, ſhall take upon him or them to ſeize any the ſaid Silks, or proſecute any Perſon or Perſons, upon or by Virtue or by Means of this Act, or any other Act, and ſhall by Fraud or Colluſion deſiſt or delay the Proſecution to Condemnation of the ſaid Silks, or any Part thereof, after Seizure or Stay of the ſame, or the Proſecution of any Perſon or Perſons, for any Offence againſt this or any other Act, relating to the fraudulent Importation of ſuch Silks, or the not ſealing and marking ſuch Silks imported; he or they ſo deſiſting or delaying ſhall forfeit and loſe the Sum of five hundred Pounds, and be incapable of holding any Office or Employment under His Majeſty, His Heirs and Succeſſors.

Offenders, &c. to forfeit double for every Offence.

VII. Provided always, and be it hereby enacted by the Authority aforeſaid, That for the more effectual Proſecution of the Offences and Offenders againſt this Act, all and every Perſon and Perſons whatſoever, that ſhall be convicted for any Offence againſt this Act, or any other Law relating to Alamodes or Luſtrings, and ſhall afterwards offend a ſecond or any more Time or Times, ſuch Perſon or Perſons (after Conviction) ſhall, ſo often as he or they ſhall ſo offend, forfeit and pay double the Sum inflicted or impoſed by this Act.

How Offenders ſhall be proſecuted, &c.

VIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall be guilty of any Offence or Offences contrary to the true Intent and Meaning of this Act, or any other Act relating to Alamodes or Luſtrings, ſhall and may be proſecuted for any ſuch Offence or Offences, in any Action, Suit or Information, and thereupon a *Capias* in the firſt Proceſs, ſpecifying the Sum of the Penalties ſued for, ſhall and may iſſue; and ſuch Perſon or Perſons ſhall be obliged to give good and ſufficient Bail and Security by natural-born Subjects, Perſons naturalized, or Denizens, to the Officer ſerving or executing the Writ or Proceſs on or againſt him, her, or them, to appear in the Court out of which ſuch Writ or Proceſs ſhall iſſue at the Day of the Return of ſuch Writ or Proceſs, to anſwer ſuch Suit or Proſecution, and ſhall, at the Time of ſuch Appearance, give ſufficient Bail or Security by ſuch Perſons as aforeſaid, in the ſaid Court, to anſwer and pay all the Forfeitures and Penalties incurred for ſuch Offence or Offences, in caſe he, ſhe, or they ſhall be convict thereof, or to yield his, her, or their Bodies to Priſon.

How Penalties and Forfeitures are to be recovered and divided.

IX. And for the Encouragement and better enabling all ſuch (whether Officers of the Cuſtoms or others) that ſhall effectually put this Act in Execution, it is hereby further enacted by the Authority aforeſaid, That all the Penalties and Forfeitures hereby or by any former Law relating to Alamodes or Luſtrings given or impoſed, or which ſhall ariſe or accrue in reſpect thereof, or for the importing, conveying, delivering, receiving, buying, or ſelling of any Alamodes or Luſtrings, ſhall be diſtributed and divided in Manner

Manner following (that is to say) two third Parts thereof to His Majesty, His Heirs and Successors, and the remaining third Part to such Person or Persons as shall seize or sue for the same; the Charge of which Suit and Prosecution shall be born by His Majesty, His Heirs and Successors, out of His Majesty's Part of the said Forfeitures and Penalties; any Law, Statute, Custom, or Usage to the contrary notwithstanding: And further, that it shall and may be lawful for any Person or Persons to sue for and prosecute, and to recover the Forfeitures and Penalties inflicted or imposed by this present Act, or by any other Act, relating to Alamodes or Lustrings, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law shall be allowed, nor more than one Imparlance; and that all and every Person and Persons that shall seize or stay any of the said Silks, or prosecute any of the Offences or Offenders against this or any other Act relating to Alamodes or Lustrings, may lay his or their Information or Action, and try the same, in such Place or Places, and use such and the like Method and Course of Proceedings, in prosecuting and condemning of the said Silks, as are, have been, or may be used in or about the seizing, condemning, or prosecuting of any Goods or Commodities for Nonpayment of Customs or other Duties, or any Person or Persons for offending against any of the Laws or Statutes relating to the Customs.

Before Claims entred, Person to give Security for answering the Penalties, &c.

X. And for the avoiding of Fraud and Delay in prosecuting to Condemnation such Silks seized as aforesaid, by entring vexatious Claims thereto, Be it further enacted, That before any Person or Persons shall be admitted to enter a Claim to any of the said Silks, he, she, or they shall be obliged to give good and sufficient Security by Recognizance, to be entred into before one of the Barons of the Court of *Exchequer*, or some Judge of the Court where such Claim shall be entred, to answer and pay the Penalties and Forfeitures incurred by virtue of this Act, with full Costs of Suit, if, upon a Trial or other Determination in Law, a Verdict shall pass, or Judgment shall be entred, for the Plaintiff; and in case Default shall be in giving such Security within the Time limited by the Rules of the Court for entring Claims, then the said Goods shall be adjudged forfeited, and Judgment entred accordingly.

' By 5 Annæ, c. 20. §. 4. Claimers are only to give Security for the Costs, &c.'

And in Default Goods forfeited.

General Act.

XI. And for the preventing of Disputes touching this Act, be it further enacted by the Authority aforesaid, That the same, and every Clause and Thing therein contained, shall be deemed, adjudged, and taken to be a general Law; and that it shall and may be lawful to shew or set forth the same, or any Clause thereof in Pleading; and that the same and all and every Clause therein contained, shall be construed most largely and beneficially for the Advantage of the Prosecutor, and for the preventing of all the Mischiefs and Abuses herein provided against; and further, That if any Person or Persons shall be sued, molested, or prosecuted for any Thing done by virtue and in pursuance of this Act, such Person and Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff shall discontinue his Action, or be nonsuited, or Judgment shall be given against him upon Demurrer, or otherwise, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff.

Person sued may plead the General Issue.

Treble Costs.

Action to be brought in two Years after Offence committed.

XII. Provided always, That all Informations, Actions, and Suits to be brought by any Informer for any Offence against this Act, shall be brought and commenced within two Years after the Offence committed; any former Act to the contrary thereof in any wise notwithstanding.

' XIII. And whereas the King's most Excellent Majesty, together with the late Queen (of blessed Memory) by their Letters Patents or Charter under the Great Seal of *England*, bearing Date the fifteenth ' of *October* in the fourth Year of their said Majesties Reign, reciting or taking Notice, that several ' Persons therein named did obtain the late King JAMES the Second's Letters Patents, bearing Date the ' three and twentieth Day of *November* in the fourth Year of His Reign, for the sole Use, Exercise, ' and Benefit of a new Invention of making, dressing, and lustrating of Silks, called plain *Black Alamodes*, ' *Renforcez*, and *Lustrings*, for the Term of fourteen Years from the Day of the Date of the said Letters ' Patents, their said Majesties did, for the encouraging so commendable an Undertaking, give, grant, constitute, declare, and appoint *Thomas* Earl of *Pembroke* and *Montgomery*, and several other Persons in the ' said Charter mentioned and contained, and such others as should be admitted into their Society, to be ' from thenceforth one Body Corporate and Politick, in Deed and in Name, by the Name of *The Royal* ' *Lustring Company*, for making and dressing of Alamodes, Renforcez, and Lustrings in *England*, and by ' that Name to have perpetual Succession; and divers and sundry Privileges, Liberties, Powers, and Authorities, with other Matters and Things in the said Charter of Incorporation mentioned and expressed, ' were thereby granted to, and vested in, the said Company, and their Successors, in such Sort, Manner, ' and Form, as in and by the said Charter, or Letters Patents, or Inrollment thereof, is mentioned and ' expressed, and as thereby it more fully appears: And forasmuch as the said Company have with great Labour and Charges brought the said Manufacture to Perfection, but by reason of the fraudulent Importation of Alamodes and Lustrings by divers Persons, more regarding their own Interest, than the Welfare ' of *England*, their Duty to the King, and Obedience to the Laws of the Land, the said Company have not ' enjoyed the Benefit and Advantage intended them in and by the said Charter, but wasted their Time and ' Stock, in contesting with many Difficulties and Obstructions, which they have met with since the granting thereof: And it appearing that the said Manufacture cannot be so well carried on, and secured to this ' Kingdom, by any other Means, as by establishing a Company to carry on the same;' Be it therefore enacted by the Authority aforesaid, That the aforesaid Company, and their Successors, shall and may at all Times from henceforth stand, continue, and be a Body Politick and Corporate in Deed and in Name, by the Name of *The Royal Lustring Company*; and that the said Company, and their Successors, shall and may have, do, use, exercise, and enjoy all and singular the Liberties, Privileges, Powers, Authorities, Matters, and Things in the said Letters Patents, or Charter of Incorporation, mentioned to be granted to them, as amply, fully, and largely, to all Intents, Constructions, and Purposes, as if the same were Word for Word recited and set down at large in this present Act.

Royal Lustring Company and their Successors to be a Body Corporate, &c. and enjoy all Liberties, Privileges, &c. mentioned in the Letters Patents.

Company to have the ſole Uſe and Benefit of making Alamodes, &c. for fourteen Years.

XIV. And be it further enacted by the Authority aforeſaid, That the ſaid Royal Luſtring Company, and their Succeſſors, ſhall and may have and enjoy the ſole Uſe, Exerciſe, and Benefit of making, dreſſing, and luſtrating of plain Black Alamodes, Renforcez, and Luſtrings, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, for and during the Term of fourteen Years, to be reckoned and accounted from the four and twentieth Day of *June* one thouſand ſix hundred ninety-eight, and from thence to the End of the next Seſſions of Parliament; any Thing in the ſaid Letters Patents made and granted by the ſaid late King JAMES, or in the ſaid Letters Patents, or Charter of Incorporation, made and granted by His preſent Majeſty and the ſaid late Queen, or any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

Company may import 17 Bails of Silk from Amſterdam, paying the Duties.

'XV. And whereas the ſaid Royal Luſtring Company have ſeventeen Bails of Fine *Italian* Thrown Silk 'in *Amſterdam*, which were brought thither over Land before the Concluſion of the Peace, and were de'ſigned to be imported into this Kingdom, to be uſed in the Manufacture of Alamodes and Luſtrings; 'but by reaſon of ſeveral Difficulties and Obſtructions, which the ſaid Company have met with in the ſaid 'Manufacture, the ſaid Silk could not be imported within the Time limited by Law for the Importation 'thereof;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company to import into this Kingdom the aforeſaid ſeventeen Bails of Silk, at any Time before the twenty-ninth Day of *September* next, they paying the Duties to His Majeſty, which by Law are to be paid for the ſame; any Law or Statute to the contrary in any wiſe notwithſtanding.

*Farther Proviſions relating hereto,* 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9, & 20. 26 *Geo.* 2. *c.* 21.

## CAP. XLIV.

### An Act for raiſing a Sum not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds *per Centum per Annum*, and for ſettling the Trade to the *Eaſt Indies*.

*Moſt Gracious Sovereign,*

'For the further Continuance of the Eaſt India Company, ſee 6 Annæ, c. 17. 10 Annæ, c. 28. 5 Geo. 1. c. 21. 7 Geo. 1. ſtat. 1. c. 21. 9 Geo. 1. c. 26. 3 Geo. 2. c. 14. Theſe Duties on Salt were repealed by 3 Geo. 2. c. 20. §. 1. but revived for other Uſes by 5 Geo. 2. c. 6.'

WE Your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, conſidering Your Majeſty's extraordinary Occaſions, and being deſirous to ſupply the ſame in ſuch Manner, as may be leaſt grievous to Your Majeſty's Subjects, do humbly preſent Your Majeſty with the further Gift of the Impoſitions, Rates, and Duties, herein after mentioned; and do beſeech Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That there ſhall be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected, and paid unto His Majeſty, His Heirs and Succeſſors, for Salt, the ſeveral additional Rates and Duties herein after mentioned (over and above all other Duties already payable for the ſame by any Act or Acts of Parliament before this Time made and now in Force) that is to ſay,

An additional Duty of 5 d. per Gallon on Salt imported, from 1 July 1698. to 25 Decem. 1699. and 7 d. per Gallon from 24 December 1699. for ever.

II. For every Gallon of Salt, that from and after the firſt Day of *July* one thouſand ſix hundred ninety-eight, and before the five and twentieth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, ſhall be imported into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the Sum of five Pence of lawful *Engliſh* Money, to be paid by the Importer and Importers thereof, and after that Rate for a greater or leſſer Quantity.

III. And for every Gallon of Salt, that from and after the four and twentieth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety and nine, and in all Times coming from thenceforth for ever, ſhall be imported, as aforeſaid, there ſhall be paid to His Majeſty, His Heirs and Succeſſors, as a perpetual Duty, the Sum of ſeven Pence of like Money, to be paid by the Importer and Importers thereof, and after that Rate for a greater or leſſer Quantity.

For home made Salt, from 1 July 1698. to 25 Decem. 1699. 2 d. Halfpeny per Gallon, and from 24 Decem. 1699. 3 d. Halfpeny per Gallon for ever. Subject nevertheleſs to Redemption. See 6 Annæ, c. 17. §. 5.

IV. And for every Gallon of Salt and Rock Salt, that from and after the ſaid firſt Day of *July* one thouſand ſix hundred ninety-eight, and before the five and twentieth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, ſhall be made at the Salt Works, or taken out of any Salt Pit or Pits within the ſaid Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, or ſold or delivered from the ſame, there ſhall be paid to His Majeſty the Sum of two Pence Halfpeny of like Money, and after that Rate for a greater or leſſer Quantity.

V. And for every Gallon of Salt and Rock Salt, that from and after the four and twentieth Day of *December* one thouſand ſix hundred ninety-nine, and in all Times coming from thenceforth for ever, ſhall be made at the Salt Works, or be taken out of any Pit or Pits within the Kingdom, Dominion, or Town aforeſaid, there ſhall be paid to His Majeſty, His Heirs and Succeſſors, as a perpetual Duty, the Sum of three Pence Halfpeny of like Money, and after that Rate for a greater or leſſer Quantity; which ſaid Duties upon Salt, hereby granted, ſhall nevertheleſs be ſubject to ſuch Condition and Power of Redemption as are hereafter in this Act contained.

Duty on foreign Salt to be paid by Importer. Imported Salt landed before Entry, &c. for-

VI. And be it further enacted by the Authority aforeſaid, That the ſeveral Duties hereby ſet on all foreign and imported Salt, ſhall be from time to time ſatisfied and paid by the Merchant or Merchants, Importer or Importers of the ſame, in ready Money, upon his or their Entry or Entries made, and before the Landing thereof; and that in caſe any foreign or imported Salt ſhall be landed or put on Shore out of any Ship or Veſſel from beyond the Seas, before due Entry be made thereof, with the Collector or Officer appointed or to be appointed for the ſaid Duties on Salt, in the Port or Place where the ſame ſhall be imported,

ported, or before the Duties hereby impoſed be fully ſatisfied and paid, or without a Warrant for the landing or delivering of ſuch imported Salt, firſt ſigned by the Hand of the ſaid Collector or Officer for the ſaid Duty on Salt, in the ſaid Port and Place reſpectively, that all ſuch imported Salt as ſhall be landed, put on Shore, and delivered contrary to the true Intent and Meaning hereof, or the Value thereof, and alſo ten Shillings for every Buſhel of ſuch Salt ſo landed, put on Shore or delivered, and ſo in Proportion for any greater or leſſer Quantity, ſhall be forfeited and loſt; nevertheleſs, that all and every Perſon and Perſons importing any Salt into this Kingdom, for which the aforeſaid Duties are payable by this Act, ſhall have ſix Months Time for the Payment thereof, from the Time of the Importation, giving Security to the Perſon appointed to collect the ſame; and in caſe ſuch Importer ſhall pay ready Money, he ſhall have after the Rate of ten Pounds *per Centum per Annum* out of the ſaid Duties abated him.

forfeited, and alſo 10 s. per Buſhel.

Importer to have 6 Months for Payment. And 10 l. per Cent. for ready Money.

' Theſe ſix enlarged to 9 Months by 5 Annæ, c. 29. §. 5.'

VII. And be it further enacted by the Authority aforeſaid, That all the ſaid Duties on Salt ſhall, from time to time, for ever, be within the Receipt, Management and Government of the Chief Commiſſioners and Governors of the Receipt of Exciſe for the time being; and that all Collectors and other Officers neceſſary for the aſcertaining, collecting or receiving of the ſaid Duties upon Salt, ſhall be conſtituted and appointed under the Hands and Seals of the ſaid Commiſſioners and Governors of the Receipt of Exciſe for the time being, or the major Part of them; and that all Penalties and Forfeitures by this Act impoſed, concerning the ſaid Duties upon Salt, ſhall be ſued for, recovered, levied and received, or mitigated, by the ſame Means, Rules, Ways and Methods, as any Penalty or Forfeiture is to be ſued for or recovered, as is mentioned, expreſſed, or directed to be recovered in and by one Act of Parliament made in the twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and ſettling a Revenue on His Majeſty in lieu thereof*, or by any other Law or Statute now in Force relating to the Revenue of Exciſe, and that as fully and amply to all Intents, as if the ſeveral Clauſes in the ſaid Acts or any of them contained were herein re-enacted or repeated.

Duties to be managed by Commiſſioners of Exciſe. 1 Ann. ſt. 1. c. 21. §. 26. 12 Car. 2. c. 24.

VIII. And be it enacted, That all Makers and Proprietors of Salt and Rock Salt, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall from time to time make true Entries with the ſaid Officers ſo to be appointed as aforeſaid, ſome or one of them, of the Quantities of Salt ſo by them made or taken out of any Pit or Pits, and delivered or imported as aforeſaid; and ſhall likewiſe have a Warrant or Ticket under the Hand and Seal of ſome one of the ſaid Officers, impowering ſuch Maker or Proprietor of Salt to carry away the ſame, before ſuch Time as the ſaid Salt made or taken out of any Pit or Pits, within any the Places aforeſaid, or any Part thereof, ſhall be removed or carried from the reſpective Salt Works or Pits, under the ſeveral Penalties and Forfeitures herein after mentioned; which ſaid Warrant the ſaid Officers are hereby required to give *gratis*, and without Delay, unto the ſaid Makers or Proprietors of ſuch Salt, upon Payment or giving Security for the Payment of the Duties hereby granted within ſix Months after ſuch Entry made; which Security the ſaid Commiſſioners and Officers are hereby authorized and required to accept upon ſuch Entry as aforeſaid.

Makers and Proprietors of Salt to make true Entries with Officers.

And have ſix Months for Payment.

IX. Provided always, That if any Perſon or Perſons, at the Time of the Entry and Delivery of his or their Salt, ſhall pay down the Duty hereby impoſed, ſuch Perſon or Perſons ſhall be allowed at the Rate of ten Pounds *per Centum per Annum* for the ſame.

And an Allowance of 10 l. per Cent. per Ann. for Ready Money.

X. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Officers ſo appointed, to ſeize all ſuch Salt, which ſhall from and after the ſaid firſt Day of *July* one thouſand ſix hundred ninety-eight, be conveying or conveyed by Day or by Night, either by Land or by Water, before due Entry be made of ſuch Salt, without Warrant, Ticket or Licence, obtained from the Commiſſioners of the ſaid Duties upon Salt granted by this Act, their Collectors or Officers, or ſome or one of them as aforeſaid, for the conveying or carrying the ſaid Salt; and the Salt that ſhall be ſo ſeized ſhall be brought to the Office appointed for the ſame Duties, next adjoining to the Place where ſuch Salt ſhall be ſo ſeized, there to be detained and kept; and in caſe the Salt ſo ſeized, ſhall not be claimed by the true and lawful Owner thereof, or by one deputed under his or their Hand, within ten Days after Seizure, the ſaid Salt ſhall be abſolutely forfeited to His Majeſty, His Heirs and Succeſſors, and ſhall be ſold the next General Day of Sale to be appointed by the Commiſſioners, or their Officers reſpectively, after the ſaid Days are expired; the one Moiety or Half Part of the Proceed thereof (all neceſſary Charges being firſt deducted out of the whole) to be paid to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety or Half Part to be paid to the Party or Parties who ſeized the ſame; and in caſe ſuch Salt ſo ſeized ſhall be claimed within ten Days by the true and lawful Owner thereof, or by one deputed thereunto under his Hand, and if the ſaid Owner or Claimer ſhall nevertheleſs neglect or refuſe to make it appear before the next Juſtice of the Peace of the County where ſuch Seizure ſhall be made, by the Oath of one or more credible Witneſſes (which Oath the ſaid Juſtices are hereby impowered to adminiſter) that the ſaid Salt ſo ſeized was or had been duly entred, and a Warrant, Ticket or Licence obtained for the carrying and conveying the ſame as aforeſaid, that then the ſaid Salt ſhall likewiſe be forfeited to His Majeſty, His Heirs and Succeſſors: And every Perſon who ſhall carry or convey, or cauſe any Salt to be carried and conveyed, before due Entry made, and Warrant or Licence obtained as aforeſaid, ſhall likewiſe forfeit to His Majeſty, His Heirs and Succeſſors, double the Value, and alſo ten Shillings *per* Buſhel, and after that Rate, of and for ſuch Salt ſo carried and conveyed.

Officers may ſeize Salt conveying away before Entry made,

and if not claimed in 10 Days, to be forfeited and ſold.

And if claimed without Proof on Oath, that the ſame was duly entred, to be forfeited.

Penalty on Perſons carrying away Salt before Entry made.

XI. And be it further enacted, That no Retailer or Shop-keeper ſhall be permitted to ſhip any Salt, to be ſent to any Port or Place within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, before he hath made it appear by Oath, or otherwiſe, before the Commiſſioners for collecting of the ſaid Duties granted by this Act, or their Officers, or ſome or one of them (which Oath they have hereby Power to adminiſter) that the Duty of ſuch Salt is paid or ſecured to be paid, or that it was bought of ſome other Retailer or Shop-keeper that hath paid the Duty.

Oath to be made, that Duty is paid or ſecured, before Salt be ſhipped.



XII. And

Master of Ship to deliver Particular to Collector on Oath.

'Provisions for Boats, &c. carrying Salt to be reshipped by 5 Geo. 1. c. 18. §. 25.'

XII. And be it further enacted, That all and every Master and Commander of any Ship or Vessel whatsoever, that from and after the said first Day of *July* one thousand six hundred ninety-eight, shall transport or carry any Salt, or Rock Salt, from one Port to another within this Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, shall, before he or they have any Warrant for the landing or delivering of such Salt (by him transported and carried on Shore in any Port) deliver to the Officers for collecting the said Duties granted by this Act, in the said Port appointed to receive the same, a true Particular of the Quantity so transported and carried as aforesaid, signed by the Officers for collecting the said Duties granted by this Act, and by the Officers of the Customs, of the Port from whence the said Ship or Vessel came; and then the Master or his Mate, or the Boatswain of such Ship or Vessel, shall make Oath before the Commissioners for collecting the said Duties granted by this Act, or their Officers, or some or one of them (who are hereby impowered to administer the same) that to his Knowledge there hath not been laid on Board, or taken into the said Ship or Vessel, any Salt since he or they came from such Port as aforesaid: And in case such Ship or Vessel be to deliver one Part of her Salt at one Port, and another Part at another Port or Ports, that then the Officers for collecting the said Duties, and the Officers of the Customs, when such Part of the said Salt shall be delivered, shall certify on the Backside of the Cocquet, *Transire*, or other Warrant, or else by Certificate alone, under the Hands and Seals of the Officers, how much, and what Quantity of the Salt mentioned in the Cocquet, *Transire*, or other Warrant, from the Port from whence such Ship and Vessel came, hath been there landed and delivered; upon the Penalty of forfeiting double the Value of the Salt that shall be otherwise delivered, and likewise ten Shillings *per* Bushel, and after that Rate as aforesaid.

No Fee to be taken for Debentures, &c.

XIII. And be it further enacted, That no Fee or Reward be had or taken for making, issuing or granting any Debentures, Tickets, Warrants, or Licences, concerning the Duties upon Salt, but that the same be made, issued, and granted *gratis*, and without Delay.

Allowances to be made for Fish exported, viz.

XIV. Provided always, and be it enacted by the Authority aforesaid, That for all such Fish hereafter mentioned, as shall be exported from any Port or Place in this Kingdom, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, into Parts beyond the Seas, by any Person or Persons whatsoever, the Rates or Sums of Money hereafter expressed, shall by virtue of this Act be allowed and paid (over and above the Allowances for Fish by any former Acts now in being) that is to say,

For every Cask of Pilchards or Scads, &c. 28 s.

XV. For every Cask or Vessel of Pilchards or Scads, containing fifty Gallons, which shall be exported after the said first Day of *July* one thousand six hundred ninety-eight, and before the five and twentieth Day of *December*, which shall be in the Year of our Lord one thousand six hundred ninety-nine, the Sum of twenty Shillings: And for every such Cask or Vessel of Pilchards or Scads, which shall be so exported after the four and twentieth Day of *December* one thousand six hundred ninety-nine, at any Time or Times whatsoever; the Sum of eight and twenty Shillings, and so proportionably for a greater or lesser Quantity.

White Herring, 5 s. 10d. per Barrel.

XVI. For every Barrel of White Herrings, which shall be exported after the said first Day of *July* one thousand six hundred ninety-eight, and before the five and twentieth Day of *December* one thousand six hundred ninety-nine, the Sum of four Shillings and two Pence: And for every such Barrel of White Herring, which shall be so exported, at any Time or Times after the four and twentieth Day of *December* one thousand six hundred ninety-nine, the Sum of five Shillings and ten Pence, and so proportionably for a greater or lesser Quantity of White Herrings.

Red Herring, 4 s. 8 d.

XVII. For every Barrel of Red Herring, which shall be exported after the said first Day of *July* one thousand six hundred ninety-eight, and before the five and twentieth Day of *December* one thousand six hundred and ninety-nine, the Sum of three Shillings and four Pence: And for every Barrel of Red Herring, which shall be exported at any Time or Times after the four and twentieth Day of *December* one thousand six hundred ninety-nine, the Sum of four Shillings and eight Pence, and so proportionably for any greater or lesser Quantity of Red Herrings.

Salmon, 11 s. 8 d.

XVIII. For every Barrel of Salmon, which shall be exported after the said first Day of *July* one thousand six hundred ninety-eight, and before the five and twentieth Day of *December* one thousand six hundred ninety and nine, the Sum of eight Shillings and four Pence: And for every Barrel of Salmon, which shall be exported at any Time or Times, after the four and twentieth Day of *December* one thousand six hundred ninety and nine, the Sum of eleven Shillings and eight Pence, and so proportionably for a greater or lesser Quantity of Salmon.

Codfish, Ling, or Hake, 35 s. per 100.

XIX. And for every Hundred of Codfish, Ling, or Hake, which shall be exported after the said first Day of *July* one thousand six hundred ninety-eight, and before the five and twentieth Day of *December* one thousand six hundred ninety and nine, the Sum of five and twenty Shillings: And for every Hundred of Codfish, Ling, or Hake, which shall be exported at any Time or Times, after the four and twentieth Day of *December* one thousand six hundred ninety and nine, the Sum of five and thirty Shillings, and so proportionably for a greater or lesser Number or Quantity.

Dried Red Sprats, 6 s. 8 d. per Last.

XX. For every Last of dried Red Sprats, which shall be exported after the said first Day of *July* one thousand six hundred ninety-eight, the Sum of six Shillings and eight Pence, and so proportionably for a greater or lesser Quantity.

To be paid in the Port from whence exported.

XXI. Which Allowances by this Act shall be paid by the Officer appointed to collect the Duties upon Salt payable by this Act, in the same Port from whence any such Fish shall be exported, within thirty Days after Demand thereof, on a Debenture to be prepared by the Collector of the Customs, in the Port where such Fish shall be entred out for Exportation, and verified by the Person executing the Office of Searcher in such Port, as to the Quantity of Fish actually shipped; and that the Oath of the Exporter or Agent be first taken before the principal Officers of the said Port, before the Debenture be allowed, who are hereby required and impowered to give the said Oath, that the Fish in such Debenture mentioned were *English* taken, and really exported to Parts beyond the Seas, and not intended to be relanded in *England*, *Wales*, or

or *Berwick*; for which Debenture no Fee or Reward shall be taken. And in case the Officer hereby directed to pay such Debenture, shall not have sufficient Money in his Hands to pay the same, then upon Certificate thereof by him made (which Certificate he is hereby required to give the Party *gratis*, and without Delay) the principal Commissioners for managing the Revenue of Excise of His Majesty, His Heirs and Successors, for the time being, shall be chargeable with the said Payment, to be made in Course out of the first Money in their Hands arising out of the said Duties upon Salt; and any Officer neglecting or refusing to pay the said Money, or to give such Certificate, as is here directed, shall forfeit double the Sum so to be paid to the Party grieved, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

Officers to deliver Certificates gratis.

XXII. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons shall export beyond the Seas, any Salt, as well Foreign as *English*, or any Rock-Salt, the Officer of the Place where the said Salt was made, taken out of Pits, or imported, and the Duty thereof paid or secured to be paid, shall, upon Demand, deliver *gratis*, and without Delay, a Certificate under his Hand and Seal, that the Duty imposed by this Act on such Salt, hath been duly paid or secured to be paid; and then the Officer of the Place where the Salt is exported, upon producing the said Certificate, and Oath made of shipping off the said Salt, and of its not being relanded in *England* or *Wales*, shall give a Debenture under his Hand, without Delay, Fee, or Reward, for Repayment of the said Duty; which being produced to the Officer of the Place where the Duty on the said Salt shall have been paid or secured to be paid, such Security shall be discharged, and all and every Sum and Sums of Money, paid for the Duty of the said Salt by this Act, shall be repaid, upon Demand, by the said Officer without Fee or Reward.

(By 2 & 3 Anne, c. 14. § 9. this is declared to extend to Salt exported to Scotland, &c.)

Salt not made in England, Wales, or Berwick, to pay as Foreign.

Scotch Salt to be entred at Carlisle or Berwick.

XXIII. And be it further enacted and declared, That all Salt imported or brought by Sea or Land into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, and not of the Product of any of the said Places, shall be adjudged and deemed to be Foreign Salt imported, and shall be charged as such with the higher Duties by this Act charged upon Salt imported; and that all *Scotch* Salt brought into *England* by Land shall be entred at *Carlisle* or *Berwick*, with the Officer or Officers for that Purpose there to be appointed, under the Penalty or Forfeiture of double the Value of, and after the Rate of ten Shillings *per* Bushel for, such Salt so brought in.

Persons sued on this Act may plead the General Issue, &c.

XXIV. Provided always, and be it enacted, That if any Person or Persons shall at any Time be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, he or they shall or may plead the General Issue, and give this Act in Evidence for his Defence; and if upon a Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonsuit, discontinue, or forbear prosecuting the said Actions, then such Defendant or Defendants shall have double Costs to him or them awarded against such Plaintiff or Plaintiffs, for which Costs he shall have such Remedy, as in other Cases where Costs are by Law given to Defendants.

No Writ of Certiorari to supersede the Orders of the Commissioners, &c.

XXV. Provided also, and be it enacted, That no Writ or Writs of *Certiorari* shall supersede Execution or other Proceedings upon any Order or Orders made by the said Chief Commissioners or Justices of the Peace, concerning the said Duties upon Salt, in pursuance of this Act, but that Execution and other Proceedings shall and may be had and made thereupon; any such Writ or Writs or Allowance thereof notwithstanding.

No Salt to be delivered without Notice given to Officer, &c. Penalty.

XXVI. And be it enacted, That no Salt shall be delivered from any Salt Works or Pits, without Notice first given to the Officer appointed for that Purpose, upon Pain of forfeiting of the Salt so delivered, and after the Rate of ten Shillings *per* Bushel for the same, to be recovered from the Owner or Owners of the Salt Works or Pits, where such Salt shall be so delivered; the one Moiety or Half-part of which Forfeitures to be to the Use of the Prosecutor, and the other Moiety or Half-part to the Use of His Majesty, His Heirs and Successors.

Penalty on Person landing Salt after Duty has been repaid, before the Duty be again paid.

XXVII. And be it further enacted by the Authority aforesaid, That if any of the Salt, for which the Duty shall have been repaid or discharged upon the Exportation thereof, as is herein before directed, shall (by Fraud or otherwise) be landed in *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, before the Duty be again paid, and such Entry, and all other Things performed, as are herein before required, in case where any Foreign Salt is imported, every Person so offending shall forfeit double the Value (and after the Rate of ten Shillings *per* Bushel) of such Salt so landed, and such other Penalties and Forfeitures as are herein inflicted upon any Person, who shall land any Foreign Salt contrary to the true Intent and Meaning of this Act.

Allowance to Subjects of England exporting Salt which perished at Sea, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That if any Merchant or other Person, being a Subject of this Realm of *England*, shall ship any Salt, or Rock-Salt, that shall have paid the Duty to His Majesty, His Heirs or Successors, by this Act imposed, to convey it by Sea to any Part of *England*, and the Vessel on which such Salt as aforesaid is shipped shall either perish at Sea, or be taken by Enemies with such Salt on board her, that in such Case any Merchant or Person, Owner of the said Salt, shall, upon Proof made before the Justices of the Peace at the Quarter-Sessions held for the County, Riding, Division, or Town, wherein he doth inhabit, of the Loss of such Salt so shipped, receive from the said Sessions a Certificate that such Proof was made before them; and upon producing the said Certificate to any of the Officers appointed to collect the Duty by this Act imposed, the said Officer or Officers are hereby required to let such Persons buy the like Quantity of Salt, as is expressed in the Certificate to be lost, without paying to His Majesty, His Heirs or Successors, any Duty or Excise for the same; any thing in this Act contained to the contrary notwithstanding.

Salt after Entry may be removed to convenient Warehouses.

XXIX. Provided also, and be it enacted, That it shall and may be lawful for the Owners and Proprietors of any Salt-Rock or Rock-Salt, to remove and carry out of and from the Pits or Warehouses adjoining to or belonging to such Pits, into his or their own Warehouses, or other Places for storing thereof, for Conveniency of selling or shipping off the same, any of the said Salt-Rock or Rock-Salt, after due Entry made thereof, and a Warrant or Ticket taken for the same, from the Officer next to such Salt-pits; which

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Warrant or Ticket the ſaid Officer is hereby required upon Demand to give without Fee or Reward, as aforeſaid; and that the ſaid Owners or Proprietors ſhall not be obliged to pay or ſecure the Payment of the ſaid Duty, until ſuch Time as the ſaid Salt-Rock or Rock-Salt ſhall be ſold and delivered as aforeſaid.

Contract before 25 Dec. 1698. void. Exception.

XXX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall be obliged, by virtue of any Contract made at any Time before the five and twentieth Day of *December* one thouſand ſix hundred ninety-eight, to deliver any Salt or Rock-Salt, unleſs the Perſon who is to receive the ſame, ſhall, before or at the Time of Delivery of the ſame by ſuch Contract, pay to the Seller thereof ſuch Sum or Sums as he ſhall have paid, or ſecured to pay, for ſo much of the Duties thereupon as are impoſed by virtue of this Act.

Rock-Salt to be entred by Weight. 120 lb. wt. to a Buſhel.

'And whereas Salt-Rock, or Rock-Salt, taken out of Pits in ſuch great Lumps that cannot be meaſured without breaking the ſame to Powder, would be great Loſs to the Proprietors thereof;' Be it therefore enacted, That all Salt-Rock or Rock-Salt, taken out of Pits, ſhall be entred by Weight only; and that one hundred and twenty Pounds Weight thereof ſhall be deemed and taken to be a *Wincheſter* Buſhel, of eight Gallons *Wincheſter* Meaſure, and ſhall be entred, rated, and taxed accordingly.

Refiners of Rock-Salt, to have an additional Abatement of 2 s. 4 d. per Buſhel.

XXXI. And to the Intent that Salt made by melting and refining of Rock-Salt may not, contrary to the true Intent and Meaning of this Act, be charged more than other *Engliſh* Salt; Be it further enacted by the Authority aforeſaid, That where any ſuch Rock-Salt ſhall be melted and refined, which had before paid the Duty impoſed by this Act, according to the Direction of the ſame, the Perſon who ſhall make ſuch Salt by refining, ſhall (over and above his Allowance by any former Act) receive, by virtue of this Act, an Allowance and Abatement of the Duty on the Salt by him ſo made, after the Rate and Proportion of two Shillings and four Pence for every Buſhel of ſuch Rock-Salt, ſo melted and refined, which had paid the Duty, as aforeſaid, and being weighed in the Preſence of the Officer before melted down, and Oath being firſt made before ſome Juſtice of the Peace, near adjoining to ſuch Salt-works, of the particular Quantities of the ſaid Rock-Salt ſo by him employed in making the ſaid Salt by refining, which Oath the ſaid Juſtice of the Peace is hereby impowered to adminiſter, and upon due Proof, by Oath or otherwiſe, made of the Payment of the Duty impoſed by this Act.

Charge of Management to be paid out of the Duties.

XXXII. Provided always, and be it enacted, That it ſhall and may be lawful to and for His Majeſty, His Heirs and Succeſſors, or to or for the Commiſſioners of the Treaſury, or any three or more of them, or the Treaſurer of the Exchequer for the time being, out of the ſaid Duties ariſing upon Salt by this Act, to cauſe ſuch Sum and Sums of Money to be expended and paid from time to time, for Salaries or other incident Charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing of the ſame Duties upon Salt; any thing in this Act contained to the contrary notwithſtanding.

What Salt is intended to be charged.

XXXIII. And it is hereby declared and enacted by the Authority aforeſaid, That all Salt made from Rock-Salt (allowing the Drawback for the ſame, as in this Act is mentioned) and all refined Salt, or Salt made from Salt, either imported or made in *England*, is and is intended to be charged and chargeable with the ſaid Duties by this Act granted; any thing herein contained to the contrary notwithſtanding.

All Salt (except Rock-Salt) to be aſcertained at 56 lb. wt. to the Buſhel.

XXXIV. And to the end the ſaid Duties upon Salt may be equally paid, it is hereby declared and enacted by the Authority aforeſaid, That all Salt at all Salt-works and Salt-pits (Rock-Salt excepted) ſhall be aſcertained, as to the Payment of the ſaid Duty by this Act, at the Rate of fifty-ſix Pounds Weight to the Buſhel, and no more.

Scotch Salt, and all imported Salt, landed before due Entry, forfeited, &c.

XXXV. And be it further enacted and declared by the Authority aforeſaid, That all Salt, whether brought from *Scotland* by Land, and alſo all imported Salt, whether the ſame be of the Product or Manufacture of this Kingdom, or of the Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, brought in, landed, or put on Shore, before due Entry made with the Officers appointed to receive the ſame, and Payment of the Duties by this Act impoſed, ſhall be forfeited, and after the Rate of ten Shillings *per* Buſhel for ſuch Salt, to be recovered from the Offender (to wit) one Moiety thereof to His Majeſty, His Heirs and Succeſſors, and the other Moiety thereof to him or them that ſhall or will ſeize, inform, or ſue for the ſame; any thing in this Act to the contrary in any wiſe notwithſtanding.

Collectors to provide Scales at every Salt-work.

XXXVI. And for the better aſcertaining the ſaid Duties on Salt, according to the Buſhel of fifty-ſix Pounds Weight, herein before declared, in all Parts and Places where any Salt-work or Salt-pit is or ſhall be; Be it enacted by the Authority aforeſaid, That every Collector or Officer, appointed to receive and collect the ſaid Duties upon Salt, ſhall provide, at every ſuch Salt-work or Salt-pit, a ſufficient Beam, Scale, and Weights, or Stileard, and ſhall have Liberty to fix the ſame in ſome convenient Place in or about ſuch Salt-work, or Salt-pit, for the weighing all Salt that ſhall be delivered from ſuch Salt-work or Salt-pit; and that one or more Perſon or Perſons (as Occaſion ſhall require) living in or near ſuch Salt-work or Salt-pit, ſhall be admitted and ſworn to the due and true weighing all Salt from thence to be delivered, before one or more Juſtice or Juſtices of the Peace near adjoining (which Oath he or they are hereby impowered to adminiſter) without Fee or Reward; and ſuch Weigher and Weighers ſhall be ſatisfied and paid for their Pains in weighing ſuch Salt by the ſaid Collector or Officer for the ſaid Duties.

Officers to deliver as many Warrants or Permits to Salt Carriers as they deſire, gratis.

'XXXVII. And whereas the Carriers of Salt do frequently load ſeveral Horſes with Salt at one Salt-work, and at one Time, for which they have had but one Warrant or Permit, and are often obliged, for convenient Carriage of the ſaid Salt to ſeveral Places, to ſeparate the ſaid Horſes, and to drive them ſeveral Roads, by which Means ſome of the ſaid Salt may be liable to Seizure:' For the Prevention therefore of ſuch Inconveniencies to the ſaid Carriers, it is hereby enacted, and the ſaid Officers are hereby ſtrictly charged and required to deliver *gratis*, and without Delay, ſuch and ſo many ſeveral Warrants or Permits to each Carrier of Salt as he ſhall demand, for ſuch ſeveral Horſe-loads of Salt, as he ſhall load at one Time, and at one Salt-work.

56 lb. wt. a Buſhel of Salt.

XXXVIII. And be it enacted by the Authority aforeſaid, That all Perſons ſelling Salt made for Uſe (except foreign Salt) ſhall ſell the ſame after the Rate of fifty-ſix Pounds Weight to the Buſhel, and not otherwiſe, and ſo in Proportion for a greater or leſſer Quantity; and that every Perſon offending therein,

ſhall

ſhall for every ſuch Offence forfeit the Sum of five Pounds to the Informer, to be ſued for and recovered in ſuch Manner, as other Forfeitures by this Act are to be ſued for and recovered.

XXXIX. And for the preventing of Exactions upon Sale of Salt in this Kingdom, and to have the Rates and Prices thereof aſcertained; Be it further enacted and declared by the Authority aforeſaid, That the Lord Mayor and Court of Aldermen of the City of *London* ſhall and may (and are hereby required, in the Court of Aldermen within the City of *London*, upon or before the tenth Day of *July* in the Year of our Lord one thouſand ſix hundred ninety-eight) ſet, aſcertain, and publiſh in Writing, certain reaſonable Rates and Prices upon all Salt, to be ſold or expoſed to Sale after the ſaid tenth Day of *July*, in the City of *London* and Precincts thereof, and the Bills of Mortality; and that the reſpective Juſtices of the Peace for the reſpective Counties, Ridings, Diviſions, Cities and Places, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, ſhall and may (and are hereby required, upon or before the firſt Day of *Auguſt* in the Year of our Lord one thouſand ſix hundred ninety-eight, at the ſeveral and reſpective General Seſſions of the Peace for the ſaid ſeveral and reſpective Counties, Ridings, Diviſions, Cities and Places, wherein they are or ſhall be Juſtices of the Peace) ſet, aſcertain, and duly publiſh in Writing, certain reaſonable Rates and Prices upon all Salt to be ſold or expoſed to Sale, after the ſaid firſt Day of *Auguſt* one thouſand ſix hundred ninety-eight, within the ſaid ſeveral and reſpective Counties, Ridings, Diviſions, Cities and Places, wherein they are or ſhall be Juſtices of the Peace; and that the Lord Mayor of *London*, and the ſaid Court of Aldermen in the Court of Aldermen, and that the ſaid reſpective Juſtices of the Peace of the ſeveral and reſpective Counties, Ridings, Diviſions, Cities and Places aforeſaid, as aforeſaid, at the ſeveral and reſpective General Seſſions of the Peace for the ſaid ſeveral and reſpective Counties, Ridings, Diviſions, Cities and Places, wherein they are or ſhall be Juſtices of the Peace, ſhall and may, and are hereby required from time to time (if neceſſary) at the ſeveral and reſpective General Seſſions of the Peace for the ſaid ſeveral and reſpective Counties, Ridings, Diviſions, Cities and Places, from and after the ſaid firſt Day of *Auguſt* one thouſand ſix hundred ninety-eight, by Writing duly made and publiſhed, alter and correct the Rates and Prices of all Salt to be ſold and expoſed to Sale in the ſaid ſeveral and reſpective Places; which Rates and Prices which ſhall be ſo ſet, aſcertained, altered and corrected, are hereby enacted and required to be obſerved, accepted, received and taken, by all and every Perſon and Perſons ſelling or expoſing to Sale any Salt within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*; and if any Perſon or Perſons ſhall ſell any Salt at any higher Price or Rate, or refuſe to ſell any Salt at the Prices and Rates aforeſaid, ſuch Perſon and Perſons ſo offending, ſhall for every ſuch Offence forfeit and pay the Sum of five Pounds, to be levied out of the Goods and Chattels of ſuch Offender or Offenders, by Diſtreſs and Sale thereof, by Warrant under the Hand and Seal of the Lord Mayor of the City of *London*, or of any Juſtice or Juſtices of the Peace for the Place or Places wherein ſuch Offence ſhall be committed, or Diſtreſs ſhall be to be made: And in Default of ſufficient Diſtreſs for the ſame, it ſhall and may be lawful, by Warrant under the Hand and Seal from the Lord Mayor of the City of *London*, or from any Juſtice of the Peace as aforeſaid, to impriſon the ſaid Offender or Offenders, until ſuch Offender or Offenders ſhall pay the ſaid Sum of five Pounds; one Moiety of which Sum of five Pounds is hereby enacted to be paid to the Uſe of our Sovereign Lord the King, and the other Moiety thereof to be paid to ſuch Perſon or Perſons as ſhall inform and proſecute for the ſame before the ſaid Lord Mayor of *London*, or the ſaid reſpective Juſtices as aforeſaid.

Lord Mayor of London, &c. to aſcertain the Price of Salt in London, and Bills of Mortality, and the Juſtices of Peace in other Places.

Penalty on Perſons ſelling at higher Prices.

'XL. And whereas in and by one other Act of this preſent Seſſion of Parliament, intituled, *An Act for granting to His Majeſty, His Heirs and Succeſſors, further Duties upon ſtamped Vellum, Parchment and Paper*, ſeveral Rates, Impoſitions, Duties, Charges, and Sums of Money therein particularly expreſſed, are to be paid for and upon ſuch Matters and Things as are therein mentioned, for ever, but ſubject to ſuch Power of Redemption, as in and by any other Act of this Seſſion of Parliament was or ſhould be declared or provided concerning the ſame: And whereas it is thought reaſonable for the Satisfaction, Recompence, and Encouragement of ſuch Perſons and Corporations (the Corporation of the Bank of *England* only excepted) as will voluntarily contribute and advance Monies for or towards the raiſing the Sum of two Millions of Pounds Sterling, for the Supply of His Majeſty's extraordinary Occaſions, to ſettle and eſtabliſh a good, ſure, and laſting Fund, out of which the ſaid Perſons and Corporations contributing or advancing Money as aforeſaid, and their Executors, Adminiſtrators and Aſſigns reſpectively, may have, receive and enjoy certain Annuities or yearly Payments, to be computed after the Rate of eight Pounds *per Centum per Annum*, for the Monies ſo by them to be contributed or advanced, and ſuch ſpecial Benefit of Trade, and other Advantages as are hereafter in this Act expreſſed; ſubject nevertheleſs to ſuch Power of Redemption, as in this Act is provided in that Behalf:' Be it therefore enacted, and it is hereby enacted by the Authority aforeſaid, That the Commiſſioners and Governors of the Revenue or Receipt of Exciſe for the time being, at the Head Office in *London*, from time to time, ſhall ſeparate and keep apart all and every the Sum and Sums of Money ariſing by the ſeveral Rates and Duties for or upon Salt, and Rock-Salt, by this Act granted, as the ſame ſhall from time to time ariſe, or be paid into the ſaid Office of Exciſe by the Receivers or Collectors of the ſame, or by any other Perſon or Perſons whatſoever; and that the Chief Commiſſioners for marking and ſtamping of Vellum, Parchment and Paper, or for managing the Duties thereupon for the time being, ſhall at their Head Office cauſe to be ſeparated and kept apart in like Manner, all and every the Monies ariſing by the reſpective Rates and Duties granted by the Act before mentioned, for and upon Vellum, Parchment and Paper, as the ſame ſhall from time to time ariſe or be paid into their Office: And as well the ſaid Commiſſioners and Governors of Exciſe, as the ſaid Commiſſioners for the ſaid Duties upon Vellum, Parchment and Paper reſpectively for the time being, are hereby required and ſtrictly enjoined from time to time, for ever, to pay Weekly, to wit, on *Wednesday* in every Week, if it be not a Holiday, and if it be, then the next Day after that is not an Holiday, all and every the Monies ariſing, as well by the ſeveral and reſpective Rates and Duties hereby granted for or upon Salt and Rock-Salt, as the ſaid ſeveral Duties granted or payable by the Act herein before mentioned, for and upon

9 & 10 W. 3. c. 25.

The Duties on Salt by this Act granted, are to be kept apart, and paid weekly into the Exchequer.

8 Ann. c. 4. §. 12.
9 Ann. c. 23. §. 48.

upon ſtamped Vellum, Parchment and Paper reſpectively, into the Receipt of the Exchequer of His Majeſty, His Heirs and Succeſſors, diſtinct and apart from all other Monies which the ſaid Commiſſioners ſhall ſeverally receive for the Uſe of His Majeſty, His Heirs or Succeſſors.

A Regiſter to be kept thereof.

XLI. And be it further enacted by the Authority aforeſaid, That there ſhall be, from time to time, for ever, provided and kept in the Exchequer (that is to ſay) in the Office of the Auditor of the Receipts, ſeveral Books, in which all the Monies which ought to be paid in Weekly as aforeſaid, and which ſhall be brought into the ſame Receipt, ſhall be entred apart and diſtinct from all other Monies paid or payable to His Majeſty, His Heirs and Succeſſors, upon any Account whatſoever.

Penalty on Commiſſioners not paying it duly into the Exchequer, &c.

XLII. And be it further enacted, That if the ſaid Commiſſioners of Exciſe, or the ſaid Commiſſioners for the Duties on Vellum, Parchment and Paper for the time being reſpectively, ſhall refuſe or neglect to pay, or cauſe to be paid into the Exchequer, all or any the Sums appointed to be paid by them ſeverally as aforeſaid, in ſuch Manner as they are reſpectively required by this Act, or ſhall divert or miſapply any Part of the ſame, then they and every of them ſo offending, ſhall forfeit their ſeveral Offices and Places, and ſhall be incapable to ſerve His Majeſty, His Heirs or Succeſſors, in any Office or Place of Profit or Truſt whatſoever, and ſhall be liable to pay double the Value of all and every Sum and Sums of Money, ſo diverted or miſapplied, to any Perſon or Perſons, Bodies Politick or Corporate, who ſhall be intitled to any Annuity or Payment out of the Fund by this Act ſettled, and will ſue for ſuch Forfeiture by Action of Debt, or of the Caſe, Bill, Suit or Information, founded upon this Act, in any Court of Record of His Majeſty, His Heirs or Succeſſors, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be granted or allowed.

Exciſe and Stamp Office to be for ever continued, with Commiſſioners and Comptrollers of the ſaid Duties.

XLIII. And be it further enacted by the Authority aforeſaid, That the Head Office of Exciſe, and the Chief Office for the ſaid Duties upon Vellum, Parchment and Paper, ſhall for ever be continued, with a ſufficient Number of Commiſſioners, and a Comptroller in either of them, for performing and executing ſuch Matters and Things as are by this Act enjoined to be done or performed by ſuch Commiſſioners and Comptrollers reſpectively, according to the true Meaning hereof.

Comptrollers to keep diſtinct Accounts.

XLIV. And be it enacted, That the reſpective Comptrollers in the ſaid Offices for the time being, ſhall keep perfect and diſtinct Accounts in Books fairly written, of all the Monies which ſhall ariſe of or for the ſaid Duties upon Salt, and of or for the ſaid Duties upon Vellum, Parchment and Paper reſpectively, as the ſame ſhall from time to time ariſe or be raiſed; to which Books all Perſons concerned ſhall have free Acceſs at all ſeaſonable Times without Fee or Charge; and if any ſuch Comptroller as aforeſaid, ſhall neglect his Duty therein, then he or they for ſuch Offence ſhall forfeit his Office or Place, and be rendred incapable as aforeſaid, and ſhall alſo forfeit the Sum of one hundred Pounds to any Perſon or Perſons, Body Politick or Corporate, intitled to any Annuity or Payment by this Act, and that will ſue for the ſame as aforeſaid.

Penalty in caſe of Neglect.

Penalties on Collector detaining Money, &c.

XLV. And be it further enacted, That if any Collector or Receiver of any the Duties by this Act granted upon Salt, or Rock-Salt, or of any the further Duties granted by the Act before mentioned, for or upon Vellum, Parchment and Paper, ſhall detain all or any Part of the Monies by him collected or received contrary to his Duty, then he or they for ſuch Offence ſhall be diſmiſſed from his Employment, and be charged with Intereſt for the ſame, after the Rate of twelve Pounds *per Centum per Annum*, and be liable to anſwer treble Damages to all and every Perſon and Perſons, Bodies Politick and Corporate, that ſhall be grieved by ſuch Detention; and if any Collector or Receiver of any the ſaid Duties upon Salt, Rock-Salt, Vellum, Parchment and Paper, ſhall divert or miſapply all or any Part of the Monies by him collected or received, contrary to the true Meaning of this Act, then he or they for every or any ſuch Offence ſhall be diſmiſſed from his Employment, and rendred incapable to ſerve His Majeſty, His Heirs and Succeſſors as aforeſaid, and ſhall moreover forfeit double the Sum or Sums ſo by him or them diverted or miſapplied, to any Perſon or Perſons, Bodies Politick or Corporate, who ſhall be intitled to any Annuity or Payment out of the Fund by this Act ſettled, and will ſue for the ſame as aforeſaid.

and for miſapplying any Part thereof.

160,000 l. out of the ſaid additional Duties, &c. to be the yearly Fund for anſwering Annuities of 8 l. per Cent. to the Subſcribers of 2,000,0 o l. See 10 Annæ, c. 23.

XLVI. And be it enacted by the Authority aforeſaid, That Yearly and every Year, reckoning the firſt Year to begin from the nine and twentieth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-eight, the full Sum of one hundred and ſixty thouſand Pounds, by or out of the Monies to ariſe by the ſaid ſeveral Duties, as well upon Salt, and Rock-Salt, by this Act granted, as upon Vellum, Parchment and Paper, granted by the Act as aforeſaid, and every of them, and to be brought into the Receipt of Exchequer, by Weekly or other Payments as aforeſaid (in caſe the ſame Payments ſhall extend thereunto) ſhall be the whole and entire yearly Fund; and in caſe the ſaid weekly or other Payments ſhall not amount to one hundred and ſixty thouſand Pounds *per Annum*, then the ſaid weekly Monies or Payments, ſo far as the ſame will extend, ſhall be Part of the yearly Fund, for and towards the anſwering and paying the ſeveral and reſpective Annuities or yearly Payments in this Act hereafter expreſſed.

Weekly Payments not amounting to ſo much, then to be Part of the ſaid Fund, &c.

Appropriation of theſe additional Duties, &c.

XLVII. And be it further enacted, That all the Sums of Money ariſing by the ſaid ſeveral Duties upon Salt, Rock-Salt, Vellum, Parchment, and Paper, as aforeſaid, which ſhall be from time to time brought into the Receipt of Exchequer, or ſo much thereof as ſhall be ſufficient to make up and compleat the ſaid yearly Fund of one hundred and ſixty thouſand Pounds, or the proportionable Part thereof, to be payable in reſpect of the Monies which ſhall be actually advanced in purſuance of this Act, ſhall be appropriated, ſet apart, and applied, and the ſame are hereby appropriated for and towards the raiſing and making good of the ſaid yearly Fund, or ſuch proportionable Part of the ſame, and ſhall be iſſued and paid out of the ſaid Receipt of Exchequer, by the reſpective Officers of the ſame, without any Fee or Charge, and without any further or other Warrant, to be ſued for, had, or obtained from His Majeſty, His Heirs or Succeſſors, in that Behalf, and ſhall be applied to and for the Uſes and Purpoſes in and by this Act expreſſed and intended, and to no other Uſe, Intent, or Purpoſe whatſoever; and that the reſpective Officers in the Exchequer, who ſhall make any Delay in iſſuing or paying the ſaid Money to the ſaid Uſes by this Act intended,

Penalty on Officers of the Exchequer not

or

or ſhall be guilty of diverting or miſapplying any of the ſaid Monies to any other Uſe or Purpoſe, contrary to this Act, for any ſuch Offence ſhall be forejudged from their reſpective Offices and Places, and be rendred uncapable to ſerve His Majeſty, His Heirs and Succeſſors, as aforeſaid, and alſo ſhall be liable to pay double the Value of any Sum or Sums ſo delayed to be paid, or ſo diverted or miſapplied, as aforeſaid, to any Corporation, or other Perſon or Perſons that ſhall be grieved thereby, and who ſhall ſue for the ſame, to be recovered as aforeſaid.

Iſſuing, or miſapplying the Monies, &c.

XLVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His Majeſty, by Commiſſion under the Great Seal of *England*, to authorize and appoint any Number of Perſons to take and receive all ſuch voluntary Subſcriptions, as ſhall be made on or before the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, by or for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate (the Governor and Company of the Bank of *England* only excepted) of any Sum of Money whatſoever, not leſs than one hundred Pounds, for and towards the raiſing and paying into the ſaid Receipt of Exchequer the Sum of two Millions: Which Commiſſioners are hereby ordered and directed, as ſoon as conveniently they can, to provide and prepare one or more convenient Houſe or Houſes within the Cities of *London* and *Weſtminſter*, or one of them, to be the publick Office or Place, Offices or Places, to which all or any Perſons ſhall or may reſort for the making of the ſaid Subſcriptions, and to give ſuch publick Notice thereof, as they the ſaid Commiſſioners, or any five or more of them, ſhall think will moſt conduce to the promoting the ſaid Subſcriptions: And the ſaid Commiſſioners for taking Subſcriptions are hereby directed, as ſoon as conveniently may be, to provide, or cauſe to be provided, one or more Book or Books made of Vellum or Parchment, for the ſaid Subſcriptions to be made thereupon; which Book or Books ſhall from thenceforth lie open every Day in the Week (*Sunday* only excepted) at the ſaid publick Office or Offices as aforeſaid daily, and from the Hour of Eight to the Hour of Twelve in the Morning, and from the Hour of Two to the Hour of Six in the Afternoon of each Day, until the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, unleſs the Subſcriptions for the whole Sum of two Millions ſhall be ſooner compleated; and that it ſhall and may be lawful to and for His Majeſty, by His Commiſſion aforeſaid, to direct the Commiſſioners how and in what Manner they ſhall proceed to execute the ſame, in all Matters and Things relating to this Service, and by the ſame Commiſſion, or by Letters of Privy Seal, or by any Inſtrument under His Majeſty's Royal Sign Manual, to appoint from time to time the ſaid Commiſſioners, or any Number of them, by themſelves or their Caſhier or Caſhiers (the ſaid Caſhier or Caſhiers being firſt approved by His Majeſty under His Royal Sign Manual, and giving Security to His Majeſty for the due Performance of his or their Truſt or Truſts) to receive for His Majeſty's Uſe the ſeveral Payments of the Monies, which ſhall be ſo ſubſcribed, to be paid by any Perſon or Perſons, Bodies Politick or Corporate, as aforeſaid.

King may appoint Commiſſioners for taking Subſcriptions from any Perſons (except the Bank of England) for two Millions.

A Caſhier to be appointed.

XLIX. And be it enacted by the Authority aforeſaid, That during the Time hereby limited for taking the ſaid Subſcriptions, it ſhall and may be lawful to and for all and every Perſon and Perſons, Natives and Foreigners, Bodies Politick and Corporate, by and for themſelves, or any of them, or by themſelves, or any of them, in Truſt for any other Perſon or Perſons, Bodies Politick and Corporate, or any of them (except as aforeſaid) freely to ſubſcribe any Sum of Money (not leſs than one hundred Pounds) for or towards the ſaid Sum of two Millions; and all the Monies ſo to be ſubſcribed ſhall be anſwered and paid, by the reſpective Subſcribers thereof, to ſuch as ſhall be appointed to receive the ſame for His Majeſty's Uſe, in Manner following; that is to ſay, one full tenth Part (the whole in ten equal Parts to be divided) of every Sum of Money ſo ſubſcribed by or for any Perſon or Perſons, or by or for any Body Politick or Corporate reſpectively, ſhall be paid by him or them to His Majeſty's Uſe, as aforeſaid, at or before the Time of making each Subſcription reſpectively; and that one other tenth Part of every ſum ſo ſubſcribed ſhall be paid, in like Manner, at or before the End of two Months next after the Time hereby limited for the firſt Payment, as aforeſaid (which Time of two Months ſhall be reckoned to conſiſt of ſixty Days) and ſo onwards at the End of every ſuch two Months ſucceſſively, one full tenth Part of every Sum ſo ſubſcribed ſhall be paid to His Majeſty's Uſe, as aforeſaid, until the full Sum of every Subſcription ſhall be entirely cleared and paid off; nevertheleſs the laſt of the ſaid Payments upon every Subſcription, to be made as aforeſaid, ſhall be ſubject and liable to make good any Deficiency (if ſuch ſhould happen to be) which at any Time or Times, before the Time hereby limited for making ſuch laſt Payment or Payments, ſhall appear to be in the Produce of the ſaid Duties hereby granted or appropriated, for anſwering ſo much as before the ſaid Time hereby limited for ſuch laſt Payment or Payments, ſhall incur or grow due for or upon the yearly Fund by this Act ſettled or eſtabliſhed, and ſo much out of the ſaid laſt Payments as ſhall be ſufficient to anſwer and make good ſuch Deficiency (if any be) ſhall and may be defaulked, or otherwiſe applied to that Uſe, although His Majeſty's Supply by this Act intended be thereby leſſened; any Matter or Thing herein contained to the contrary notwithſtanding.

Sums (not leſs than 100l.) may be ſubſcribed, &c.

and anſwered by ten equal Payments.

Each ſubſequent Payment to be made at the End of every two Months.

Laſt Payment liable to make good any Deficiency in the Produce of the ſaid Duties.

L. And it is hereby further enacted, That if any Perſon or Perſons, Bodies Politick or Corporate, who ſhall have ſubſcribed as aforeſaid, do not pay down the firſt tenth Part upon his or their Subſcription, or at the Time of making thereof, as aforeſaid, then every ſuch Subſcription, without ſuch Payment, ſhall be utterly void and of none Effect; and if any Perſon or Perſons, Body Politick or Corporate, who ſhall have ſubſcribed as aforeſaid, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, having paid to the King's Uſe any Part or Parts of the Sum or Sums ſo by him, her, or them ſubſcribed, ſhall make Default in any of the ſubſequent Payments, which ought to be made by him, her, or them, upon ſuch Subſcription reſpectively, then, and in every ſuch Caſe, the firſt tenth Part paid down upon every ſuch Subſcription ſhall be forfeited and loſt to His Majeſty; and the reſpective Annuity or yearly Sum, which ſhall be payable out of the ſaid Fund, for or in reſpect of ſuch Subſcription, after the Rate of eight Pounds *per Centum per Annum*, ſhall be reduced, leſſened, or proportioned, according to the Money actually paid to His Majeſty's Uſe upon every ſuch Subſcription reſpectively, after an Abatement or Deduction ſhall be made of the firſt tenth Part, to be forfeited, as aforeſaid. And to the end the ſaid Subſcription Monies ſo to be payable

First Payment not made at the Time of ſubſcribing, ſuch Subſcription void.

Subſequent Payments not complied with, the firſt tenth Part to be forfeited, and the Annuity reduced according to the Money actually paid, &c.

able at several Days and Times, and by such Proportions, as aforesaid, may be the sooner made use of for the Supply of His Majesty's extraordinary Occasions, the Commissioners of His Majesty's Treasury, or any three or more of them now being, or the Treasurer of the Exchequer, or any three or more of the Commissioners of the Treasury for the time being, are hereby authorized and empowered to cause Tallies of Assignment, or Tallies of Anticipation for the same, or any Part thereof, to be levied upon the Commissioners, Receiver or Receivers General, or Cashier, who shall be appointed or authorized to receive the same; and that an Interest not exceeding the Rate of eight Pounds *per Centum per Annum* shall be annexed to, attend and go along with the Principal Monies contained in all and every such Talley and Tallies, to be paid every three Months out of such Subscription Monies, from the Date of every such Talley, until Satisfaction of the Principal thereupon, and that the Principal upon every such Talley shall be paid in Course, according to the Date thereof respectively.

How Tallies of Assignment or Anticipation may be levied. The said Tallies to bear an Interest of 8 l. per Cent. per Ann.

LI. And be it further enacted by the Authority aforesaid, That the said Commissioners, to be nominated by His Majesty for taking Subscriptions, as aforesaid, shall take Care that the Sums subscribed be written as well in Words at Length as in Figures; and that the Day of the Month and Year on which every Subscription shall be made, be truly set and expressed against the same; and that the Subscriptions, so to be made from time to time, be attested under the Hands and Seals of five or more of the Commissioners who shall be present at the making of such Subscriptions; and that the said Commissioners, or any five or more of them, do, without Delay, after the said nine and twentieth Day of *September* one thousand six hundred ninety-eight, or after the said Subscriptions for the said two Millions shall be compleated (which shall first happen) make, or cause to be made, true Duplicates or Copies, fairly written in Parchment, of the said whole Book or Books of Subscriptions, and deliver the said Duplicate or Duplicates of the said Book or Books, attested by five or more of the said Commissioners, into the Office of the Auditor of the Receipt in the Exchequer, before the twentieth Day of *October* one thousand six hundred ninety-eight at farthest; and the said Auditor of the Receipt is hereby authorized and required forthwith to register or enrol, and the Clerk of the Pells in the said Receipt is hereby required forthwith to record, the said Duplicate or Duplicates, amongst the Registers or Records of their respective Offices, that so it may appear how much shall have been subscribed, and by whom, and likewise how the said yearly Fund, or a proportionable Part thereof, is to be issued and applied by virtue of this Act; and that every Person concerned shall have free Access at all seasonable Times, and Liberty to view and peruse the said Register, Enrolment, or Record, without Fee or Charge; and that true Copies of such Book or Books so enrolled and recorded, under the Hands and Seals of the said Auditor of the Receipt and Clerk of the Pells, shall be delivered by them *gratis* to the said Commissioners, or any five or more of them, demanding the same, for the Benefit of the said Subscribers.

Sums subscribed to be written in Words at Length, &c.

and attested.

Duplicates of the Subscriptions to be returned into the Exchequer.

Auditor of the Receipt and Clerk of the Pells to Register the said Duplicates.

All Persons to have free Access to the Registers.

Copies of the Books to be delivered to the Commissioners, &c. gratis.

LII. And it is hereby further enacted, ordained, and declared by the Authority aforesaid, That every Person and Body Politick, who shall subscribe as aforesaid, and be named or contained in the said Book or Books, his, her, or their Heirs, Executors, Administrators, Successors, and Assigns respectively, shall have, receive, and enjoy for ever, out of the Fund by this Act settled and provided, one Annuity or certain yearly Sum, for the whole Sum by him, her, or them subscribed, according to the Rate or Proportion of eight Pounds *per Centum per Annum*; that is to say, all and every Person and Persons, or Corporation, subscribing one hundred Pounds, shall be intitled to an Annuity of eight Pounds *per Annum* out of the said Fund, and so proportionably for higher or larger Subscriptions; the same Annuities or yearly Payments to commence from the Feast of Saint *Michael* the Archangel in the Year of our Lord one thousand six hundred ninety-eight, and to be paid and payable at the four most usual Feasts in the Year; that is to say, the Feasts of the Birth of our Lord Christ, the Annunciation of the Blessed Virgin *Mary*, the Nativity of Saint *John Baptist*, and Saint *Michael* the Archangel, by even and equal Portions: The first Payment thereof to be made at the Feast of the Nativity of our Lord Christ one thousand six hundred ninety-eight; which said Annuities or yearly Payments shall nevertheless be subject or liable to the Condition and Power of Redemption hereafter in this Act expressed; and also to the Clause before in this Act contained, for reducing or lessening such Annuities, where Failure shall be made in some of the Payments of the Subscription Money for the same.

Subscriber to have an Annuity after the Rate of 8 l. per Cent. per Ann.

To Commence from Michaelmas 1698. and be paid quarterly.

First Payment.

Subject nevertheless to Redemption, &c.

LIII. And for the further Encouragement of the said Subscribers, it is hereby also enacted, That every Person or Body Politick, subscribing and paying down one tenth Part of his or their Subscription Money, as aforesaid, shall and may out of the same Defaulk and Recount, or shall be repaid (in Consideration of his or their Prompt Subscription and Payment) so much as an Allowance after the Rate of ten Pounds *per Centum per Annum* doth amount unto, being computed upon his or their whole Subscription Money, from the Day of making his or their Subscription and first Payment, until the Feast of Saint *Michael* the Archangel one thousand six hundred ninety-eight.

Allowance to Person paying down one tenth Part of his Subscription for Prompt Payment, &c.

LIV. And it is hereby further enacted, That the respective Commissioners, or such a Number of them, or such Cashier or Cashiers, who shall be authorized by His Majesty to receive all or any the said Payments upon the said Subscriptions, for His Majesty's Use, shall immediately, from time to time, give to the Persons or Corporations paying the same a Receipt in Writing for the several Sums so received; and shall cause an Entry thereof to be made in a Book or Books, expressing the Day on which every Payment shall be made, with the Names and proper Additions of those that make such Payments; and deliver a true Account, fairly written in Parchment, of all the said Receipts, attested by five or more of the said Commissioners, into the Office of the Auditor of the Receipt of Exchequer, on or before the four and twentieth Day of *June*, which shall be in the Year of our Lord one thousand seven hundred; and the Commissioners of His Majesty's Treasury, and the Treasurer, and Under Treasurer of the Exchequer for the time being, are hereby impowered and commanded, out of any of His Majesty's Treasure not appropriated by Act of Parliament, to issue and pay such Sums as shall be necessary to be expended or laid out, as incident Charges in the Execution of such Commission.

Commissioners or Cashier to give Receipts for the Money they receive,

and enter the same, &c.

Account thereof to be delivered to the Auditor of the Receipt, &c.

Commissioners of the Treasury to issue Monies for incident Charges, &c.

LV. Provided always, That any Perſons, ſo to be named Commiſſioners, may be Subſcribers, and their Subſcriptions and Payments ſhall and may be received by the other Commiſſioners, or ſuch of them as ſhall be appointed in that Behalf. Commiſſioners may be Subſcribers.

LVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for His Majeſty, by Letters Patents under the Great Seal of *England*, to incorporate all and every the Perſon and Perſons, Natives and Foreigners, Bodies Politick and Corporate, who ſhall ſo ſubſcribe, or for whom ſuch Subſcriptions ſhall be made, and upon whoſe Subſcriptions the firſt tenth Part ſhall be paid as aforeſaid, and all and every Perſon and Perſons, Bodies Politick and Corporate, who as Executors, Adminiſtrators, Succeſſors or Aſſigns, or by any other lawful Title, derived or to be derived from, by or under the ſaid original Subſcribers, of or towards the ſaid Sum of two Millions, at any Time or Times hereafter, ſhall have or be intitled to any Part, Share or Intereſt, of or in the yearly Fund by this Act ſettled as aforeſaid, ſo long as they reſpectively ſhall have any ſuch Part, Share, or Intereſt therein, to be one Body Politick and Corporate, by the Name of *The General Society intitled to the Advantages given by an Act of Parliament for advancing a Sum not exceeding two Millions, for the Service of the Crown of* England, and by that Name ſhall have perpetual Succeſſion, and a common Seal; and that they and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law to have, purchaſe, receive, enjoy, poſſeſs and retain, to them and their Succeſſors, Lands, Rents, Tenements and Hereditaments, of what Kind, Nature or Quality ſoever, and alſo to ſell, grant, demiſe, aliene or diſpoſe of the ſame, and by the ſame Name to ſue and implead, be ſued and impleaded, anſwer and be anſwered, in Courts of Record or any other Place whatſoever, and to do and execute all and ſingular other Matters and Things by the Name aforeſaid, that to them ſhall or may appertain to do; ſubject nevertheleſs to the Proviſo or Condition of Redemption, and to ſuch Reſtrictions and Limitations, as are hereafter in this Act expreſſed. King may incorporate the Subſcribers.

LVII. And it is hereby declared, That the Sum total of all the ſaid Subſcriptions ſhall be, and be called, *The Principal Stock* of the ſaid General Society, and all and every Perſon and Perſons, his and their Executors, Adminiſtrators, Succeſſors and Aſſigns, according and in Proportion to the Sum or Sums by him, her or them reſpectively ſubſcribed, ſhall have, and be deemed to have an Intereſt or Share in the ſaid Principal Stock, and of and in the yearly Fund hereby ſettled. Sum total of all the Subſcriptions to be called the The Principal Stock of the ſaid Corporation.

LVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His Majeſty to impower all and every Perſon or Perſons, who ſhall ſeverally or reſpectively have ſubſcribed in the ſaid Book or Books any Sum or Sums not leſs than five hundred Pounds, and ſhall have ſeverally paid one tenth Part of the Sum or Sums ſo by them ſubſcribed, their Executors, Adminiſtrators, Succeſſors or Aſſigns, to aſſemble and meet together at the *Guildhall* within the City of *London*, at or upon the tenth Day of *October* one thouſand ſix hundred ninety-eight, or within twenty Days after the Subſcription ſhall be compleated (which ſhall firſt happen) then and there to elect and chooſe the firſt Truſtees, to manage, govern, and direct the ſaid General Society, and they, or the major Part of them ſo aſſembled, ſhall and may chooſe, by way of Balloting, out of the whole Number of Subſcribers (whereof none to have more than one Vote) four and twenty Perſons, each of which ſhall ſeverally have ſubſcribed, in their own Rights, the Sum of two thouſand Pounds at the leaſt, who ſhall be the firſt Truſtees of the ſaid General Society; which Elections ſhall ſeverally be determined by the Majority of Votes then preſent, by way of Ballot as aforeſaid, and if they be equal, then by His Majeſty's Commiſſioners for taking the ſaid Subſcriptions, or the major Part of them then preſent; which Perſons ſo to be elected, ſhall afterwards be inſerted in his Majeſty's Charter of Incorporation of the ſaid General Society, as the firſt Truſtees, for ſuch Time, and with ſuch Succeſſion, and ſubject to ſuch further Qualifications, as His Majeſty in ſuch Charter of Incorporation ſhall be pleaſed to appoint; and that in ſuch Charter ſuch further Rules, Powers and Clauſes for carrying on the ſaid Trade, and purſuing the Ends and Intent of this Act, ſhall and may be inſerted, as ſhall be lawfully and reaſonably deſired in that Behalf. Subſcribers to elect 24 Truſtees by way of Balloting. No Elector to have more than one Vote. Each Truſtee to ſubſcribe 2,000 l. at leaſt in his own Right. Perſons elected to be inſerted in Charter of Incorporation.

LIX. Provided always, and it is hereby further enacted, That in caſe the whole Sum of two millions ſhall not be ſubſcribed as aforeſaid, before the ſaid nine and twentieth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-eight, that then the Subſcribers and Contributors for and towards raiſing the ſaid Sum of two Millions, their Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall only have and receive ſo much, and ſuch Part and Proportion of the ſaid yearly Fund, as ſhall be after the Rate of eight Pounds *per Centum per Annum*, for ſuch Sum or Sums of Money as ſhall be ſo reſpectively ſubſcribed. If two Millions be not ſubſcribed, Subſcribers to have only a proportionable Part of the yearly Fund.

LX. And be it further enacted, That from and after the granting of the ſaid Letters Patents for Incorporation of the General Society as aforeſaid, the ſaid yearly Sum of one hundred and ſixty thouſand Pounds as aforeſaid, or ſo much thereof as ſhall be proportionable to the ſeveral Sum or Sums to be ſubſcribed as aforeſaid, ſhall be iſſued and paid to the ſaid General Society and their Succeſſors, or to ſuch Treaſurer or Receiver General, as they ſhall appoint by their Common Seal to receive the ſame; who ſhall from time to time have and receive the ſaid Monies, in Truſt for the ſeveral and reſpective Members of the ſaid General Society, whether they be Bodies Politick or Natural, according to the Proportion of their ſeveral Shares and Intereſts in the General Stock. After Charter is paſſed, yearly Sum, or a proportionable Part thereof, is to be paid to the General Society, &c.

LXI. And be it enacted by the Authority aforeſaid, That in caſe the ſaid whole Sum of two Millions, or one Moiety, or any greater Part of the ſaid Sum of two Millions, ſhall be ſubſcribed as aforeſaid, on or before the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, that then and from thenceforth all and every the Perſon and Perſons, Natives and Foreigners, Bodies Politick and Corporate, by or for whom ſuch Subſcriptions ſhall be made, and all and every Perſon and Perſons, Bodies Politick and Corporate, who as Executors, Adminiſtrators, Succeſſors or Aſſigns, or by any other lawful Title derived or to be derived from, by or under the ſaid original Subſcribers, at any Time or Times hereafter, ſhall have or be intitled to any Part, Share or Intereſt, of and in the yearly Fund by this Act ſettled as aforeſaid, and of and in a proportionable Part of the Principal Stock of the ſaid General Society, ſo long If two Millions be ſubſcribed within the Time limited, the Subſcribers, &c. may trade to the Eaſt Indies.

long as they respectively shall continue to have any Part, Share or Interest therein, and all and every Person and Persons, who for any Time shall be licenced by such Person or Persons, Bodies Politick or Corporate, to trade in the Stead of them, or any of them, shall and lawfully may for ever hereafter, by themselves severally, or by such Factors, Agents or Servants, as they severally shall think fit to intrust, freely traffick and use the Trade of Merchandize, in such Places, and by such Ways and Passages, as are already frequented, found out, or discovered, or which hereafter shall be found out or discovered, and as they severally shall esteem and take to be fittest or best for them, into and from the *East Indies*, in the Countries and Parts of *Asia* and *Africa*, and into and from the Islands, Ports, Havens, Cities, Creeks, Towns and Places of *Asia*, *Africa*, and *America*, or any of them, beyond the Cape of *Bona Esperanza*, to the Streights of *Magellan*, where any Trade or Traffick of Merchandize is or may be used or had, and to and from every of them; which Trade, Traffick, or Merchandizing, shall be and is by virtue of this Act for ever limited and restrained, so and in such Manner, as that no Person or Corporation hereby authorized to trade or traffick as aforesaid, shall in any one Year (every Year to be reckoned from the said nine and twentieth Day of *September* one thousand six hundred ninety-eight) successively, by him or themselves, or by Persons licenced to trade instead of them, or any of them as aforesaid, or by their respective Factors, Agents or Servants, ship, lade, put on Board, send or cause to be sent, or design to send to or for the *East Indies*, or other Parts within the Limits aforesaid, from *England*, or any other Country or Place whatsoever, any Quantity of Goods, Wares, Merchandizes, Coins, Bullion, or Commodities whatsoever, of greater Value than in this Act are expressed; that is to say, the Person or Persons, or Body Politick, who shall be intitled to any Annuity or yearly Payment of eight Pounds *per Annum*, and consequently to a Share of one hundred Pounds in the Principal Stock of the said General Society, for every such Stock or Share of one hundred Pounds, shall or may by himself, or themselves, or others as aforesaid, ship, lade, put on Board, or cause to be sent yearly for the said *East Indies*, or Parts within the Limits aforesaid, Goods, Wares, Merchandizes, Coins, Bullion, or other Commodities (being such as may lawfully be exported or sent thither) as shall amount in Value to the Sum of one hundred Pounds; and every Person and Corporation intitled to a larger Annuity out of the said yearly Fund, and in that Respect to a greater Share than one hundred Pounds in the said Principal Stock, shall and may yearly ship and send to the *East Indies*, and other Parts within the Limits aforesaid, a proportionable Value in Goods, or other Things as aforesaid, after the said Rate of one hundred Pounds for every one hundred Pounds Stock.

None to trade for more than the Amount of his Stock.

Persons intitled to particular Shares in the Principal Stock, may be incorporated into a Company, to trade with a Joint Stock, &c. by such proper Name as His Majesty shall think fit.

LXII. And be it further enacted by the Authority aforesaid, That if the said whole Sum of two Millions, or one Moiety, or any greater Part thereof, shall be subscribed on or before the said nine and twentieth Day of *September* one thousand six hundred ninety-eight, and all or any Corporations, or other Person or Persons, having particular Shares or Interests in the Principal Stock of the said General Society, or in proportionable Annuities, or yearly Payments issuing out of the said yearly Fund, shall be willing and desirous to unite or join together such their several Shares and Interests, and to be incorporated so as they may be able to manage their Trade (in Proportion to their Interests) as a Company, and by a Joint Stock, that then it shall and may be lawful to and for His Majesty, by Letters Patents under the Great Seal of *England*, to incorporate all such Persons and Corporations by such proper Name as His Majesty, His Heirs or Successors shall think fit, to be one Company, with Power to manage and carry on their Trade to the *East Indies*, and other the Limits aforesaid, by a Joint Stock, and to have a perpetual Succession, and a Common Seal, and with Power to grant and take, sue and be sued, and to choose their own Managers or Directors, and Officers, from time to time, and such other Powers and Clauses as shall be necessary or requisite for the carrying on of such Trade, and shall be reasonable for His Majesty to grant; nevertheless such Company, so to be created with Power to trade with a Joint Stock as aforesaid, shall be restrained to such Proportion of the Trade in Whole, as all the particular Members thereof would have been intitled to at the Rate before mentioned, in case such new Company were not made; and the Directors or Managers, and other Members of the same, shall be subject to such further Rules, Qualifications and Appointments, as His Majesty in their Charter shall think necessary or reasonable to be inserted.

After incorporating any such Company, the proportionable Part of the yearly Fund belonging to the Members thereof, is to be paid to the said Company, &c. See 10 Anne, c. 28.

LXIII. Provided always, and it is hereby enacted, That after the incorporating of any such Company to trade with a Joint Stock as aforesaid, the proportionable Part or Parts of the said yearly Fund issuing out of the Exchequer, and belonging to the Members of such new Company, shall from time to time (under the like Penalties, as aforesaid) be issued at the said Receipt of the Exchequer, to such Company, or to such Treasurer or Treasurers, as shall be appointed under their Common Seal to receive the same, in Trust for the several and respective Members of such Company, according to their respective Proportions or Shares in the Joint or United Stock of such Company; any thing in this Act contained to the contrary notwithstanding: And that the Payment thereof shall and may be made weekly, or as fast as the said Duties shall produce Money into the Exchequer, for the same, so as by such weekly or other Payments the whole of the Annuities due to such Company at the End of any one Quarter be not exceeded.

Payments thereof to be made at the Exchequer.

Every Member of the General Society to take an Oath, &c. not to trade for more than by this Act is allowed.

LXIV. And it is hereby further enacted by the Authority aforesaid, That all and every Person and Persons, who as a Member or Members of the said General Society, shall have Power to trade by or for himself, or themselves, and not in a Company, in such Measure or Proportion as aforesaid, before he or they shall be allowed to exercise or make Use of such Power, shall take a corporal Oath before two or more of the Trustees for the said General Society (who have hereby Power to administer the same) that such Members shall be faithful to the said General Society, and (according to the best of his or her Skill and Understanding) give his or her Advice, Counsel, and Assistance, for the Support and good Government of the said Society, and that he or she will not at any Time or Times ship, lade, send, direct, or cause to be sent from *England*, or any other Country, to the *East Indies*, or other the Parts within the Limits aforesaid, any Goods, Coins, or other Merchandizes of greater Value than such as he or she may lawfully send thither by this Act; and that all and every Person and Persons, who shall be licenced to trade, as aforesaid, before he or they shall be allowed to use or enjoy the Benefit of any such Licence, shall causes the same to be

Persons trading by Licence, to

entred

entred or regiſtred at large in the Books of the ſaid General Society, and ſhall alſo take a corporal Oath, before two or more of the Truſtees of the ſaid General Society, that ſuch Perſon trading by ſuch Licence ſhall be faithful to the ſaid General Society, and will not at any Time or Times ſhip, lade, ſend, direct, or cauſe to be ſent, to the *Eaſt Indies*, or other Places within the Limits aforeſaid, any Goods, Coins, or other Merchandizes of greater Value than what he or ſhe may lawfully ſend thither by virtue of this Act; and that no Perſon or Perſons, who ſhall be incorporated, or be a Member or Members of any Company or Corporation, having or that ſhall have Power to trade to the *Eaſt Indies*, and other the Parts within the Limits aforeſaid, by a Joint Stock, in purſuance of this Act, during ſuch Time as he or they reſpectively ſhall continue a Member or Members of ſuch Company or Corporation, ſhall trade otherwiſe than in the Joint Stock of ſuch Corporation, of which he or they are Members reſpectively; and every ſuch Member or Members, before he or they ſhall be allowed to receive any Benefit, in or by ſuch Corporation, or to do, or intermeddle in any of the Affairs of the ſame, ſhall take a corporal Oath before two or more of the Truſtees, or other Perſons, who ſhall have the Direction of the Affairs of any ſuch Company or Corporation (who have hereby Power to adminiſter the ſame) that he or ſhe ſhall be faithful to ſuch Company or Corporation, and (according to the beſt of his or her Skill and Underſtanding) give his or her Advice, Counſel, and Aſſiſtance, for the Support and good Government of the ſaid Company or Corporation; and that he or ſhe, during his or her Continuance, in ſuch Company or Corporation, will not at any Time or Times ſhip, lade, ſend, direct, or cauſe to be ſent from *England*, or any other Country, to the *Eaſt Indies*, or other Parts within the Limits aforeſaid, for his or their private Accounts, any Goods, Coins, or other Merchandizes, contrary to this Act; and that no Perſon or Perſons, that ſhall have the Order, Rule, Direction, or Management of the Voyages, or other Affairs of the ſaid Company or Corporation, or that ſhall be intruſted or employed to trade upon the Joint Stock, or for a Company, as aforeſaid, ſhall be allowed to ſhip, or cauſe to be ſhipped, laded, or put on board, or to ſend or cauſe to be ſent from the *Eaſt Indies*, or other Parts, within the Limits aforeſaid, any Goods, Foreign Coins, or other Merchandizes whatſoever from *England*, or any other Country, until he or they reſpectively ſhall have taken a corporal Oath, before two or more of the Truſtees, or other Directors of ſuch Company, or before the Barons of the *Exchequer* for the time being, or ſome of them, that he or they reſpectively will be faithful to ſuch Company or Corporation, and (according to the beſt of his or her Skill and Underſtanding) give his or her Advice, Counſel, and Aſſiſtance, for the Support and good Government of the ſame, and that he or ſhe, during his or her Continuance in ſuch Company or Corporation, will not at any Time or Times, ſhip, lade, ſend, direct, or cauſe to be ſent from *England*, or any other Country for the *Eaſt Indies*, or other the Parts within the Limits aforeſaid, any Goods, Coins, or other Merchandizes, but ſuch as he or ſhe may lawfully ſend thither, for the Account of ſuch Company, according to this Act.

enter their Licences, &c. and take an Oath, &c.

No Member, &c. of other Corporations ſhall trade otherwiſe than in the Joint Stock thereof.

Every Member, &c. to take an Oath not to trade to the Indies, &c. on any private Account.

LXV. Provided always, That ſuch Perſons as are known or commonly reputed to be *Quakers*, inſtead of any Oath or Oaths by this Act preſcribed, ſhall and may make a ſolemn Declaration in Writing to the ſame Effect, and in the ſame Manner; and every ſuch Declaration in Writing ſhall be of the ſame Validity, as if he or they had taken a corporal Oath, as aforeſaid; any thing herein contained to the contrary notwithſtanding.

Quakers may make a ſolemn Declaration.

LXVI. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, that ſhall or may, in purſuance of this Act, trade or ſend, or cauſe to be ſent any Goods, Foreign Coins, or other Merchandizes, for the *Eaſt Indies*, or other the Parts within the Limits aforeſaid, before ſuch Goods, Foreign Coins, or other Merchandizes, or any of them (the Goods, Foreign Coins, or other Merchandizes of ſuch Company as ſhall or may be erected, if any ſuch be, to trade with a Joint Stock, as aforeſaid, only and always excepted) ſhall be ſhipped, laded, or put on board any Ship, or into any Lighter, Boat, or other Veſſel for that Purpoſe, ſhall make, or cauſe to be made an Entry or Entries of the ſame, in a Book or Books for that Purpoſe, ſpecifying in ſuch Entry or Entries, the true and full Quantities, Kinds, and Values of all the Goods, Foreign Coins, or other Merchandizes ſo intended to be ſent for the *Eaſt Indies*, or other the Parts within the Limits aforeſaid, from *England*, or from any other Country whatſoever, with the Name of the Ship, and of the Commander or Maſter thereof; to the end it may be ſeen by Inſpection of ſuch Book or Books to which all Perſons concerned ſhall have free Acceſs at all ſeaſonable Times, without Fee or Charge) from time to time, whether ſuch Traders do or do not ſend more Goods, Coins, or Merchandizes in the ſaid Trade than they reſpectively are allowed to ſend by this Act; and all and every ſuch Perſon and Perſons, upon ſuch Entry or Entries made, from time to time, ſhall make and ſign an Affirmation in Writing, in which he or they ſhall declare or affirm (upon the Oath or ſolemn Declaration which he or they ſhall previouſly have taken or made, as aforeſaid, in that Behalf) that ſuch Entry or Entries do contain the true and full Value and Values of all the Goods, Coin, or Merchandizes, to be ſhipt by or for him or them on ſuch Ship for that Voyage; all which Entries and Affirmations ſhall be made before two or more of the Truſtees for the General Society aforeſaid, and in Books to be kept by them for that Purpoſe, until a Company with Power to trade upon a Joint Stock ſhall be erected, as aforeſaid; and after ſuch Company ſhall be erected, then the ſame ſhall be made before two or more of the Directors or Managers of ſuch Company, and in Books to be kept by them for that Purpoſe.

All Perſons trading in purſuance of this Act, &c. ſhall enter the Goods they export, &c.

Perſons concerned may view the Books, &c.

The ſaid Entries to be atteſted on Oath, &c.

Entries and Affirmations how to be made.

LXVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His Majeſty, by His ſaid Charter or Charters of Incorporation, to impower the ſaid General Society, and their Succeſſors, and ſuch Company as ſhall be erected to trade with a Joint Stock, as aforeſaid, and their Succeſſors, or either of them ſeverally, to make reaſonable Laws, Conſtitutions, Orders, and Ordinances, from time to time, for the good Government of the ſaid Trade to the *Eaſt Indies*, and other the Parts aforeſaid, and of the Traders, Factors, Agents, Officers, and others concerned in the ſame, and to inflict reaſonable Penalties and Puniſhments, by Impriſonments, Mulcts, Fines, or Amerciaments, for any Breach or Breaches thereof, and to levy ſuch Mulcts, Fines, or Amerciaments to the Uſe of ſuch General Society or Company reſpectively.

General Society, &c. may make By-laws.



LXVIII. And

Penalty on Persons not making true Entries.

LXVIII. And it is hereby further enacted, That if any Person or Persons, who are hereby required to make such Entries and Affirmations as this Act directs, shall neglect so to do, or if any Goods, foreign Coins, or other Merchandizes so entred, shall be of greater Value than shall be specified in such Entry or Entries, that then, and in every such Case, the Goods, foreign Coins, or other Merchandizes which shall be shipped or put on board any Ship or other Vessel designed for the *East Indies*, or any other the Parts within the Limits aforesaid, or into any Lighter, Boat, or other Vessel, to be put upon any such Ship, for which no such Entry or Affirmation shall be made, or which shall be omitted therein, and the Effects and Proceed of the same (wheresoever they shall be found) shall be forfeited, and may be seized, and double the Value thereof shall and may be sued for and recovered against the respective Offenders, and to be divided or distributed in such Manner and Form, as His Majesty by such Charter or Charters shall appoint.

No Company, &c. to trade before Security given, &c. that Goods laden in the Indies shall be brought to England, &c. This Clause explained as to the Securities to be given, and also breaking Bulk, by 6 Annæ, c. 3. §. 1. 13 Geo. 1. c. 8. Disputes in Acceptance of Security how to be determined. Goods imported to be sold by Inch of Candle. Penalty.

LXIX. Provided always, and it is hereby enacted, That no Company or particular Person or Persons who shall have a Right, in pursuance of this Act, to trade to the *East Indies*, or other the Parts within the Limits aforesaid, shall be allowed to trade thither, until sufficient Security shall be first given (which the Commissioners of the Customs in *England*, or any three or more of them for the time being, are hereby authorized and required to take, in the Name, and to the Use of His Majesty, His Heirs and Successors) that such Company, or particular Persons, shall cause all the Goods, Wares, Merchandizes, and Commodities, which shall at any Time or Times hereafter, during the Continuance of this Act, be laden by or for them, or any of them, or for their or any of their Accounts, in any Ship or Ships whatsoever, bound from the said *East Indies*, or Parts within the Limits aforesaid, shall be brought (without breaking Bulk) to some Port of *England* or *Wales*, and there be unladen and put on Land (the Danger of the Seas, Enemies, Pirates, Constraints of Princes and Rulers, and Barratry of Seamen excepted) and in case there be any Difficulty or Dispute in the Acceptance of any such Security, such Difficulty and Dispute shall and may be determined by the Lord Chief Baron, and other the Barons of the Coif of the *Exchequer*, or any of them, according to his or their best Judgment and Discretion; and that all Goods and Merchandizes, belonging to the Company to be erected, as aforesaid, or any other Traders to the *East Indies*, and which shall be imported into *England* or *Wales*, as aforesaid, pursuant to this Act, shall by them respectively be sold openly and publickly by Inch of Candle, upon their respective Accounts, and not otherwise; upon Pain that the same, or the Value thereof, shall be forfeited and lost, to wit, one Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety thereof to any Person or Persons that will seize, inform, or sue for the same, by Action of Debt, or of the Case, Bill, Plaint, or Information, as aforesaid.

King's Commission, &c. shall direct in what Manner the Shares in the yearly Fund, &c. shall be assigned or transferred.

LXX. And be it further enacted, That it shall and may be lawful to and for His Majesty, by any such Commission, Charters, or Letters Patents, as aforesaid, under the Great Seal of *England*, to limit, direct, and appoint, how and in what Manner and Proportions, and under what Rules and Directions, the Shares of all and every Person and Persons whatsoever in the said yearly Fund, and of and in the Stock of the said General Society, or of any Company to be settled or authorized to trade in pursuance of this Act, and every or any Part or Proportion thereof shall or may be assignable or transferrable, to be assigned or transferred to such Person or Persons only, as shall freely and voluntarily accept of the same, and not otherwise; and that all Assignments and Transferrences made in such Manner shall be good and available in the Law.

Stocks esteemed personal Estates.

LXXI. And be it further enacted by the Authority aforesaid, That the Estates, Interests, and Stocks of Money of the several Corporations to be created or established in pursuance of this Act, and of each and every particular Member thereof, shall be and be adjudged, taken, and accepted, in Construction of Law, by all Judges, and in Courts of Law and Justice, and in all Courts and Places whatsoever, to be a personal and not a real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, or intitled thereunto, and not to the Heirs of such Person or Persons; any Law, Statute, Usage, or Custom, to the contrary notwithstanding.

Annuities out of the yearly Fund, and Shares in Trade, &c. exempt from Taxes.

LXXII. And be it further enacted by the Authority aforesaid, That the several Annuities or Payments issuing out of the said yearly Fund, or the Shares, Parts, or Interests of any Members of the said General Society, or of the said Company to be erected by virtue of this Act, of and in the Principal or Capital Stocks of the same, or of or in the Benefit of Trade to be annexed thereunto, in pursuance of this Act, during the Continuance of the same, shall be and are hereby exempted from any Taxes, Rates, Assessments, or Impositions whatsoever.

Guardian or Trustee for an Infant may subscribe a Moiety of the Money in his Trust.

LXXIII. And be it further enacted, That any Guardian or Trustee for any Infant may, for the Benefit of such Infant, subscribe, advance, and contribute, upon this Act, a Sum not exceeding one Moiety of the Monies within his or her Trust, upon the Advantages in this Act mentioned, and such Infant, upon Payment of such Sum, shall become the Contributor thereof, and the Guardian or Trustee shall be discharged from the same.

No Member, &c. in respect of his Stock only shall be adjudged a Bankrupt. Stock not liable to foreign Attachment.

LXXIV. And be it enacted, That no Member of any Society or Company to be erected in pursuance of this Act shall, in respect of his Stock therein only, be or be adjudged liable to be a Bankrupt, within the Intent and Meaning of all or any the Statutes made against or concerning Bankrupts; and that no Stock in such Society or Company shall be subject or liable to any Foreign Attachment by the Custom of the City of *London* or otherwise.

8 & 9 W. 3. c. 20.

'LXXV. And whereas by an Act of Parliament made in the eighth and ninth Years of His Majesty's 'Reign, intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging 'the Capital Stock of the Bank of* England, *and for raising the Publick Credit*, it is (amongst other Things) 'enacted, That during the Continuance of the Corporation of the Governor and Company of the Bank 'of *England*, no other Bank, or any other Corporation, Society, Fellowship, Company, or Constitution, 'in the Nature of a Bank, shall be erected or established, permitted, suffered, countenanced, or allowed 'by Act of Parliament, within this Kingdom, as in and by the said Act more at large may appear:' Now for the better securing the Privileges of the said Governor and Company of the Bank of *England*, granted

to

to them by Parliament, and to prevent the Corporation or Corporations, Society or Societies, Fellowſhip or Fellowſhips, Company or Companies, Conſtitution or Conſtitutions, which ſhall or may be eſtabliſhed by virtue of this Act, from interfering with, or being prejudicial to, the ſaid Governor and Company of the Bank of *England*; Be it enacted by the Authority aforeſaid, That it ſhall * not be lawful to or for the Corporation or Corporations, Society or Societies, Fellowſhip or Fellowſhips, Company or Companies, Conſtitution or Conſtitutions, which ſhall or may be eſtabliſhed by virtue of this Act (as a Corporation, Society, Fellowſhip, Company, or Conſtitution) to borrow, owe, or give Security for any Sum or Sums of Money, on Credit of any public Fund or Funds hereby granted, or any Part thereof; and that it ſhall not be lawful for the ſaid Corporation or Corporations, Society or Societies, Fellowſhip or Fellowſhips, Company or Companies, Conſtitution or Conſtitutions, which ſhall or may be eſtabliſhed by virtue of this Act, to borrow, owe, or give Security for any other or greater Sum or Sums of Money, than ſuch as ſhall be really and *bona fide* expended and laid out in and for the buying of Goods, Bullion, or Commodities to be exported for the proper Account of the ſaid Corporation or Corporations, Society or Societies, Fellowſhip or Fellowſhips, Company or Companies, Conſtitution or Conſtitutions, which ſhall or may be eſtabliſhed by virtue of this Act, or ſhall be otherwiſe employed in their Trade; all which Sum or Sums of Money, ſo to be borrowed for the Purpoſe aforeſaid, ſhall be borrowed only on their Common Seal, and ſhall not be made payable, or *bona fide*, agreed to be paid, at any Time leſs than ſix Months, from the Time of the borrowing thereof; and that it ſhall not be lawful for the Corporation or Corporations, Society or Societies, Fellowſhip or Fellowſhips, Company or Companies, Conſtitution or Conſtitutions, which ſhall or may be eſtabliſhed by virtue of this Act, to diſcount any Bills of Exchange or other Bills or Notes whatſoever, or to keep any Books or Caſh, of or for any Perſon or Perſons, Bodies Politick or Corporate whatſoever, other than only the proper Monies and Caſh of the ſaid Corporation or Corporations, Society or Societies, Fellowſhip or Fellowſhips, Company or Companies, Conſtitution or Conſtitutions, which ſhall or may be eſtabliſhed by virtue of this Act.

* In the Record it is, Shall and may be lawful. Not lawful for the General Society, &c. to borrow on Credit of the Funds by this Act granted, nor any other Sums than employed in Trade.

Monies ſhall be borrowed only on their Common Seal, and not made liable in leſs than ſix Months.

Company may not diſcount Bills of Exchange, &c. or keep Caſh for any Perſon whatſoever.

LXXVI. And the ſaid Commons of *England* in Parliament aſſembled, for the Ends and Purpoſes in this Act expreſſed, have alſo given and granted unto His Majeſty, His Heirs and Succeſſors, the further Rates and Duties herein after mentioned; and it is hereby further enacted by the Authority aforeſaid, That for and upon all Goods, Wares, and Merchandizes whatſoever, of the Growth, Product, or Manufacture of the *Eaſt Indies*, or any other Countries or Places within the Limits aforeſaid, to wit, beyond the ſaid Cape to the Streights of *Magellan*, which from and after the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, at any Time or Times ſhall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, by any Corporation, Perſon or Perſons, trading within the Limits aforeſaid, by virtue or in purſuance of this Act, there ſhall be yielded and paid to His Majeſty, His Heirs and Succeſſors (over and above all other Duties payable for the ſame) a Duty after the Rate of five Pounds for every one hundred Pounds of the true and real Value of the ſaid Goods; to be paid over from time to time to the ſaid General Society of Subſcribers, and their Succeſſors, or ſuch Treaſurer or Treaſurers, as ſuch Society ſhall appoint to receive the ſame, unleſs a Company, upon the Deſire of the Subſcribers or any of them, ſhall be erected in purſuance of this Act, to trade with a Joint Stock, as aforeſaid; and from and after the erecting or ſettling of ſuch Company, then the ſaid Duty of five Pounds *per Centum* ſhall be paid over to ſuch Company, and their Succeſſors, or to their Treaſurer, to the end that the ſaid General Society, and the ſaid Company reſpectively, may out of the Produce of the ſaid Duty of five Pounds *per Centum* maintain ſuch Ambaſſadors, or other Miniſters, as His Majeſty, His Heirs or Succeſſors (at the Nomination of the Truſtees, Directors, or Managers, of or for the General Society aforeſaid, or of ſuch Company ſo to be impowered to trade with a Joint Stock, as aforeſaid) ſhall be pleaſed to ſend to any Emperor, Prince, or State within the Parts aforeſaid, and defray any other extraordinary or neceſſary Expences, in carrying on the ſaid Trade; and if at any Time or Times there be an Overplus of the Produce of the ſaid Duty, to diſpoſe the ſame, from time to time, to and for the Benefit of all the Members of the ſaid General Society, until a Company to trade with a Joint Stock ſhall be erected, as aforeſaid; and after ſuch Company ſhall be erected, then to and for the Benefit of all the Members thereof, according to their reſpective Shares or Intereſts in the Principal or Capital Stock of the ſame.

An additional Duty of 5 l. per Cent. laid on all East India Goods imported, &c. ' Continued by 10 Annæ, c. 28.'

To be paid over to the General Society, &c. for maintaining Ambaſſadors, &c.

Overplus, if any, how to be diſpoſed.

LXXVII. And for the better raiſing, levying, and ſecuring the ſaid Duty, after the Rate of five Pounds in the Hundred, it is hereby further enacted, That upon the Importation of any ſuch Goods, as aforeſaid, liable thereunto, an Entry or Entries thereof ſhall be made in the Cuſtom-houſe where ſuch Goods ſhall be imported, and before the Landing thereof the Importer or Importers of the ſame ſhall give Security (which the Commiſſioners or proper Officers of the Cuſtoms are hereby required and impowered to take) for Payment of the ſaid Duties, after the Rate of five Pounds in the Hundred upon the ſaid Goods, as ſoon as the ſame ſhall be ſold, the Value thereof to be reckoned according to the groſs Price at which ſuch Goods ſhall be ſold; and that in caſe any ſuch Goods ſhall be landed or put on Shore out of any Ship or Veſſel, before due Entry be made thereof at the Cuſtom-houſe, in the Port or Place where the ſame ſhall be imported, and the Duties hereby impoſed ſhall be ſecured, or without a Warrant for the landing or delivering of the ſame, firſt ſigned by the Commiſſioners, Collectors, or other proper Officer or Officers of the Cuſtoms reſpectively, that all ſuch imported Goods as ſhall be ſo landed, or put on Shore, or taken out of any Ship or Veſſel, contrary to the true Meaning hereof, or the Value of the ſame, ſhall be forfeited, and ſhall and may be recovered of the Importer or Proprietor thereof; to wit, one Moiety of the ſame to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon or Perſons as will ſeize the ſaid Goods, or ſue for the ſame, or the Value thereof, by Action, Bill, Suit, or Information, as aforeſaid.

Security to be given for Payment of the ſaid additional Duty, &c.

Goods landed before Duty ſecured, &c. ſhall be forfeited.

LXXVIII. And it is hereby further enacted, That the ſaid Duty of five Pounds in the Hundred ſhall be from time to time under the Management and Government of the Commiſſioners of the Cuſtoms for the time being, who ſhall cauſe the ſame to be raiſed, levied, collected, and paid, to the Hands of the Receiver

These Duties to be managed by the Commiſſioners of the Cuſtoms.

ceiver or Receivers General of the Revenue of the Cuſtoms for the time being, and ſuch Receiver or Receivers General for the time being ſhall anſwer and pay over all the Monies ariſing thereby (the neceſſary Charges of raiſing, collecting, and anſwering the ſame only excepted) in ſuch Manner, and for ſuch Purpoſes, as are before in this Act appointed.

On 3 Years Notice after the 29 Sept. 1711. and Repayment by Parliament of the ſaid 2,000,000 l. &c. this Act to ceaſe and determine. ' Reſtrained by 10 Annæ, c. 28. to 3 Years Notice after 25 March 1733.'

LXXIX. Provided always, and it is hereby declared and enacted, That at any Time upon three Years Notice, after the nine and twentieth Day of *September* one thouſand ſeven hundred and eleven, upon Repayment by Parliament of the ſaid Sum of two Millions, or ſuch Part thereof as ſhall be paid or advanced as aforeſaid, unto the reſpective Subſcribers and Contributors of the ſame, or to ſuch Perſon or Perſons as by, from, or under them ſhall be intitled to the ſaid Annuities or Shares of the ſaid yearly Fund or Capital Stock in reſpect of the ſame, and of all Arrears of the ſaid Annuities or yearly Payments, then and from thenceforth as well the ſaid Duties upon Salt, and Rock-Salt, as the ſaid Duties upon ſtamped Vellum, Parchment, and Paper, and alſo the ſaid yearly Fund charged thereupon, and the ſaid Annuities iſſuing out of the ſame, and the ſaid Duty of five Pounds in the Hundred, for the ſaid imported Goods, and alſo all the ſaid Corporations to be erected by or in purſuance of this Act, and the Benefit of Trade hereby given, or intended to be given to them or any of them, ſhall abſolutely ceaſe and determine; any thing herein contained to the contrary notwithſtanding.

Additional Duty of 1 s. 10 d. per lb. wt. on all wrought Silks imported from the Eaſt Indies. REP. 11 W. 3. c. 10. §. 10.

LXXX. And the ſaid Commons of *England* in Parliament aſſembled, as a further Supply for His Majeſty's extraordinary Occaſions, have moreover freely given and granted unto His Majeſty, His Heirs and Succeſſors, the further Rates and Duties herein after mentioned: And it is hereby further enacted by the Authority aforeſaid, That for and upon all wrought Silks, which from and after the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, at any Time or Times ſhall be imported or brought from the *Eaſt Indies*, or from *Perſia*, or from any other the Countries or Places within the Limits before mentioned, into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, there ſhall be yielded and paid to His Majeſty, His Heirs and Succeſſors (over and above all other Duties payable for the ſame) the Sum of one Shilling and ten Pence for every Pound Weight, reckoning ſixteen Averdupoize Ounces to the Pound, to be paid by the Importer or Importers thereof, and to be raiſed, levied, collected, and paid, to the Uſe of His Majeſty, His Heirs and Succeſſors, by ſuch Ways, Rules, and Methods, and under ſuch Penalties and Forfeitures, and in ſuch Manner and Form, as any other Duties upon Silks imported by the Act of Tunnage and Poundage, made in the twelfth Year of the Reign of King CHARLES the Second, or by any other ſubſequent Act for continuing the ſame, or by any other Law now in Force relating to the Cuſtoms, are to be raiſed, levied, collected, and paid.

12 Car. 2. c. 4.

Perſons who may trade purſuant to this Act, ſhall have the ſole Trade to the Eaſt Indies, &c. ' Enforced by 5 Geo. 1. c. 21.'

LXXXI. And be it further enacted by the Authority aforeſaid, That ſuch Perſons or Corporations, as in purſuance of this Act ſhall have a Right and Power to trade to the *Eaſt Indies*, and other the Parts aforeſaid, according to ſuch Proviſions, Proportions, and Reſtrictions as are in this Act contained, and ſubject to the Condition or Power of Redemption before mentioned, from and after the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, ſhall have, uſe, and enjoy the whole and ſole Trade and Traffick, and the only Liberty, Uſe, and Privilege of trading, trafficking, and exerciſing the Trade or Buſineſs of Merchandize to and from the ſaid *Eaſt Indies*, and to and from all the Iſlands, Ports, Havens, Cities, Towns, and Places, within the Limits before mentioned; and that the ſaid *Eaſt Indies*, or the Iſlands, Havens, Forts, Cities, Towns, or Places within the Limits aforeſaid, or any of them, ſhall not after the ſaid nine and twentieth Day of *September* one thouſand ſix hundred ninety-eight, be viſited, frequented, or haunted by any other of the Subjects of His Majeſty, His Heirs or Succeſſors, during ſuch Time as the Benefit of Trade hereby given, or intended to be given, to the Subſcribers or others, as aforeſaid, ought to continue by virtue of this Act; and if any of the Subjects of His Majeſty, His Heirs or Succeſſors, of what Degree or Quality ſoever they be, other than ſuch as may lawfully go and trade to the *Eaſt Indies*, and other the Parts aforeſaid, by virtue of this Act, and their Factors, Agents, and Servants reſpectively, who ſhall be employed according to the true Meaning hereof, ſhall directly or indirectly viſit, haunt, frequent, trade, traffick, or adventure into or from the ſaid *Eaſt Indies*, or other the Parts before mentioned, contrary to the true Meaning hereof, all and every ſuch Offender and Offenders ſhall incur the Forfeiture and Loſs of all the Ships and Veſſels which ſhall be employed in ſuch Trade, with the Guns, Tackle, Apparel, and Furniture thereunto belonging, and alſo all the Goods and Merchandize laden thereupon, and all the Proceed and Effects of the ſame, and alſo double the Value thereof (to wit) one fourth Part thereof to ſuch Perſon or Perſons as will ſeize, inform, or ſue for the ſame, to be recovered in any Court of Record, as aforeſaid, and the other three fourth Parts to the Uſe of the ſaid General Society, until a Company ſhall be erected, as aforeſaid, and after the erecting thereof (if any ſuch be) then to the Uſe of the ſaid Company, without Account, the Charges of Proſecution being born by the ſaid Society or Company.

Penalty on other Perſons trading to the Eaſt Indies, than ſuch as are impowered by this Act. ' Enforced by 13 Geo. 1. c. 8. §. 3.'

If Duties by this Act appropriated be not ſufficient to ſatisfy the Payments appointed, Deficiency to be made good out of the next Aids.

LXXXII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Duties, ariſing or appropriated by this Act, ſhall at any Time or Times appear to be ſo deficient in the Produce of the ſame, as that within any one Year, to be reckoned as aforeſaid, from and after the nine and twentieth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſix hundred ninety-nine, the weekly Payments upon the ſame Rates or Duties ſhall not amount to ſo much as ſhall be ſufficient to diſcharge and ſatisfy the ſeveral and reſpective Benefits, yearly Payments, or Advantages, by this Act appointed or intended to be paid within or for the ſame Year reſpectively, that then, and ſo often, and in every ſuch Caſe, it is hereby declared, that every ſuch Deficiency and Deficiencies ſhall be provided for, anſwered, and made good, by or out of the next Aids to be raiſed and granted by Parliament, for and towards the diſcharging or paying off the ſaid Benefits, yearly Payments, or Advantages appointed by this Act, as, together with the Monies which ſhall have been brought into the ſaid Receipt of the Exchequer, of or for the ſaid ſeveral Rates and Duties hereby granted or appropriated, ſhall be ſufficient to pay off and diſcharge all the Monies which ſhall within the ſame Year reſpectively be grown due, or ought to be paid, for the Recompen-

ces,

ces, yearly Payments, and Advantages hereby provided, according to the true Intent and Meaning of this Act.

LXXXIII. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to hinder or reſtrain the Governor and Company of Merchants of *London* trading into the *Eaſt Indies*, to continue to trade within the Limits aforeſaid, until the nine and twentieth Day of *September* one thouſand ſeven hundred and one; any thing in this Act contained to the contrary notwithſtanding. The preſent Eaſt India Company may trade till 29 Sept. 1701.

LXXXIV. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to make any Ships (not in the Service of the ſaid Governor and Company of Merchants of *London* trading into the *Eaſt Indies)* which were cleared outwards from *England*, or elſewhere, for the *Eaſt Indies*, or Limits aforeſaid, before the firſt Day of *July* one thouſand ſix hundred ninety-eight, or the Lading thereof (ſo as they return into ſome Port of this Kingdom without breaking Bulk in any Part of *Europe)* to be liable to any of the Penalties or Forfeitures in this Act; any thing herein contained to the contrary notwithſtanding. Ships cleared out before 1 July 1698, not liable to Forfeitures.

LXXXV. And be it enacted by the Authority aforeſaid, That the Governor and Company of Merchants of *London* trading into the *Eaſt Indies* ſhall pay and diſcharge all juſt Debts whatſoever, which the ſaid Governor and Company do owe, or are ſubject to; and that all and ſingular the Manors, Lands, Tenements, Goods, Wares, Merchandizes, Chattels real and perſonal, as well granted and confirmed to them and their Succeſſors by any Letters Patents under the Great Seal of *England* heretofore made, or by the Conceſſions and Grants of any Perſon or Perſons whatſoever, or of which they now are or hereafter ſhall be ſeized or poſſeſſed, by any Manner, Ways, or Means whatſoever, ſhall be and are hereby declared to be ſubject unto and chargeable with the Payment of the ſaid juſt Debts; and if at any Time, from and after the four and twentieth Day of *June* one thouſand ſix hundred ninety-eight, the ſaid Governor and Company, or any other Perſon or Perſons, ſhall make any Dividend or Dividends of their Stock and Eſtates, or any Part thereof, or of any of the Effects or Produce of the ſame, before the full Payment and Satisfaction of their ſaid juſt Debts, in every ſuch Caſe, the particular Members, and every of them reſpectively, who in their private or perſonal Capacities ſhall receive any Share of ſuch Dividend or Dividends, ſhall be ſeverally liable, and they are hereby made liable, ſo far as their reſpective Shares, ſo by them reſpectively received upon ſuch Dividend or Dividends, ſhall extend, to pay and ſatisfy the ſaid Debts, or ſuch of them which ſhall remain due and unpaid, to any other Perſon or Perſons, Bodies Politick or Corporate, who by virtue of this Act are ſeverally enabled to ſue for and recover the ſame, beſides double Coſts of Suit, by Action of Debt, or of the Caſe, as is before mentioned; any thing in this Act, or any Law, Statute, Uſage, or Preſcription to the contrary notwithſtanding. Preſent Eaſt India Company to pay their juſt Debts, and their Eſtates made liable thereunto. If they make any Dividends before Payment of their Debts, Members to be liable, ſo far as their Shares ſhall extend, to pay, &c.

LXXXVI. Provided always, and be it enacted, That every Society, Company, or Corporation whatſoever, which ſhall be erected or eſtabliſhed in purſuance of this Act, and their Succeſſors reſpectively, ſhall take care, that the Sum Total of all the Debts which ſuch Society, Company, or Corporation reſpectively, ſhall owe at any one Time to any other Perſon or Perſons, Bodies Politick or Corporate, do not exceed the Value of the Principal or Capital Stock or Stocks, which at any ſuch Time ſhall be and remain to ſuch Society, Company, or Corporation, undivided; and that in caſe any ſuch Society, Company, or Corporation, by any Dividend or Dividends whatſoever, to be made amongſt themſelves, or in their private or perſonal Capacities, ſhall reduce or leſſen their Joint Stock, Principal or Capital, without limiting, paying off, or proportionably reducing the Total Sum of the ſaid Debts which they ſhall owe to others, as aforeſaid, ſo that the Value of their Joint Stock, Principal or Capital undivided, ſhall not be ſufficient to anſwer their juſt Debts then remaining unpaid, in every ſuch Caſe the particular Members, and every of them reſpectively, who in their private or perſonal Capacities ſhall receive any Share of ſuch Dividend, ſhall be ſeverally liable, and they are hereby made liable, ſo far as the reſpective Shares, ſo by them reſpectively received upon ſuch Dividend or Dividends, ſhall extend, to pay and ſatisfy the Debts which ſhall remain due and unpaid by ſuch Society, Company or Corporation reſpectively, to any other Perſons or Bodies Politick or Corporate as aforeſaid, who by virtue of this Act ſhall and may ſue for, and recover the ſame, beſides Coſts of Suit, by Action of Debt, or of the Caſe, as is before mentioned; any thing in this Act, or any other Act, Law, Uſage, or Cuſtom to the contrary notwithſtanding. Society, &c. not to owe more than the Value of their Capital Stock undivided, &c. If their Debts exceed their Capital Stock, Members liable to pay ſo far as the Shares will extend, &c.

LXXXVII. Provided always, and it is hereby enacted by the Authority aforeſaid, That out of the Monies which ſhall be contributed or advanced upon this Act, and out of the Monies which by Loans or otherwiſe, upon any other Act or Acts of this preſent Seſſion of Parliament, for granting of any Aid or Supply to His Majeſty (ſhall ariſe over and above the Monies by them, or any of them appropriated, directed or authorized to be applied for any particular Uſe or Uſes, Purpoſe or Purpoſes therein mentioned) the Sums following ſhall and may be applied, iſſued and diſpoſed (that is to ſay) the Sum of twenty-nine thouſand two hundred and nine Pounds, to defray the Expence and Charges of His Majeſty's ſeveral Mints, and to clear the Monies which are due to the ſeveral Importers there; and the Sum of four hundred thouſand Pounds, for defraying the Expences of His Majeſty's Houſhold and Family, and other neceſſary Occaſions of the Civil Government, over and above the Sum, not exceeding ſix hundred thouſand Pounds, which in and by one Act of this Seſſion, intituled, *An Act for granting to His Majeſty an Aid by a Quarterly Poll for one Year*, is to be made uſe of for paying of Tallies, and other Purpoſes therein mentioned; and that out of the Monies to be advanced, or to ariſe as aforeſaid, ſuch Sums as ſhall be neceſſary to ſatisfy the *Præmiums* or Rewards due or to be due to ſuch as have contracted, or ſhall contract to advance Monies from time to time for exchanging or circulating the Bills, commonly called *Exchequer Bills*, ſhall and may be in like Manner applied and diſpoſed; and that all other the Monies which ſhall be advanced upon this Act, or ariſe by Loans or otherwiſe as aforeſaid, upon any other Act or Acts of this preſent Seſſion of Parliament (other than and except as is before mentioned) ſhall and may be applied, and the ſame are hereby appropriated for and towards the Payment and Satisfaction of ſuch Sum and Sums of Money as are or ſhall be Appropriations. To the Uſe of the Mints 29,209 l. For the Civil Government 450,000 l. and Præmiums on Contracts for circulating Exchequer Bills. The reſt for Land and Sea Service. 9 & 10 W. 3. c. 38.

due, owing or payable for Land and Sea Services, performed and to be performed, and the Charges and Expences relating thereunto, or ſome of them, ſo far as the ſaid Money will extend; and the Commiſſioners of His Majeſty's Treaſury now being, and the Treaſurer, and the Under Treaſurer of the Exchequer, and Commiſſioners of the Treaſury for the Time being, are hereby directed, authorized and required to cauſe all the Monies to be advanced, or ariſing as aforeſaid, to be applied, iſſued and paid accordingly.

Penalties contained in the Act 1 W. & M. ſeſſ. 2. c. 1. for an Aid of 2 s. in the Pound, &c. revived.

LXXXVIII. And to the end the Sums by this Act appropriated may not be diverted or applied to any other Purpoſes than are hereby directed and intended, Be it further enacted by the Authority aforeſaid, That the Rules and Directions appointed and enacted in one Act made in the firſt Year of His Majeſty's Reign, intituled, *An Act for granting to their Majeſties an Aid of two Shillings in the Pound for one Year*, for the ſpeedy Payment of the Money thereby granted into the Receipt of the Exchequer, by the Collectors and Receivers, and for the Diſtribution and Application thereof, and keeping diſtinct Accounts of the ſame, and all other Proviſions, Pains, Penalties and Forfeitures thereby enacted, in caſe of Diverſion or Miſapplication of any Money thereby appropriated, are hereby revived and enacted to be in Force, and ſhall be practiſed, applied, executed, and put in Ure, for and concerning the Diſtribution and Application of the ſaid Sums hereby appropriated, as fully, amply and effectually, as if the ſame were here again particularly repeated and re-enacted.

8 & 9 W. 3. c. 28.

'LXXXIX. And whereas by an Act made and paſſed in the Seſſion of Parliament held in the eighth and ninth Years of His Majeſty's Reign, intituled, *An Act for the better Obſervation of the Courſe antiently uſed in the Receipt of Exchequer*, it is (amongſt other Things) enacted and declared, That from and after the twentieth Day of *April* one thouſand ſix hundred ninety-ſeven, no Teller in the ſaid Receipt of Exchequer ſhould charge himſelf by his Bill with the Receipt of any Monies in the Exchequer, but at ſuch Times as the Officers of the Talley Court, their Deputies or Subſtitutes, ſhould be there preſent, to levy a Talley or Tallies for the ſame, nor ſhould any Teller, or other Perſon employed by him, throw down or cauſe to be thrown down into the ſaid Court, any Bill or Bills, owning or purporting the receiving any Sum or Sums of Money, from any Lender of Money, Receiver, or any other Perſon or Perſons whatſoever, upon which Bill or Bills a Talley or Tallies are to be levied, according to the Courſe of the ſaid Receipt, unleſs ſuch Teller reſpectively, or his Clerks, or Perſons employed by him, ſhould have actually received, and have then in his Office the very Money which ſhould be ſpecified in ſuch Bill or Bills reſpectively (except as therein is excepted) under the Penalties therein mentioned;' Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Lord High Treaſurer, or any three or more of the Commiſſioners of His Majeſty's Treaſury for the time being, if he or they ſhall think fit, and it be found ſafe and expedient for His Majeſty's Service, to permit and direct the Tellers of the ſaid Receipt of Exchequer, or their Clerks, from and after the tenth Day of *July* one thouſand ſix hundred ninety-eight, to receive from Commiſſioners, Receivers, Collectors, or other Perſons making any Payments to His Majeſty at the ſaid Receipt of His Exchequer, upon any Account whatſoever, or upon Loans, Bills under the Seal of the Governor and Company of the Bank of *England*, commonly called *Bank Bills*, as ſhall be tendred in Payment for any Aids, Taxes, Revenues or Loans whatſoever, unto the End of the next Seſſion of Parliament, and no longer; any thing in the ſaid recited Act, or in any other Act or Acts of Parliament, or any Cuſtom or Uſage to the contrary in any wiſe notwithſtanding; provided that none of the ſaid Bank Bills ſhall be ſo taken in the Exchequer, when the ſame are at any Diſcount.

Bank Bills may be received in Payments to the King, &c.

but not at any Diſcount.

' By 5 Geo. 2. c. 20. § 22. the India Company's Annuity is charged on the Aggregate Fund.'

*Further Proviſions relating to the Eaſt India Company*, 1 *Ann. ſtat.* 1. *c.* 12. *ſect.* 113. 6 *Ann. c.* 3 & 17. 10 *Ann. c.* 28. 5 *Geo.* 1. *c.* 21. 7 *Geo.* 1. *c.* 5. & 21. 9 *Geo.* 1. *c.* 26. 3 *Geo.* 2. *c.* 14. 17 *Geo.* 2. *c.* 17. 27 *Geo.* 2. *c.* 9. 1 *Geo.* 3. *c.* 14.

## CAP. XLV.

An Act for taking away half the Duties impoſed on Glaſs Wares, and the whole Duties lately laid on Stone and Earthen Wares, and Tobacco Pipes; and for granting (in lieu thereof) new Duties upon Whale Fins, and *Scotch* Linen.

6 W. 3. c. 18.

'WHEREAS in and by an Act made and paſſed in the Parliament holden at *Weſtminſter*, in the ſixth Year of His Majeſty's Reign, intituled, *An Act for granting to His Majeſty certain Duties upon Glaſs Wares, Stone and Earthen Bottles, Coals and Culm, for carrying on the War againſt* France, ſeveral Rates and Duties therein mentioned were laid upon all Glaſs, and Glaſs Wares, Stone and Earthen Bottles,' which at any Time or Times during the Term of five Years, from and after the nine and twentieth Day of *September*, which was in the Year of our Lord one thouſand ſix hundred ninety-five, ſhould be made within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, or imported or brought into the ſame; and in and by another Act made and paſſed in the Parliament holden

7 W. 3. c. 31.

at *Weſtminſter*, in the ſeventh Year of His Majeſty's Reign, intituled, *An Act for continuing to His Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the War againſt* France, *and for eſtabliſhing a national Land Bank, and for taking off the Duties upon Tunnage of Ships, and upon Coals*, the aforeſaid Rates and Duties upon Glaſs, or Glaſs Wares, Stone Bottles, and Earthen Bottles, are continued and granted to His Majeſty, His Heirs and Succeſſors for ever; and it was thereby further enacted, That from and after the ſeventeenth Day of *May* one thouſand ſix hundred ninety-ſix, there ſhould be raiſed and paid to His Majeſty, His Heirs and Succeſſors for ever, for and upon all Sorts of Tobacco Pipes, and for and upon all ſuch Stone or Earthen Wares as are therein mentioned, certain Rates and Duties therein expreſſed, as by the ſaid ſeveral Acts of Parliament, Relation being thereunto ſeverally had, may more fully appear: And whereas it is found by Experience, that the ſaid Rates and Duties upon Glaſs and Glaſs Wares are too great, ſo that the Makers of thoſe Manufactures in this Kingdom are thereby diſcouraged; and that

'the said Duties upon Stone Bottles, Earthen Bottles, and other Stone and Earthen Wares, and the said 'Duties upon Tobacco Pipes are vexatious and troublesome, and very chargeable in the levying and col-'lecting of the same:' Be it therefore enacted, &c.

[By 10 & 11 W. 3. cap. 18. all Glass Duties are determined, for which Reason Sect. I, VI, VII, VIII. in this Act relating thereto are omitted.]

From 10 July 1698. (save prospectively as to White Fins by 9 Anne, c. 21. §. 1.) for eight Years, the following additional Duties to be paid:

II. And be it enacted by the Authority aforesaid, That from and after the tenth Day of *July* one thousand six hundred ninety-eight, there shall be answered and paid to His Majesty, His Heirs and Successors, for and during the Term of eight Years from thence next ensuing, for and upon all Whale Fins and *Scotch* Linens herein after mentioned, as shall be imported or brought into the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, (over and above all Impositions, Duties and Charges already imposed and payable upon and for the same, by the Book of Rates or otherwise) the further Rates and Duties following; that is to say,

For Whale Fins imported by the Greenland Company, &c. 3 d. per lb. wt. and by Foreigners 6 d.

III. For all Whale Fins that are or shall be taken, caught and imported in and by any Ships or Vessels whatsoever, of or belonging to the Company established for the *Greenland* Trade, the Sum of three Pence for every Pound Weight thereof; and after that Rate for a greater or lesser Quantity: And for all Whale Fins which are or shall be taken, caught or imported by Foreigners, or by any Ships or Vessels not belonging to the said Company, the Sum of six Pence for every Pound Weight thereof; and after that Rate for a greater or lesser Quantity; to be paid by the Importer or Importers of the same.

'By 5 Geo. 2. c. 28. Whale Fins, &c. may be freely imported by British Subjects.'

For Scotch Linen called Twill, 10 s. and for Scotch Ticking imported 6 s. 8 d. per 100 Ells.

IV. For all Linen of the Manufacture of *Scotland*, commonly called by the Name of *Twill*, which shall be imported or brought in as aforesaid, the Sum of ten Shillings for every Hundred, containing one hundred and twenty Ells; and for all Linen of the Manufacture of *Scotland*, commonly called by the Name of *Ticking*, which shall be imported or brought in as aforesaid, the Sum of six Shillings and eight Pence for every Hundred, containing one hundred and twenty Ells; and after those Rates for any greater or lesser Quantities; to be paid also by the Importer or Importers of the same.

Importer to have 12 Months to pay the Duties, or Allowance after the Rate of 10 l. per Cent. for prompt Payment.

Goods exported again in 9 Months, Duty to be repaid.

V. And be it further enacted by the Authority aforesaid, That for the additional Duties hereby imposed upon the aforementioned Goods, the Importer, giving Security at the Custom-house, shall have Time, not exceeding twelve Months, for the Payment of the same, from the Importation, to be paid by four equal and quarterly Payments; or in case such Importer shall pay ready Money, he shall have after the Rate of ten Pounds *per Centum* of the said Duty for a Year abated to him; and if the Goods and Merchandizes aforementioned, imported as aforesaid, for which the Duties hereby granted shall be paid or secured at the Importation thereof, be again exported by any Merchant *English* within twelve Months, or by Strangers within nine Months after the Importation, then the aforesaid Duty shall be wholly repaid, or the Security vacated as to what shall be so exported.

'These 12 & 9 Months enlarged to 3 Years by 7 Geo. 1. stat. 1. c. 21. §. 10.'

Entry to be made on Importation of Whale Fins, Scotch Linen, &c.

Goods landed before Entry forfeited, and may be recovered of Importer, &c.

IX. And it is hereby further enacted, That upon the Importation of any Whale Fins, *Scotch* Linen or Tickings hereby charged as aforesaid, an Entry or Entries thereof shall be made in the Custom-house where such Goods shall be imported; and in case any such Goods shall be landed or put on Shore, out of any Ship or Vessel, before due Entry be made as aforesaid, and the Duties hereby imposed thereupon shall be paid or secured, or without a Warrant for the landing or delivering the same first signed by the Commissioners, Collectors, or other proper Officer or Officers of the Customs respectively, then all such imported Goods as shall be so landed or put on Shore, or taken out of any Ship or Vessel, contrary to the true Meaning hereof, or the Value of the same, shall be forfeited and lost, and shall and may be recovered of the Importer or Proprietor thereof (to wit) one Moiety of the said Forfeitures to the Use of the King, and the other Moiety to the Use of such Person or Persons as will seize the said Goods, or sue for the same or the Value thereof, by Action, Bill, Suit, or Information as aforesaid.

Commissioners of the Customs to manage the Duties on Whale Fins, &c.

Duties how to be applied.

X. And be it enacted by the Authority aforesaid, That the said Duties hereby granted and payable for Whale Fins, and such *Scotch* Linen as aforesaid, shall be from time to time under the Management and Government of the Commissioners of the Customs for the time being, who shall cause the same to be raised, levied, collected, and paid to the Hands of the Receiver or Receivers General of the Revenue of the Customs for the time being: And such Receiver or Receivers General shall from time to time bring the Produce thereof (the necessary Charges of raising and answering the same only excepted) into the Receipt of the Exchequer: And that the Officers of the said Receipt of Exchequer for the time being, to whom it shall appertain, shall from time to time issue, pay and apply, as well the said Duties upon Whale Fins and such *Scotch* Linens as aforesaid, arising by this Act, as also such Part of the said Duties upon Glass and Glass Wares, as is not taken away by this Act, to and for the Payment and Satisfaction of such Principal and Interest Monies, whereunto the whole Duties upon Glass and Earthen Wares and Tobacco Pipes, by any Act or Acts of Parliament now in Force, ought to have been applied, if this present Act had never been made; and that in such Order and Form, and under the like Penalties and Forfeitures, as by any such Act or Acts now in Force are or were provided or prescribed for the issuing, paying and applying of the said whole Duties upon Glass and Earthen Wares, and Tobacco Pipes; any thing in this Act, or any former Act or Acts of Parliament to the contrary notwithstanding.

END of the THIRD VOLUME.